

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 7043      PCB KTS 15-02      Standard Student Attire

**SPONSOR(S):** Education Committee, K-12 Subcommittee, Adkins

**TIED BILLS:**                      **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: K-12 Subcommittee	12 Y, 0 N	Brink	Fudge
1) Education Appropriations Subcommittee	13 Y, 0 N	Seifert	Heflin
2) Education Committee	15 Y, 0 N, As CS	Brink	Mizereck

### SUMMARY ANALYSIS

The K-12 Subcommittee held four meetings to discuss efforts to increase academic outcomes for students. The discussions included the respective roles of district school boards, superintendents, and school principals. Presenters identified various factors that affect student outcomes such as attendance, discipline and academic intervention for students at risk of dropping out. A consistent theme from these discussions was the important role of a safe and supportive learning environment, or the school's "climate." Several school districts testified that school uniforms, or standard student attire, was effective at creating a safe and supportive environment by minimizing discipline problems and thereby enabling students to focus on academics. Current law authorizes district school boards to adopt policies requiring school uniforms if the district school board finds that such policies are necessary for the safety and welfare of the student body or school personnel.

The bill creates the "Students Attired for Education (SAFE) Act" and enumerates the benefits of a standard student attire policy and consequently removes the requirement that school boards individually make such findings. The bill encourages district school boards to enact a policy requiring standard student attire in at least kindergarten through eighth grade by providing immunity from civil liability based upon adoption of the policy and providing additional funds to school boards that enact a standard student attire policy. Funding of \$10 per student in kindergarten through eighth grade is provided for qualifying districts.

The bill creates the safe schools allocation and criteria for distribution of funds. The actual amount and allowable activities will be provided in the General Appropriations Act.

The bill appropriates a total of \$10,000,000 from the General Revenue Fund for qualifying districts for the 2015-2016 school year.

The bill is effective upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

The K-12 Subcommittee held four meetings to discuss efforts to increase academic outcomes for students. The discussions included the respective roles of district school boards, superintendents, and school principals. During these discussions educational leaders identified various factors that affect student outcomes such as attendance, discipline and academic intervention for students at risk of dropping out. A consistent theme from these discussions was the important role of a safe and supportive learning environment, sometimes referred to as school “climate.”

Several school districts testified that school uniforms, or standard student attire, are effective at creating a safe and supportive environment by minimizing discipline problems and enabling students to focus on academics. Current law authorizes district school boards to adopt policies requiring school uniforms if the district school board finds that such policies are necessary for the safety and welfare of the student body or school personnel.

The following school boards have at least a district-wide K-8 standard student attire policy: Alachua, Bay, Madison, Osceola, and Polk.

##### Effect of Proposed Changes

The bill revises the authority of school boards to adopt policies requiring school uniforms by removing the requirement that a school board must make a finding that school uniforms are necessary for the safety and welfare of students. The requirement is unnecessary because the bill enumerates some of the benefits of standard student attire which encourages students to express their individuality through personality and academic achievements, not outward appearances; enables students to focus on academics, not fashion, because they are able to project a neat, serious, studious image; minimizes discipline problems because students are not distracted by clothing; minimizes visible differences among students by using clothing that is more economical for parents; reduces time for correcting dress code violations through a readily available inventory of compliant attire; and eliminates social pressures to wear brand name clothing or “gang colors” thereby easing financial pressure on parents and enhancing school safety.

A standard student attire policy prohibits certain types and styles of clothing while requiring solid colored clothing and fabrics for pants, skirts, shorts, or similar clothing and short or long sleeved shirts with collars. A standard school attire policy may authorize a small logo but may not authorize a slogan or motto and must allow a student’s parent to opt out of the policy for religious purposes or by reason of a disability. A school district that adopts a standard student attire policy that complies with the bill is immune from civil liability as a result of adopting such policy. The bill creates the safe schools allocation and criteria for distribution of funds. The actual amount and allowable activities will be provided in the General Appropriations Act.

The bill creates an incentive payment, in the amount of \$10 per student in kindergarten through grade 8, for districts that implement a district-wide, K-8, standard student attire policy. The bill authorizes the Commissioner of Education to make payment to districts on a first-come, first-serve basis, as district school superintendents submit certification that their district has implemented a complying policy. The bill provides for undisbursed funds as of June 30 each year to be reverted to the fund from which they were appropriated.

For the 2015-2016 school year, the bill provides \$10 million in recurring general revenue funds to the Department of Education for the purpose of awarding school districts that implement a complying standard student attire policy.

**B. SECTION DIRECTORY:**

Section 1. Creates the "Students Attired for Education (SAFE) Act."

Section 2. Amends s. 1001.43(1), F.S., authorizing school boards to adopt policies regarding standard student attire without requiring specific findings, enumerating the benefits of such policies, describing the requirements for such policies, and providing immunity from civil liability for school districts that enact a district-wide policy for all students in kindergarten through eighth grade.

Section 3. Amends s. 1011.62, F.S., creating the safe schools allocation, requiring school districts to comply with reporting requirements.

Section 4. Creates s. 1011.78, F.S., creating an incentive payment for school districts that implement a district-wide standard student attire policy; requiring certification from a district school superintendent that the district school board has implemented a standard student attire policy; requiring the Commissioner of Education to make payment of awards to school districts in the order in which certifications from school districts are received; providing for reversion of unused funds.

Section 5. Provides an appropriation of \$10,000,000 for the 2015-2016 school year.

Section 6. Provides that the bill is effective upon becoming a law.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

Indeterminate.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

There are an estimated 1.9 million K-8 full-time equivalent students (FTE) (DJJ and Virtual FTE have been excluded) who would be impacted by the policy in FY 2015-16. Currently there are six districts that have a district-wide K-8 policy totaling 152,025 FTE which generates an estimated bonus of \$1.5 million. Funding of \$10 per student in kindergarten through eighth grade is provided to qualifying districts.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On March 19, 2015, the Education Committee reported the bill favorably as amended. The amendment removes incentive funding for standard student attire policies as a Florida Education Finance Program allocation. Instead, the amendment provides the funding to the Department of Education, which must make payments to school districts that certify implementation of a district-wide, K-8 standard student attire policy on a first-come, first-serve basis. The award to districts is \$10 per student in kindergarten through grade 8.

The amendment maintains an appropriation of \$10 million for the 2015-2016 school year.