

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. 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).
4. Hair, including but not limited to hair texture and hair styles such as color, braids, locks, and twists.

C. Inappropriate clothing includes, but is not limited to, the following:

1. Clothing that exposes the chest/breasts or buttocks/genital areas.
2. Clothing which bears a message which 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 Board Policy 413.
5. Any apparel or footwear that would damage school property.

D. Headwear, including hats or head coverings, are allowed for secondary students provided that it does not cover the student's face to the extent that the student is not identifiable. Headwear must not interfere with the educational process. Students may wear headwear for a medical

or religious reason. Staff may direct students to remove headgear that is disruptive of the learning environment.

- 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 used in these procedures 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 a pattern of criminal gang activity. The “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, the 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. School and team uniforms are approved by the School District as a form of public display of school identity and unity and should not be used to convey non-school related messages (e.g., political, religious, sexual, gang, etc.). Team uniforms must be approved in advance by administration and should only display school colors, logos, mascots, and participant names. If teams wish to wear a temporary badge or uniform to honor an event or some other activity (e.g., conference championships, etc.), any designs must be approved in advance and in writing by building administration.
- E. We do not prohibit an American Indian student from wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a graduation ceremony.

Legal References:

U.S. Constitution, First Amendment. *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 Community School District, 110 F.3d 1303 (8th Cir. 1991). *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, I.S.D. No.3, 804 F. Supp. 1415, 78 Educ. L.Rep. 828 (W.D. Okla, 1992)
Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D.N.C. 1999)
Olesen v. Board of Educ. of Sch. Distr. No. 228, 676 F. Supp. 822, 44 Educ. L. Rep. 205 (N.D.Ill. 1987).

Cross References: Board Policy 413 (Discrimination, Harassment and Violence)
Board Policy 506 (Student Discipline)

BOARD POLICY 504
St. Cloud Area School District 742
St. Cloud, Minnesota

Adopted: August 24, 2000
Revised: December 7, 2016
Reviewed/No Change: March 2018
Revised: June 19, 2019
Revised: May 5, 2021
Revised: August 2, 2022
Revised: September 6, 2023