

# NEW HEIGHTS SCHOOLS, INC.

## POLICY 504

### STUDENT DRESS CODE

#### **POLICY MANAGEMENT**

*Adopted: 10/2010*

*Reviewed/ Revised\*: 8/11\*, 9/13\*, 6/14\*, 8/16\*, 8/18\*, 8/21*

*Mandatory: Yes (Charter School)*

*Frequency: Every 3 years*

*Distribution: Not specified*

#### **I. PURPOSE**

The purpose of this policy is to encourage students to dress for school in a manner which promotes a greater sense of student-responsibility, minimizes unnecessary distractions, promotes a sense of equity, equality, and belonging, and discourages clothing-based demonstrations of status, elitism, negativity, or other forms of undesired ideology not conducive to a positive school culture.

#### **II. GENERAL STATEMENT OF POLICY**

It is the policy of this school to require that students wear appropriate attire consistent with the guidelines set forth below. Students shall be required to wear clothing consistent with these guidelines during the school day, at school-sponsored activities that occur during the school day, unless otherwise exempted from this policy under the conditions set forth in Section IV below. This policy shall apply to all students in grades K–12.

#### **III. CLOTHING SELECTION REQUIREMENTS**

##### A. Colors

1. Student-based clothing may consist of any color or blend of colors as long as the pattern of the clothing does not constitute a distraction to the educational setting or process.

##### B. Features

###### 1. Shirts

- a. Tops/shirts must be free of distracting, inappropriate, suggestive messaging/branding. Logos should be small in size, approximately the size of a baseball, apple or adult fist, or smaller. Logos or messaging must not promote ideas or products that are illegal for adults or minors and must be free of any controversial messaging

which could cause an unnecessary distraction to the school process. Logos and messaging must be appropriate for school and must not contain any inherently crude or vulgar suggestions, either in the form of words or symbols. Allowable logo must be on the front or sleeve of the top/shirt but may not exist on the back of garment. Pictures or messages are not allowed outside of the brand logo. Flannel and floral patterns may be allowed provided that are consistent with all other provisions.

- b. Shirts/tops may contain a collar, crew neck, v-neck, or turtle neck/mock turtle neck, and may not produce an overly-revealing effect which may be considered inappropriate for the school setting.
- c. All shirts/tops must have sleeves which extend at least to the upper/mid bicep. Students may not wear tank tops, muscle shirts, crop top, scoop neck, or strapped shirts without a top layer that conceals the straps for the purpose of deterring an overly revealing effect.
- d. Students may wear cardigans, sweaters or sweatshirts as long as these garments comply with the guidelines set forth above.
- e. Shirts are to be worn as designed and are not to be rolled, tied, cinched, or altered in any way as to provide a more form-fitted or revealing look. Students may not produce a look that reveals the belly or mid-riff.

## 2. Pants/Shorts

- a. Stretch, yoga, sweat pants, and leggings are not permitted, except when an outer garment is present such as a skirt or jumper. Students may wear various types of athletic wear provided the styles are similar to traditional pants and shorts, in that, there must be pockets and the legs of the pants/shorts should hang as traditional pants or shorts hang. Shorts and pants must not fit in a manner similar to yoga pants or lycra/spandex. Cutoffs and “rolled” shorts are not permitted. Athletic wear may have a stripe or piping down the sides of the legs, but other large logos or messaging are not permitted. Words or messaging on the back, sides, or legs of the garment is not permitted.
- b. Pants/shorts shall be a solid color free from holes, rips, stains, and other conditions of disrepair, as well as designs, prints, patterns, logos, emblems or other insignia. These items should not contain rhinestones, studs, “bling” or other “bedazzlement” because of the damage these items have been proven to cause to school furniture.
- c. Acceptable styles include flat-front or pleated, cuffed or non-cuffed and capris. Sweat pants or running pants, zip-off pants and leggings are prohibited. See above regarding acceptable forms of athletic wear.
- d. Shorts and skirts must hang to mid-thigh, approximately to the palm of a naturally hanging hand when standing.

- e. All pants and shorts must be worn at or above the waist. Pants or shorts that sag, fall down or reveal undergarments are prohibited. Students are encouraged to wear a belt to ensure a proper fit.
3. Hats, Headbands, Hoods, Headwear
- a. Hats and hoods are strictly prohibited and are not to be worn inside the school facility. Hats and hoods may be worn outside of the school, such as during recess, gym class, or perhaps on a field trip, depending on its nature. Headbands may be worn for the purpose of keeping hair tied back and out of a student's face, but headbands are not to be worn as part of fashion statement of member affiliation.
4. Jackets/Coats
- a. Jackets and coats are not to be worn inside the school. Students may wear sweaters and sweatshirts as indicated earlier in the policy. The administrator has the discretion to define an item as a coat or jacket, and whether or not it may be worn inside the school. It is recognized that some sweatshirts may contain larger lettering, such as for sports or college teams, or for certain name brands. Whereas it is believed that these items may create a culture of status, these items may be worn, but may also be disallowed at the discretion of the administrator when it is believed that the item constitutes a distraction or disruption to the school process.
5. Footwear
- a. All students are required to wear shoes that offer some level of support and protection.
  - b. All shoes must have a closed-toe and closed wraparound heel. Flip flops, sandals, slippers, clogs, Crocs, high heels, spikes, shoes fitted with wheels and similar footwear are not permitted for safety reasons.
  - c. Students are required to wear non-marking athletic shoes when participating in physical education classes.

#### **IV. EXEMPTIONS**

##### **A. Acceptable Exemptions:**

- 1. Exemptions may be granted for the following reasons:
  - a. religious reasons provided documentation of the issue is provided;
  - b. medical reasons based upon submission of documentation from a health care provider substantiating the medical necessity of the exemption
- 2. Students shall be excused from the requirements of this policy when wearing the uniform of a nationally recognized youth organization, such as

Boy Scouts, Girl Scouts, etc., on regular meeting days or a uniform required for participation at other extracurricular activities sponsored by New Heights Charter School on the day of the event/activity.

3. Students shall be excused from the requirements of this policy when attending extracurricular events or other activities outside of normal school hours.
4. The building principal may, in his or her discretion, allow students to wear clothing or outfits that are not compliant with this policy for special occasions, but may install other restrictions at his or her discretion.

## V. POLICY VIOLATIONS

When, in the judgment of the administration, a student is not in compliance with the clothing guidelines, the student will be given a warning, instructions regarding acceptable attire, directed to make modifications, or the student may be sent home for the day, especially in the event of repeat offenses. Parents/guardians will be notified of the policy violation.

- 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 (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)

## NOTE: THIS POLICY REPLACES POLICY 504 -STUDENT DRESS AND APPEARANCE

*Adopted: 08/20/1997*

*Revised: 08/31/2011, 11/13/2013, 11/160/2016*