

VISTA UNIFIED SCHOOL DISTRICT

Students

BOARD POLICY NO. 5132: DRESS AND GROOMING

The Board of Trustees encourages students to dress appropriately for school. The Board believes that students should be neatly and cleanly dressed.

The Board acknowledges that students have legal rights to freedom of expression, but the following limitations on appearance shall apply:

1. Students must dress safely. For example, appropriate footwear must be worn at all times.
2. Students may wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. Hats, caps and other head coverings shall not be worn indoors. All head coverings shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocates derogatory statements of a racial, ethnic or religious nature.
3. Students must dress appropriately for educational activities in which they will participate so as not to endanger the health, safety or welfare of themselves or others.
4. Students must be cleanly dressed so as not to promote unhealthy or unsanitary conditions.
5. Students shall not dress in an obscene manner or display obscene material.
6. Students shall not display any material which advertises or promotes an unlawful act such as the consumption of alcoholic beverages by minors or the possession, sale or use of controlled drugs.
7. Students shall not display any material which is libelous or slanderous.
8. Students shall not display any material which so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of district or school site policies or rules.
9. Students shall not display any material which so incites students as to create a clear and present danger of the commission of substantial disruption of the orderly process of a school.
10. The principal, staff, and parents/guardians at a school may establish a reasonable 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.

At individual schools that have a 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 or a school related activity.

11. Each school site may adopt rules that specify the types of sun-protective clothing that students will be allowed to wear outdoors and specify the types of clothing and hats that may be “inappropriate.”

Student may **not** be suspended because of a violation of this Board Policy unless:

1. Other means of correction fail to bring about proper conduct;
2. The student has been given adequate notice of the violation of this Board Policy; and
3. The student has been given an adequate opportunity under the circumstances to comply with the direction to cease violating this Board Policy.

This Board Policy shall not be interpreted so as to limit any efforts by employees to have students voluntarily dress in a manner which promotes a better learning atmosphere.

Legal Reference:

EDUCATION CODE

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

CODE OF REGULATIONS, TITLE 5

302 Students to be neat and clean on entering school

COURT DECISIONS

Marvin H. Jeqlin 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

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

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