

Adopted: _____
Revised: _____

504 STUDENT DRESS AND APPEARANCE DRAFT

I. PURPOSE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and appearance that maintain a safe and healthy learning environment, support students in developing their own positive self-image, and treat all students equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, religion, body type/size, and personal style.

II. GENERAL STATEMENT OF POLICY

- A. The policy of Bluffview Montessori 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). This policy applies to all students at Bluffview (PK-8).
- B. Appropriate clothing includes, but is not limited to, the following:
 - 1. Clothing that does not create a health or safety hazard.
 - 2. Students shall wear
 - a. Opaque (non-see through) clothing including both a shirt or equivalent top, a skirt, pants, shorts, or equivalent bottom, and/or a dress.
 - b. The clothing must cover the front, back, and sides of the student's body, including the student's private parts.
 - c. Shoes must be appropriate for school activities.
 - i. Specific shoe requirements are outlined in II., B., 3 & 4.
 - d. Attire relative to the curriculum that may require assignment specific dress (for example professionalism, public speaking, job readiness or shadowing, etc).
 - 3. Clothing shall be appropriate for the weather.
 - a. Coats, snow pants, boots, mittens/gloves, and appropriate headwear such as a winter hat.
 - i. Students will go outside each day unless the temperature and/or wind chill are below zero degrees Fahrenheit.
 - 1. Erdkinder staff may allow students to go outside regardless of the temperature and wind chill in accordance with appropriate published safety charts and data.
 - 4. Clothing shall be appropriate for specific classes that does not limit a student's ability to fully participate in class.
 - a. Physical Education

- i. Clothing will match the nature of the activity, and will not inhibit the student's movement.
 - ii. Shoes must be athletic in nature that can be secured tightly to the student's feet.
 - 1. Sandals, boots, crocs, flip flops, slip-ons, etc are not appropriate unless staff make a specific request.
 - b. Students are allowed to wear hard soled slippers during their work time.
- C. Inappropriate apparel includes, but is not limited to, the following:
 - 1. Apparel with images or messages that create a hostile or intimidating environment directed at any protected class.
 - 2. Apparel bearing a message or image that is lewd, vulgar, violent, or obscene including hate speech, profanity, and pornography.
 - 3. Apparel promoting products or activities that are illegal for use by minors including drugs and alcohol.
 - 4. Visible undergarments. Visible waistbands or straps on undergarments are not prohibited.
 - 5. Any apparel or footwear that would damage school property.
 - 6. Bathing suits, unless required for a specific activity
 - 7. Helmets or headgear that obscures the face (except for religious observances or medical situations).
 - 8. Anything that disrupts the learning environment or poses a safety threat.
- D. 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.

III. PROCEDURES

- A. When, in the judgment of the administration, a student's appearance 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 may be sent home for the day. All disciplinary issues that relate to this policy will be managed under Policy 506 (student discipline).
 - a. Parents/guardians will be notified.
 - b. Reasonable efforts will be made not to remove a student from class during instructional time.
 - c. Students shall not be required to display their body in front of others as a demonstration of attire fit or appropriateness.

- 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.

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 (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: Bluffview Policy 413 (Harassment and Violence)
Bluffview Policy 506 (Student Discipline)