

AMENDMENTS TO LB298

Introduced by McKinney, 11.

1 1. Insert the following new sections:

2 Sec. 2. (1) On or before July 1, 2025, the school board of each
3 school district shall adopt a written dress code and grooming policy to
4 be implemented at the start of the 2025-26 school year that is consistent
5 with the model policy developed by the State Department of Education in
6 accordance with section 3 of this act and may include any other
7 procedures and provisions the school board deems appropriate.

8 (2) Enforcement of violations of the written dress code and grooming
9 policy shall:

10 (a) Be treated as minor on the continuum of school rule violations
11 and shall not constitute student conduct subject to long-term suspension,
12 expulsion, or mandatory reassignment as provided in section 79-267;

13 (b) Not require the student to miss substantial classroom time,
14 instruction time, or school activities; and

15 (c) Not, under any circumstance, allow an administrator, teacher,
16 other member of the staff, or contractor to permanently or temporarily
17 alter or cut a student's hair.

18 (3) No student shall be disproportionately affected by a dress code
19 or grooming policy enforcement because of the student's gender, race,
20 color, religion, disability, or national origin.

21 Sec. 3. (1) For purposes of this section:

22 (a) Department means the State Department of Education;

23 (b) National origin includes characteristics associated with actual
24 or perceived place of birth, ancestry, or ethnicity including, but not
25 limited to, skin color, natural and protective hairstyles, headdress,
26 tribal regalia, and attire;

27 (c) Natural and protective hairstyles include, but are not limited

1 to, braids, locks, twists, tight coils or curls, cornrows, bantu knots,
2 afros, weaves, wigs or head wraps;

3 (d) Race includes characteristics associated with actual or
4 perceived race, ancestry, or ethnicity including, but not limited to,
5 skin color, natural and protective hairstyles, tribal regalia, and
6 attire;

7 (e) Religious attire and characteristics associated with religion
8 includes, but is not limited to, natural and protective hairstyles,
9 tribal regalia, burkas, hijabs, head wraps, or other headdress,
10 adornments, and clothing garments used to express or observe one's
11 religious beliefs; and

12 (f) Tribal regalia includes natural and protective hairstyles and
13 traditional garments, jewelry, or other adornments or similar objects of
14 cultural significance worn by members of an indigenous tribe of the
15 United States or another country. Tribal regalia does not include any
16 dangerous weapon or, except in compliance with an appropriate federal
17 permit, any object that is otherwise prohibited by federal law.

18 (2) On or before December 1, 2024, the department shall develop and
19 distribute a model dress code and grooming policy for schools that
20 facilitates and encourages an inclusive and positive learning environment
21 while complying with any applicable health or safety law, rule,
22 regulation, ordinance, or resolution. Such model policy shall not:

23 (a) Target, disproportionately impact, discriminate, or be applied
24 in a discriminatory manner against any students on the basis of race,
25 religion, sex, disability, or national origin;

26 (b) Prohibit a student from wearing attire, including religious
27 attire, natural and protective hairstyles, adornments or other
28 characteristics associated with race, national origin, or religion; or

29 (c) Require a student's hair be permanently or temporarily altered.

30 (3) Such model policy shall include a statement that specifies that
31 enforcement of a violation of such policy shall be done in a manner that

1 is consistent with a school's overall discipline plan and in a consistent
2 manner.

3 (4) The department may develop as part of the dress code and
4 grooming policy a health and safety standard that allows for the
5 regulation of characteristics associated with race, national origin, or
6 religion in the dress code and grooming policy under certain
7 circumstances. Such standard shall:

8 (a) Demonstrate that without the implementation of such standard, it
9 is reasonably certain that the health and safety of the student or
10 another individual will be impaired;

11 (b) Require adoption of the standard for nondiscriminatory reasons;

12 (c) Require that the standard be applied equally;

13 (d) Require that the school engage in a good faith effort to
14 reasonably accommodate the student and notify the student's parent or
15 guardian, in a language that such parent or guardian understands, of such
16 an attempt to accommodate the student's appearance or any attire, tribal
17 regalia, hairstyles, adornment, or other characteristic associated with
18 race, national origin, or religion;

19 (e) Provide a process to obtain consent from a student's parent or
20 guardian prior to altering a student's appearance or removing or altering
21 a student's attire, tribal regalia, hairstyle, adornment, or other
22 characteristic associated with race, national origin, or religion; and

23 (f) Provide a process to ensure records are kept on each effort to
24 reasonably accommodate a student's appearance, attire, hairstyle,
25 adornment, or other characteristics associated with race, national
26 origin, or religion occurring at school, on school grounds, or at a
27 school-sponsored event and ensure that such records allow for analysis of
28 related data and delineate:

29 (i) The reason for such student's referral relating to the dress
30 code and grooming policy; and

31 (ii) Federally identified demographic characteristics of such

1 student.