

ENGROSSED HOUSE
BILL NO. 1008

By: Cox, Boyd (Betty),
Bryant, Culver, Erwin,
Hager, Reese, Staggs,
Stites, Weese, Wells,
Adkins, Hastings,
Sullivan (Leonard),
Ferguson, Perry and Holt
of the House

and

Leftwich of the Senate

An Act relating to schools; stating legislative intent concerning freedom of expression; authorizing school boards to establish certain dress codes; requiring such codes be included in school discipline policies; requiring certain notice to students; limiting certain dress code mandates; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-105.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. It is the intent of the Legislature that the right of students in the public schools of this state to freedom of expression be protected unless that expression is libelous, obscene or presents a clear and present danger of violence or disruption.

B. The board of education of each school district in this state shall have full power and authority to regulate, control or prohibit the wearing of clothing specified in this subsection by any student attending school in that district during school hours or while attending student functions or school events if such clothing is considered by the board to be:

1. Libelous;
2. Obscene;
3. Incorporating profanity;
4. Approving of tobacco, drug or alcoholic beverage sale, purchase or use;
5. A symbol of gang affiliation;
6. Approving of violence;
7. Denigrating people because of their race, ethnicity, religion, handicap or sex;
8. Denigrating or blaspheming God, Jesus Christ, the Holy Spirit or the Holy Scriptures;
9. Desecrating the flag of the United States of America or of the State of Oklahoma; or
10. Denigrating any other religion or religious symbol.

C. The board of each school district adopting any part of the dress code authorized in subsection B of this section shall mandate that the dress code be incorporated into the discipline policy of the school and that students and the parents or guardians of such students are properly informed of the dress code. Any rules concerning the dress code adopted by the board shall have a reasonable connection with the education function entrusted to the board and shall not censure the political opinions of the students or interfere with common clothing fads of students which are not included in subsection B of this section. However, nothing in this act shall prevent any school district from instituting a uniform dress code.

SECTION 2. This act shall become effective July 1, 1995.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 1st day of March, 1995.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate