

DRESS AND GROOMING

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment and encourages parents to promote positive, healthy, and safe clothing choices for students. The Board expects students to give proper attention to personal cleanliness and to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard, promotes drugs or other illegal activities, or expresses hate speech as defined in BP 5145.9.

(cf. 4119.22 - Dress and Grooming)

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

Students and parents/guardians shall be informed about dress and appearance standards at the beginning of the school year and whenever these standards are revised. District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary. A student who violates these standards shall be subject to informal student-teacher conferences, alternative means of correction, or formal appropriate disciplinary action depending on the circumstances.

(cf. 5144 - Discipline)

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

(cf. 5145.7 - Sexual Harassment)

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. Enforcement of these standards shall be done fairly, consistently, and equally to all students. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0415 - Equity)

(cf. 5145.2 - Freedom of Speech/Expression)

School administrators, teachers, and other staff shall be trained to ensure appropriate and equitable enforcement of the dress code.

DRESS AND GROOMING (continued)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities if the school's dress code is approved by the governing board. The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

Uniforms

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The principal or designee shall notify parents/guardians about such a dress code at least six months in advance of implementation. (Education Code 35183)

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

Legal Reference: (see next page)

DRESS AND GROOMING (continued)

Legal Reference:

EDUCATION CODE

212.1 Nondiscrimination based on race or ethnicity

220 Nondiscrimination

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

COURT DECISIONS

Jacobs v. Clark County School District (2008) 26 F. 3d 419

Harper v. Poway Unified School District (2006) 445 App. 3d 166

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993) 827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503

Policy

adopted: February 23, 1999

Revised: June 22, 2021

Revised: June 28, 2022

VISALIA UNIFIED SCHOOL DISTRICT

Visalia, California

Students

DRESS AND GROOMING

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Governing Board policy and administrative regulations.

It is the responsibility of students and parents/guardians, with the cooperation of the school, to maintain an acceptable standard of dress. All students should be able to dress appropriately and comfortably for school without fear of unnecessary discipline or fear of displaying their body in front of others when the dress code is enforced. An individual student's clothing should not be regulated based on another student or staff member's personal perspective or discomfort but should instead be regulated to prevent a student's attire from interfering with their or any other student's health or safety, and to ensure that student attire does not contribute to a hostile or intimidating atmosphere for any student.

(cf. 0420 - School Plans/Site Councils)

The following guidelines shall apply to all regular school activities for grades K- 12, and includes clothing and where applicable, jewelry and other personal items (e.g., backpacks, fanny packs, gym bags, water bottles, etc.):

1. Students must wear appropriate bottoms, tops, and shoes at all times. Students may wear pants; fitted pants, including leggings, yoga pants, and "skinny jeans"; sweatpants; ripped jeans, as long as underwear is not exposed; athletic attire; shorts; skirts; and dresses. Tops must reach the waistband of bottoms, regardless of arm position (tops that reveal midriff is a violation). When students are sitting or standing, clothing must cover underwear, genitals, buttocks, and areolae/nipples with opaque material. Shoulders must be covered with at least a non-undergarment strap of clothing (strapless/backless tops are in violation of dress code), unless it is formal attire for a school-sponsored event. (Visible waistbands or straps on undergarments worn under other clothing are not a violation.)
2. Students cannot have clothing or personal items on campus, including brands that promote any of the following:
 - a. Violent language or images.
 - b. Images or language depicting vaping, drugs, or alcohol (or any illegal item or activity) or the use of same
 - c. Hate speech as defined in BP 5145.9 – Hate-Motivated Behavior.
 - d. Profanity
 - e. Pornography
 - f. Images and/or language that creates a hostile or intimidating environment based on any protective class. Religious messages may not be singled out for suppression but shall be subject to the same rules that apply to comparable non-religious messages. Students with any tattoo that creates a hostile or intimidating environment based on a protective class may be required to wear

Students**DRESS AND GROOMING** (continued)

clothing or other types of coverings over the tattoo to ensure an appropriate and safe learning environment for all students.

(cf. 5145.9 – *Hate-Motivated Behavior*)

3. Students may wear sun-protective clothing, including hats, caps, beanies, durags, and other head coverings outdoors. Students shall be allowed to wear sun-protective clothing, including but not limited to hats with the school logo, for outdoor use during the school day. (Education Code 35183.5) Students without religious accommodations must remove headwear when indoors in the classroom. Helmets, hoods, headphones, or headgear that obscures the face or ears are not allowed except as required by law, including religious observance and disability accommodation, or as necessary for the educational or athletic activity.
4. Attire or accessories that could be considered dangerous or which may be used as a weapon are not allowed. This includes, but is not limited to chains, wallet chains, and items with spikes or studs.
5. Sunglasses shall not be worn in school buildings unless there is a physician's letter on file specifying the need or the need is specified in a student IEP.

Students who shall be provided, as necessary, access to alternative clothing when their dress and grooming violates the above regulations.

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee. When wearing particular attire, such as yarmulkes, head scarves, hijabs, patkas, or other clothing or jewelry associated with their religion or containing a religious message during the school day, schools generally may not prohibit the wearing of such items, unless it is likely to cause a substantial disruption of, or interference with, the orderly operation of the school. Students desiring to attend school with a kirpan should consult with school officials to ensure that the wearing of a kirpan complies with applicable laws restricting knives on school grounds while also accommodating as best as possible the student's sincerely held religious belief. If a student's religious attire could cause a safety hazard in a particular activity, an alternative activity shall be substituted for that student.

In addition, the principal or designee may impose dress requirements to accommodate the needs of special school activities, physical education classes, athletic activities, and other extracurricular and co-curricular activities.

(cf. 3260 - *Fees and Charges*)

(cf. 6142.7 - *Physical Education and Activity*)

(cf. 6145 - *Extracurricular and Co-curricular Activities*)

(cf. 6145.2 - *Athletic Competition*)

Students

DRESS AND GROOMING (continued)

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

(cf. 5121 - Grades/Evaluation of Student Achievement)

Instructional time that includes specific attire as part of the curriculum (e.g. public speaking, historical dress, drama, internships) shall not promote negative messages predicated on body maturity or shape. (Education Code 221.5.)

Gang-Related Apparel

At individual schools that have a board approved dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 35294.1)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed periodically. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools where a school-wide uniform is required, the principal, staff and parents/guardians of the individual school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

(cf. 5145.6 - Parental Notifications)

Parents/guardians shall also be informed of their right to have their child exempted.

The principal or designee shall also repeat this notification at the end of the school year so that parents/guardians are reminded before school clothes are likely to be purchased.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

The Superintendent or designee shall establish a method for recycling or exchanging uniforms as students grow out of them.

Students

DRESS AND GROOMING (continued)

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently using the requirements below. School administration and staff shall not have discretion to vary the requirements in ways that lead to discriminatory enforcement.

- Students will only be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined above. Students in violation of the dress code will be provided three (3) options to be dressed more to code during the school day:
 - Students will be asked to put on their own alternative clothing, if already available at school, to be dressed more to code for the remainder of the day.
 - Students will be provided with temporary school clothing to be dressed more to code for the remainder of the day.
 - If necessary, students' parents may be called during the school day to bring alternative clothing for the student to wear for the remainder of the day.
- No student should be affected by dress code enforcement because of racial identity, sex assigned at birth, gender identity or expression, sexual orientation, ethnicity, cultural or religious identity, household income, body size/type, or body maturity.
- School staff shall not enforce the school's dress code more strictly against transgender and gender nonconforming students than other students.
- Students should not be required to display their body in front of others (students, parents, or staff) in school during dress code enforcement by staff. This includes, but is not limited to, staff instructing students to:
 - Kneel or bend over to check attire fit;
 - Measure straps or skirt length;
 - Answer questions to account for their attire in the classroom or in hallways in front of others;

These dress code guidelines shall apply to regular school days and summer school days, as well as any school-related events and activities, such as graduation ceremonies, dances and prom.

Students

DRESS AND GROOMING (continued)

Students who feel they have been subject to discriminatory enforcement of the dress code should contact the Administrator of Equity & Student Services or filling a report using the District's Student Reporting System.

Link to video of how to report an incident using the Student Reporting System:

<https://youtu.be/sRByKyigDgU>

Regulation
approved: February 23, 1999
Revised: February 27, 2003
Revised: June 22, 2021
Revised: June 28, 2022

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California

STUDENT SERVICES SAFE SCHOOLS OFFICE

Procedures For Site Consideration of School Uniforms

Site Administrator: It is your responsibility to meet Board-approved procedures for implementation of a school uniform at your site. This checklist must be completed, signed and dated by you and the Safe Schools Coordinator prior to submission for Governing Board approval of school uniforms at your school.

1. Safe School Coordinator (SSC) notified of school site's interest in school uniforms. Date: _____
2. Meeting with SSC and principal to review procedures and laws. Date: _____
3. School site uniform committee (SSUC) established and meets "representative involvement" standards. Date: _____
4. Meeting with SSC and SSUC to review Board Policy 5132. Discussion to include possible uniform styles and colors, compliance measures including the waiver process, financial support, six months' notification requirement, uniform recycling program, and the balloting process. Date: _____
5. Informational meeting for parents/guardians to discuss "pros" and "cons" of school uniforms and to allow for question and answer session. Date: _____
6. Informational meeting for parents/guardians to discuss uniform styles, colors, outer garments, compliance measures, financial support programs and uniform recycling programs. Date: _____
7. Pertinent information from informational meetings is summarized and mailed to "absent" parents/guardians. Date: _____
8. Parents/guardians have had several opportunities to vote on implementation of uniforms. Date: _____
9. Balloting process was in compliance with Board Policy. Date: _____
10. Letter to SSC certifying that Board-approved procedures were followed and that 75 percent of voting parents/guardians approved uniforms. Letter includes request for SSC to submit school's request to the Superintendent and the Board for approval of uniform implementation. Date: _____

We certify that _____ School has met the procedures for the implementation of school site uniforms in accordance with Board Policy.

Principal or Designee Signature

Date

Safe School Coordinator

Date

VISALIA UNIFIED SCHOOL DISTRICT

Application For Exemption From Student Uniform Requirement

Parent/Guardian: _____

Name of Student: _____

Address: _____ Telephone: _____

School: _____

Teacher: _____ Track: _____ Grade: _____ School Year: _____

I certify that I am the parent/guardian of the student named above. I choose to have my child excused from compliance with the school's Student Uniform Policy for the current school year. I hereby request an exemption from the school uniform requirement, on behalf of the above named student, for the current school year, at the above named school, pursuant to Education Code Section 35183(e). (Education Code 35183(e) defines a parent's right to request exemption for his/her child as it relates to a school's adoption of mandatory school uniforms for specific reasons.) I also understand that my child must follow the dress code approved by the Visalia Unified School District Governing Board.

The reason(s) for this application for exemption is as follows: _____

I understand that this exemption for the current school year will only be approved after I have given a written reason for the exemption and met with the principal or designee to discuss the student uniform policy exemption requirements.

Parent/Guardian Signature _____ Date of Application: _____