S T A T E  O F  N E W  Y O R K

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2011-2012 Regular Sessions

I N  A S S E M B L Y

January 26, 2011

Introduced by M. of A. P. RIVERA -- Multi-Sponsored by -- M. of A. ARROYO -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring all public school students to wear a school district uniform

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative findings and intent. The legislature hereby finds that there is a strong co-relation between school gang violence proliferation, and the distinctive and casual clothing school kids wear to school. This legislature sees necessary to address and combat this issue, which is of great public concern, with all practical and empirical means at its disposal, and that those means should be put into practice by all competent authorities and institutions in New York state.

A study found out that due to increased prevalence of school violence, one in five public school students feels less eager to go to school every day, one in seven feels less inclined to pay attention to learning, and one in ten stays home from school or cuts class. Moreover, one of every 10 to 12 youths who stay away from school does so because of fear. Meanwhile, of the 5,500 principals surveyed as attendees of the National Association of Secondary School Principals' annual conference, more than 70% believed that requiring students to wear uniforms to school would reduce violent incidents and discipline problems.

More than 12 states, including California, New Jersey, Texas, Virginia and Washington, have state policies that permit individual schools or districts to adopt school uniform policies or dress codes. To emphasize, there have been several successful programs implemented during the past few years, with the Long Beach, California program being by far the most widely reviewed and written about. The program that began in the fall of 1994 requires uniforms for 70,000 students in kindergarten through eighth grades. With a 98% compliance rate, results during their first

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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years have proven the dramatic effect a successful school uniform policy can have on a school system. The first year alone they saw a 43% reduction in suspensions, 54% fewer fights, a 70% reduction in substance abuse, over 20% fewer cases of weapons possession and robbery, and an over 50% reduction in reports of battery against employees. Other school systems nationwide likewise report similar changes in statistics. As recently as the summer of 2002, school districts were adding school uniform requirements to district mandates. The school board for the Memphis City Schools in Tennessee voted in June, 2002, to require each school's leadership council to establish a uniform dress code policy, and more schools in the Cincinnati, Ohio area were requiring either school uniforms or the adoption of standard dress codes. For this reason, as more states in the country are implementing these policies that are working towards fighting gang proliferation, New York state should not be the exception, especially when, in the past ten years, there has been a dramatic increase in the number of school students recruited by gangs.

According to USA Today, parents spent an average of $185 per child buying non-uniform clothing in 1998, compared with an average of $104 spent per child to purchase uniforms. Furthermore, a more recent article in the Wall Street Journal lists uniform costs; the range is $25-$40 per outfit.

This act will not only impact the social and economic status of families throughout the state by providing inexpensive uniforms, but it will enhance students' concentration on studying rather than on forming or joining gangs. Also, it is the finding of this legislature that requiring school students in this state to wear uniforms will diminish exclusion of students based on what they are wearing, place stronger focus on academic performance, decrease opportunity for showing gang affiliation or hiding weapons, create an atmosphere of teamwork and pride in personal appearance and school, promote safety (makes it easier to identify strangers in school), put students in a more common ground, and reduce discrepancies in administering dress-codes justice.

S 2. Section 305 of the education law is amended by adding a new subdivision 42 to read as follows:

42. HE OR SHE SHALL PROMULGATE RULES AND REGULATIONS REQUIRING SCHOOL DISTRICTS TO ESTABLISH AND IMPLEMENT A SCHOOL DISTRICT UNIFORM POLICY FOR ALL STUDENTS IN GRADES ONE THROUGH TWELVE, PURSUANT TO SECTION TWENTY-EIGHT HUNDRED THREE OF THIS CHAPTER. PROVIDED THAT FOR THE CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK, THE COMMISSIONER SHALL ESTABLISH BY RULE A REQUIREMENT THAT EVERY STUDENT IN SUCH DISTRICT, IN GRADES ONE THROUGH TWELVE, WEAR A UNIFORM SPECIFIED FOR SUCH CITY SCHOOL DISTRICT BY THE COMMISSIONER.

S 3. The education law is amended by adding a new section 2803 to read as follows:

S 2803. SCHOOL DISTRICT UNIFORMS. 1. EXCEPT IN THE CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK, THE BOARD OF EDUCATION OR TRUSTEES OF EVERY SCHOOL DISTRICT IN THE STATE, AND EACH BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL ESTABLISH A REQUIREMENT THAT EVERY STUDENT IN GRADES ONE THROUGH TWELVE WEAR THE STUDENT UNIFORM SPECIFIED BY SUCH BOARD.

2. IN THE CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK, EVERY STUDENT IN GRADES ONE THROUGH TWELVE SHALL WEAR THE STUDENT UNIFORM SPECIFIED BY THE COMMISSIONER FOR STUDENTS IN SUCH DISTRICT PURSUANT TO SUBDIVISION FORTY-TWO OF SECTION THREE HUNDRED FIVE OF THIS CHAPTER.

S 4. This act shall take effect immediately, provided that section three of this act shall take effect on the first of September or the first of January, whichever occurs first, next succeeding the one hundred eightieth day after the effective date of this act.