

## BDOE LEARNING CENTER

Effective Date: 5/22/2014	<b>504 STUDENT DRESS CODE</b>
Date: 5/12/14 Revisions: 5/12/14	Approved by: Bdote Board of Directors 5.21.14

### **I. Purpose of Policy:**

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards. By putting first things first, academics before fashion, students learn to become leaders ergo trendsetters.

### **II. General Statement:**

- A. Except on designated days, students must dress in accordance with the **Bdote Learning Center (BLC)** uniform policy, as outlined in the Student and Family Handbook. This is a joint responsibility of the student and the student’s parent(s) or guardian(s).
- B. In addition to the uniform requirements, students must also adhere to appropriate clothing guidelines. Appropriate clothing includes, but is not limited to, the following:
  - 1. Clothing appropriate for the weather.
  - 2. Clothing that does not create a health or safety hazard.
  - 3. Clothing appropriate for the activity (i.e., physical education or the classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
  - 1. “Short shorts,” skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.
  - 2. Clothing bearing a message that is lewd, vulgar, or obscene.
  - 3. Apparel promoting products or activities that are illegal for use by minors.
  - 4. Emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is derogatory or offensive based on race, sex, gender, class, sexual orientation, or religious affiliation, evidences gang membership or affiliation, or approves, advances, provokes or could provoke any form of religious, racial or sexual or other harassment and/or violence against other individuals.
  - 5. Any apparel or footwear that would damage school property.
- D. Hats are not allowed in the building except with the approval of the building School Director.

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- E. It is not the intention of this policy 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.
- F. "Gang," as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. "Pattern of gang activity" means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

### **III. Procedures:**

- A. When, in the judgment of the administration, a student's appearance, grooming, or mode of dress interferes with, disrupts or could disrupt, 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 will be sent home for the day. Parents/guardians will be notified.
- 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** (the following are included for reference purposes only, may not reflect the most current relevant statutory citation, and should not be read to contravene or limit the school's obligations under any federal, state, or local law):

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)

*Stephenson v. Davenport Cmty. Sch. Dist.*, 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)

*D.B. ex rel. Brogdon v. Lafon*, 217 Fed.Appx. 518 (6<sup>th</sup> Cir. 2007)

*B.W.A. v. Farmington R-7 Sch. Dist.*, 554 F.3d 734 (8<sup>th</sup> Cir. 2009)

*Madrid v. Anthony*, 510 F.Supp.2d 425 (S.D. Tex. 2007)

*Lowry v. Watson Chapel Sch. Dist.*, 540 F.3d 752 (8<sup>th</sup> Cir. 2008)

*Hicks v. Halifax County Bd. of Educ.*, 93 F.Supp.2d 649 (E.D. N.C. 1999)

*McIntire v. Bethel School, Indep. Sch. Dist. No. 3*, 804 F.Supp. 1415 (W.D. Okla. 1992)

*Olesen v. Bd. of Educ. of Sch. Dist. No. 228*, 676 F.Supp. 820 (N.D. Ill. 1987)