

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 504

Orig. 1995

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Rev. 2023

## **504 STUDENT DRESS AND APPEARANCE**

### **I. PURPOSE**

The purpose of this policy is to enhance the education of students by establishing expectations that 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 suitably for school activities and in keeping with community standards. This is a joint responsibility of the student and student's parent(s) or guardian(s).
- B. 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, materially disrupt classwork;
  - 4. does not involve substantial disorder or invasion of the rights of others.

Students are expected to wear clothing that aligns with the following guidelines:

- 1. Weather-Appropriate Attire – Clothing should be suitable for the weather conditions to ensure student comfort and well-being.
- 2. Safety and Health Standards – Clothing must not create a health or safety hazard for the student or others.
- 3. Activity-Specific Clothing – Students should wear attire appropriate for their activities, such as physical education class or specific classroom activities that require specialized clothing.
- 4. Prohibited Symbols and Messaging – Clothing or jewelry must not display objectionable emblems, badges, symbols, signs, words, objects, or pictures that:
  - o Communicate messages that are racist, sexist, or otherwise derogatory toward a protected minority group.
  - o Indicate gang membership or affiliation.
  - o Promote, approve, or incite any form of religious, racial, or sexual harassment or violence, as defined in MSBA/MASA Model Policy 413.
- 5. Hair Protections – A student's hair, including but not limited to hair texture and hairstyles such as braids, locks, and twists, is protected from discrimination and cannot be restricted based on cultural or personal expression.

6. Footwear Requirements – Students must wear footwear that does not present a safety hazard.
  7. Headgear Policy – Hats and other head coverings are not allowed in the building unless approved by the building administration for the following reasons:
    - Medical needs (e.g., students undergoing chemotherapy or other health conditions).
    - Religious practices or beliefs.
- C. 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 advance violence or harassment against others.
- D. “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.
- E. Student clothing may not include the following:
1. Apparel promoting products or activities that are illegal for use by minors.
  2. 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.

### **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 clothing for students considered appropriate for a specific event and bring such recommendation to the administration for approval.

**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 (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 Cmty. Sch. Dist., 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)*

*B.H. ex rel. Hawk v. Easton Area School Dist.*, 725 F.3d 293 (3<sup>rd</sup> Cir. 2013)  
*D.B. ex rel. Brogdon 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, 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:** MSBA/MASA Model Policy 413 (*Harassment and Violence*)  
MSBA/MASA Model Policy 506 (*Student Discipline*)  
MSBA/MASA Model Policy 525 (*Violence Prevention*)