

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 and support educational goals . Students and their families have the primary and joint responsibility for student clothing and appearance. Teachers and other district staff should exemplify and reinforce student clothing and appearance standards and help students develop an understanding of appropriate appearance in the school environment.

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. A student's clothing or appearance may not materially and substantially disrupt or interfere with the educational mission, school environment, classwork or school activities. A student's dress or appearance may not incite or contribute to substantial disorder or invasion of the rights of others or pose a threat to the health and safety of the student or others.
- C. Students' rights to choose their dress and appearance for school and school-related activities will be protected provided that the clothing:
 - 1. does not injure people or damage property;
 - 2. does not materially and substantially disrupt or interfere with the educational process or classwork;
 - 3. does not interfere with the requirements of discipline in the operation of the school or school activities; and
 - 4. does not involve substantial disorder or invasion of the rights of others.

Such 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. Footwear that does not present a safety hazard.
5. Headgear, including hats or head coverings, may be worn upon approval of the building principal. Students may wear headgear for a medical or religious reason.
6. Hair, including but not limited to hair texture and hair styles such as braids, locks and twists.

D. Student clothing may not include 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 objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry bearing a message that is lewd, vulgar, obscene, libelous or denigrates, harasses, discriminates against others on the basis of protected class status under the Minnesota Human Rights Act or violates school district policies prohibiting discrimination, violence, harassment or other harmful activities.
3. Wearing clothing or apparel 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.
5. Communicating a message that is racist, sexist or otherwise derogatory to a protected minority group or approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals as defined in Policy 413.
6. Wearing clothing or footwear that would damage school property.
7. Wearing masks, face paint or grooming that limits or prevents identification of a student.
8. Wearing clothing or grooming that is potentially disruptive to the education process or that poses a threat to the health and safety of others.
9. Wearing clothing in a manner that displays undergarments.

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, libelous, do not denigrate, harass or discriminate against others on the basis of protected class status under the Minnesota Human Rights Act; or do not violate school district policies prohibiting discrimination, bullying, violence, harassment or other harmful activities.

- 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 reasonable judgment of the administration, a student’s appearance, grooming or mode of dress (1) may materially and substantially disrupt or interfere with the educational mission, school environment, classwork or school activities; (2) may incite or contribute to substantial disorder or invasion of the rights of others; or (3) 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. Other consequences may be enforced in line with Policy 506 (District-Wide Student Discipline).
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians. A school district or charter school must not prohibit an American Indian student from wearing American Indian regalia, Tribal regalia or objects of cultural significance at a graduation ceremony.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and bring 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

Minn. Stat. § 124D.792 (Graduation Ceremonies; Tribal Regalia and Objects of Cultural Significance)

Minn. Stat. § 363A.03, Subd. 36a (Definitions)

Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503 (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 (District-Wide Student Discipline)

Policy 539 (Violence Prevention (Applicable to Students and Staff))

Policy Adopted: 7/16/18

Policy Revised: 7/19/21, 2/26/24

Alexandria Public Schools District - No. 206

Alexandria, Minnesota