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## **504 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. It is the policy of this school district 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).
  - 4. School uniforms, as adopted by the administration.
- C. Inappropriate clothing includes, but is not limited to, the following:
  - 1. Student clothing must cover backs, chest, stomach and midribs, all underwear (including under garments worn as outer garments), buttocks and upper thighs. Examples of inappropriate clothing may include, but are not limited to, strapless tops, tank tops, spaghetti straps, pants below the hip line, muscle tops, see-through or transparent clothing, skirts or shorts that expose the upper thigh.
  - 2. Clothing bearing a message that is lewd, vulgar, or obscene.
  - 3. Apparel promoting products or activities that are illegal for use by minors.

4. 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 CHSD Policy 413.
  5. Any apparel or footwear that would damage school property.
- D. Hats are not allowed in the building except with the approval of the building principal (i.e., student undergoing chemotherapy; medical situations).
  - E. The intention of this policy is not 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. The administration may adopt a uniform policy for any or all schools within the school district with which students are expected to comply.

**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 (8<sup>th</sup> Cir. 2009)  
*Lowry v. Watson Chapel Sch. Dist.*, 540 F.3d 752 (8<sup>th</sup> Cir. 2008)  
*Stephenson v. Davenport Community School District*, 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)  
*B.H. ex rel. Hawk v. Easton Area School Distr.*, 725 F.3d 293 (3<sup>rd</sup> Cir. 2013)  
*D.B. ex rel. Brogdan v. Lafon*, 217 Fed.Appx. 518 (6<sup>th</sup> Cir. 2007)  
*Hardwick v. Heyward*, 711 F.3d 426 (4<sup>th</sup> Cir. 2013)  
*Madrid V. Anthony*, 510 F.Supp.2d 425 (S.D. Tex. 2007)  
*McIntire v. Bethel School, I.S.D. No. 3*, 804 F. Supp. 1415, (W.D. Okla. 1992)  
*Hicks v. Halifax County Board of Educ.*, No. 93 FSupp.2d 649 (E.D. N.C. 1999)  
*Olesen v. Board of Educ. of Sch. Dist. No. 228*, 676 F. Supp. 820, (N.D. Ill. 1987)

**Cross References:** CHSD Policy 413 (Harassment and Violence)  
CHSD 506 (Student Discipline)  
CHSD Policy 525 (Violence Prevention)