



Adopted: May 15, 1996

EMID 6067 Board Policy 504

Revised: October 19, 2005; January 21, 2015

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, community standards, and health and safety.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of EMID to encourage students to dress appropriately for EMID activities, in keeping with community standards, and consistent with health and safety standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- B. When, in the judgment of the administration, a student's appearance, grooming, or manner of dress interferes with or disrupts the 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.
- C. 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 (including swimwear – no string bikinis or swimming briefs)
- D. Inappropriate clothing includes, but is not limited to, the following:
 - 1. Clothing that exposes the midriff or undergarments,.
 - 2. Clothing that 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, signs, words, objects, or pictures on clothing communicating a message which approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals as defined in EMID policy 413.
 - 5. Clothing that demonstrates or portrays gang membership or affiliation. "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 a pattern of gang activity. “Patterns 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

6. Any apparel or footwear that would damage school property.
- E. Hats and bandanas are not allowed in the indoor events except with the approval of the administrator (i.e., student undergoing chemotherapy; medical situations, multicultural practices and traditions).
- F. 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.
- G. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- H. 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.

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.3rd 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. App. 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)
- Harper v. Poway Unified Sch. Dist., 445 F.3rd 1166 (9th Cir. 2006)
- Hicks v. Halifax County Board of Educ., 93 F.Supp.2d 649 (E.D.N.C. 1999)
- McIntire v. Bethel School, I.S.D. No. 3, 804 F. Supp. 1415, 78 Educ. L.Rep. 828 (W.D. Okla. 1992)
- Olesen v. Board of Educ. of Sch. Dist. No. 228, 676 F. Supp. 822, 44 Educ. L. Rep. 205 (N.D. Ill. 1987).

Cross References:

- EMID Policy 413 (Harassment and Violence)
- EMID Policy 506 (Student Discipline)
- EMID Policy 525 (Violence Prevention)