

Policy 504 - Student Dress and Appearance

I. Purpose

The purpose of this policy is to enhance the education of students by establishing expectations of dress 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. This policy applies to all students at Bluffview (PK-8).
- B. Staff shall understand that they are responsible for managing their own personal distractions and biases without regulating individual students' clothing/self-expression.
~~Staff will be supported in understanding their own biases through staff development opportunities designed to bring them in touch with underlying cultural and personal prejudices about clothing and personal presentation.~~
- C. Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

III. Dress and Appearance

- A. Students are encouraged to wear comfortable clothing that encourages movement.
 - a. Families should label clothing such as boots, coats, backpacks, etc. with their child's name.
 - b. Families should help ensure student comfort by selecting clothing appropriate for that day's weather and/or activities.
- B. Weather
 - a. During Winter months, students will need a coat, boots, snow pants, mittens, and head covering to ensure safety during outdoor school activities.
 - b. Students will go outside each day when the temperature and wind chill are above zero degrees Fahrenheit, and may go outside when temperatures and windchill are considered safe to do so.
- C. Students Must Wear*
 - a. ~~A student's clothing must cover the front, back and sides including the student's private parts and abdomen.~~
 - b. Opaque Shirt
 - c. Bottoms: pants/sweatpants/shorts/skirt/dress/leggings
 - d. Shoes; activity-specific shoe requirements are permitted (For example: PE)*

- i. Students who opt to wear slippers in the classroom must wear slippers with a hard sole.
- e. Appropriate dress for PE includes:
 - i. Shoes must be Athletic/tennis shoes that can be secured tightly and are safe for a variety of activities.
 - 1. Sandals, boots, crocs, slip-ons, etc. are not considered appropriate for PE.
 - ii. Clothing worn during PE should be appropriate for physical activity. Any clothing that limits a student's ability to fully participate in class activities is not considered appropriate dress for PE.

*Requirements for attire as part of the curriculum (for example: professionalism, public speaking, job readiness) may include assignment-specific dress, but should not focus on body type, gender, or culturally specific attire. ~~Please see Bluffview Family Handbook for classroom-specific expectations.~~

D. Students Cannot Wear

- a. Violent language or images.
- b. Images or language depicting drugs or alcohol (or an illegal item or activity) or the use of the same.
- c. Hate speech, profanity, pornography.
- d. Images or language that creates a hostile or intimidating environment based on any protected class.
- e. Visible underwear. Visible waistbands or straps on undergarments worn under other clothing are not a violation.
- f. Bathing suits, unless required for a specific activity.
- g. Helmets or Headgear that obscures the face (except as a religious observance or as needed for medical purposes).
- h. Any accessory that disrupts the learning environment or poses a safety threat.

IV. Dress Code Enforcement and Interventions

- A. When a student is found to be out of compliance with the Dress and Appearance Policy (504), the student may be asked to modify their appearance ~~when hygiene or mode of dress to align with appropriate dress requirements.~~
- B. ~~Efforts will be made to not remove a student~~ from the classroom setting solely as a result of a dress code violation.
- C. ~~Unless necessary for physical safety (e.g., weather), students should never be forced to wear extra-school clothing (that isn't their own) when they are in violation.~~
- D. When, in the judgment of the administration, a student's mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the physical or emotional health, or safety of the student or others, the student will first be directed to make modifications, then may be sent home for the day or may receive other disciplinary consequences in accordance with Bluffview's Discipline Policy.

- E. The intention of this policy is not to abridge the rights of the 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.

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)

Other References: Oregon NOW, Model Student Dress Code (February 2016)
Winona Area Public Schools, Policy 504 Student Dress and Appearance (June 2020)