

567 STUDENT DRESS AND APPEARANCE

I. PURPOSE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- B. Appropriate clothing includes, but is not limited to, the following:
 - 1. Clothing appropriate for the weather.
 - 2. Clothing that does not create a health or safety hazard.
 - 3. Clothing appropriate for the activity (i.e., physical education or the classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
 - 1. Wearing clothing or grooming in a manner that is sexually explicit or which conveys sexual innuendo or that may reasonably be construed as sexual.
 - 2. Wearing clothing or body markings (i.e., tattoos) that include words or pictures which are obscene, vulgar, abusive or discriminatory.
 - 3. Wearing clothing promoting products or activities that are illegal for use by minors.
 - 4. Wearing clothing or other items, or grooming in a manner that represents and/or promotes threat/hate groups, including gangs or supremacist groups. This includes objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist or otherwise derogatory to a protected minority group, evidences gang membership or affiliation or approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals as defined in district policy.
 - 5. Wearing clothing or footwear that would damage school property.

6. Wearing masks, face paint or grooming that limits or prevents identification of a student.
 7. Wearing clothing or grooming that is potentially disruptive to the education process or that poses a threat to the health and safety of others.
 8. Wearing clothing in a manner that displays undergarments.
- D. Headgear, including hats or head coverings, are not allowed in the building except with the approval of the building principal (i.e., student undergoing chemotherapy, medical situations, student religious practice or belief).
- E. It is not the intention of this policy to abridge the rights of students to express political, religious, philosophical or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane or do not advocate violence or harassment against others.
- F. “Gang,” as defined in this policy, means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. “Pattern of gang activity” means the commission, attempt to commit, conspiring to commit or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

III. PROCEDURES

- A. When, in the judgment of the administration, a student’s appearance, grooming or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.
- D. Administrators reserve the right to deny admission to school functions based on dress and/or grooming determined to be inappropriate and/or disruptive to the education process.

Legal References:

U. S. Const., amend. I

Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)

Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)

Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)

B.H. ex rel. Hawk v. Easton Area School Dist., 725 F.3d 293 (3rd Cir. 2013)

D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)

Hardwick v. Heyward, 711 F.3d 426 (4th Cir. 2013)

Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)

McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415 (W.D. Okla. 1992)

Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D. N.C. 1999)

Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820 (N.D. Ill. 1987)

Cross References:

Policy 413 (Harassment and Violence)

Policy 506 (Student Discipline)

Policy 537 (Violence Prevention)

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Alexandria Public Schools District - No. 206

Alexandria, Minnesota