

Article VIII.A.15. Student Dress Guidelines for District Schools

A. General Policy

The Board of Education of Granite School District (Board) supports the position that parents should oversee the appearance of their children and that school personnel should not take exception to student apparel that is clean, safe, and non-disruptive. Schools shall adopt site-specific dress codes using community input and incorporate the basic standards contained in this policy.

B. Goals and Values of a Dress Code

All students should be able to dress comfortably for school without fear of unnecessary discipline or body shaming. The school should be an environment where teachers can focus on teaching without the additional and often uncomfortable burden of dress code enforcement. Students should not face unnecessary barriers to school attendance. Dress guidelines and standards shall not discriminate on the basis of race, color, sex, pregnancy, religion, national origin, marital status, disability, sexual orientation, gender identity or any other legally protected classification. Related inquiries and complaints may be directed to a school administrator or to the Director of Educational Equity, (385) 646-5000. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695. (See District policy, Article V.C.1. Prohibition of Discrimination, Harassment, and Retaliation).

1. Collaborative Creation

Site-specific dress codes shall be created at each school in collaboration with students, parents, teachers, staff, and administrators. Schools shall review site-specific dress guidelines and standards at least every other year with the school's community council. Dress codes should balance students' rights to appropriately express themselves with respect to the school community and dressing in a manner that is conducive to a learning environment.

2. Dress Code Guidelines

- a. Student attire and expression shall not cause significant disruption to school activities or programming.
- b. Students shall be fully dressed. This includes clothing top and bottom that covers nudity or partial nudity.
- c. Students shall wear footwear that is safe for the school environment.
- d. Students shall not cover their face, unless for religious, health, or medical reasons.
- e. Students shall not wear apparel, jewelry, accessories, and markings or groom themselves in a manner that depicts obscenity, lewdness, hate, or violence.

- f. Student attire and expression shall not depict or imply sexually explicit or pornographic behavior or language.
- g. Students shall not wear attire with messages targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected classification.
- h. Students shall not display images or language relating to drugs, alcohol, tobacco, vaping, or other substances prohibited on school property.
- i. Students shall not display images or language promoting hate or violence or that creates a hostile or intimidating environment for another student or employee.
- j. Student attire and expression shall not advocate or promote a gang or any gang-related activities.
- k. Clothing and accessories that could be used as a weapon are prohibited.

3. C. Procedures and Discipline

Students who do not follow the dress guidelines shall be offered the opportunity to modify their attire or borrow clothing the school provides. If students do not want to wear the clothing provided or follow directions in modifying their attire, they may be subject to discipline, and parents shall be contacted. School administration shall be responsible for the interpretation and enforcement of student dress guidelines.

REFERENCES:

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969)

Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988)

Phoenix Elem. Sch. Dist. No. 1 v. Green, 943 P.2d 836 (1997)

Utah Code § 53G-8-205. Grounds for suspension or expulsion from a public school.

Utah Code § 76-5b-10. Definitions

Utah Code § 76-10-1235. Accessing Pornographic or Indecent Material on School Property

Article VIII.B.12. Student Code of Conduct and Discipline of Students

Article VIII.A.15 — Student Dress Standards

A. — General Policy

~~The Board and the administration support the position that parents should oversee the appearance of their children and that school personnel should not take exception to student apparel that is clean, safe, modest and non-disruptive. (See Administrative Memorandum No. 7.)~~

B. — Standardized Dress Codes

~~The Board recognizes that parents of students at a school may desire to establish standardized school dress codes in their students' schools. The Board, in harmony with the State Legislature (see Utah Code 53A-15-602), hereby establishes guidelines for the development of codes which require students enrolled at a school to select their dress from designated styles of clothing:~~

~~1. — Procedure Initiation~~

~~An expression of interest in the consideration of a standardized school dress code from the parents of students in a school initiates these procedures. Such an expression of interest may be by a formal petition, school-wide needs assessment, informal vote, or other means reflecting substantial community interest in the question. Upon receiving a formal petition with the signatures of 20% of parents of children at that school (one signature per family) is received, these procedures shall be initiated.~~

~~2. — Responsibilities of the Principal as Facilitator~~

~~The principal of the school shall remain neutral on the issue and facilitate discussions, meetings, and hearings and assists in the orderly sharing of interests and concerns regarding a standardized school dress code.~~

~~3. — Committee Formation~~

~~Under the direction of the principal, an invitation is distributed to members of the school community (e.g. parents of students, teachers, students, etc.) to participate in a committee to study a standardized dress code. The committee shall strive to encourage active participation by the school community.~~

~~4. — Written Proposal~~

~~a. — The committee develops a proposal for a standardized school dress code and distributes a written proposal to the parents of students at the school.~~

~~b. — The written proposal includes:~~

~~i. — the reasons for proposing a standardized dress code at the school;~~

~~ii. — a description of clothing acceptable under the proposed code;~~

~~iii. — a timeline for implementation.~~

~~5. — Public Hearing~~

~~a. — A public hearing on the proposal shall be held at the school under the direction of the principal.~~

- b. ~~Public hearings shall be no sooner than one week nor longer than three weeks after distribution of notice of a hearing.~~
- c. ~~If changes are made to proposals as a result of public hearings, amended proposals shall be distributed within three weeks of the hearing.~~

6. Vote

- a. ~~No sooner than one week nor longer than three weeks following the second or final public hearing and the distribution of a final proposal, there shall be a vote regarding the adoption of a standardized dress code at the school.~~
- b. ~~Written notice of the vote shall be distributed at least one week prior to the date of the vote.~~
- c. ~~The polls shall be located at the school. Hours when the polls are open shall be set in consideration of parent work schedules.~~
- d. ~~Only parents or legal guardians of students subject to the proposed standardized dress code may vote at the election, limited to one vote per family. The signature of individuals who cast votes shall be obtained.~~
- e. ~~Families not voting shall be mailed absentee ballots and be given a date no sooner than one week from the mailing date to return the absentee ballots to the school.~~

7. Vote Tallying and Assessment

- a. ~~The counting of ballots, including absentee ballots, shall be overseen by the director of school services with responsibility for the school or by the director's designee.~~
- b. ~~More than 50.00% of families voting must vote in favor of the proposed standardized school dress code in order for the policy to be approved. If 50.00% or fewer of families voting do not vote in favor of the code, it shall not be adopted.~~

8. Retaining/Changing Standardized School Dress Codes

- a. ~~Schools having adopted standardized school dress codes shall follow the procedures of this policy no less frequently than every three years to reauthorize the code. At any time, a petition signed by at least 20% of the parents of students of the school (one signature per family) shall require a vote on the question of whether to retain or change the code.~~
- b. ~~A vote to discontinue a standardized school dress code may not take place~~

during the first year of its implementation.

9. — Exemptions from Participation in Standardized Dress Codes

a. — The principal, following a meeting with a student’s parent or guardian, may grant an exemption from participating in the school’s standardized dress code at any time during the school year because of extenuating circumstances. The principal’s decision is final.

b. — Examples of Extenuating Circumstances:

i. — The following could constitute extenuating circumstances:

A. — Prohibitive medical or physical conditions.

B. — Extreme change in financial situation and the school is unable to assist in the procurement of standardized dress.

ii. — The following would not constitute extenuating circumstances:

A. — Outgrowing clothing.

B. — Other peers have been granted an exemption.

C. — Desire to have greater variety in personal dress.

10. — Legal Considerations

a. — Fee Waivers

Questions may arise as to whether standardized dress codes are subject to fee-waiver provisions. The State Board of Education, and consequently Granite School District, is subject to a permanent injunction (*Pat Doe v. Utah State Board of Education*, Third District Court, Oct. 28, 1994) regarding fees. The injunction states that “an elementary or secondary student may be asked to bring shoes or other items of clothing that are commonly found in students’ homes regardless of wealth. *If special requirements are set for color, style, fabric, imprints, etc., which make it less likely that the specific item will be found in students’ homes, however, then the costs for those items are fees*” and are thus waivable (at p. 43, emphasis in original). Dress codes giving general guidance (e.g. “solid color shirts, blue or khaki pants”) are not subject to fee waivers while specific codes (e.g. “green plaid skirts, white shirts with school logo imprint on lapel”) would be subject to fee waivers.

b. — Free Speech

According to the United State Supreme Court (*Tinker v. Des Moines Sch. Dist.*, 393 U.S. 503, 507-508 (1969)), “the length of skirts or the type of clothing, . . . hair style, or deportment” are not protected as speech. Dress, hair, and behavior may be regulated if regulations are reasonably related to the pedagogical purpose of schools (*Hazelwood Sch. Dist. v. Kuhlmeier*, 484 U.S. 260 (1988)). Courts have accepted the following as reasonable reasons to regulate dress when accompanied by supportive evidence: (1) promotion of a more effective learning climate, (2) an increase of campus safety and security, (3) a fostering of school unity and pride, (4) elimination of “label competition,” (5) assurance of modest dress, and (6) a minimizing of clothing costs for parents (*Phoenix Elem. Sch. Dist. No. 1 v. Green*, 943 P.2d 836 (1997)).

November 14, 1990

ADMINISTRATIVE MEMORANDUM NUMBER SEVEN
STUDENT DRESS STANDARDS

The Board of Education of the Granite School District and the administration support the position that parents should oversee the appearance of their children. Schools should not take exception to student apparel if it is safe, modest, clean and doesn't advertise positions contrary to the instructional program of the district. Clothing promoting drugs, tobacco, alcohol, or inappropriate illustrations or language is prohibited.

Insignificant controversy over particular styles of clothing can be a most futile exercise. Length or cut of hair seems to be an expression of individual taste. When hair length is outlandish in style to the extent that it attracts and generates disruptive behavior, school officials should enter into the matter.

Administrators and other staff members are urged to place the matter of student appearance in its proper perspective. An "anything goes" concept is not suggested. If students present themselves at school in attire which makes them appear as buffoons or which deliberately attempts to perpetuate a grubby or suggestive appearance, appropriate action should be taken.

Administrators are encouraged to follow the principles of helping students to learn self governance. In this light, emphasis must be on teaching and counseling disruptive students whose personal appearance needs improvement. When secondary students are unwilling to heed such counsel or when elementary students are involved, it would be advisable to contact the parents to request their assistance in correcting the problem. In circumstances where principals need to take stronger measures, they should do so with the assurance of support from the district office.

Granite School District should protect individuality that does not harm the educational process, but strikes a proper balance and establishes the best rapport possible with students and parents. This can best be done by talking through problems and seeking to understand youngsters without being either dictatorial or unduly permissive. School leaders must take a strong position on substantive issues.

~~Student dress problems are usually more easily solved by discussion, persuasion, and administrative compassion that spans the so-called generation gap.~~

~~When school dress codes are established, the dress code should be prepared by a committee involving students, faculty, administrators and parents. Dress codes should be reviewed on an annual basis.~~

~~/s/~~

Loren G. Burton
Superintendent