

Student Dress Code

The Governing Board believes that the responsibility for a student's attire primarily rests with the student and his or her parents/guardians. The school district and individual schools are responsible for ensuring that student attire does not interfere with the health or safety of any student, and that student attire does not contribute to a hostile or intimidating atmosphere for any student.

Attire depicting or advocating violence, criminal activity, gang-related activity (including professional sports wear and/or colors identified by the Santa Clara County Sheriff or the Mountain View Police Department as gang-affiliated), use of alcohol or drugs, pornography or hate speech are prohibited.

The Board of Education also believes that:

- All students should be able to dress comfortably for school without fear of discipline or body shaming.
- An individual students' clothing/self-expression should not be regulated based upon another student's or staff member's personal perspective or discomfort.
- Staff should be able to focus on their jobs without the additional burden of dress code enforcement.
- Students should not face unnecessary barriers to school attendance.
- Reasons for conflict and inconsistent discipline should be minimized whenever possible.

A policy governing student dress will:

- Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology (eye or body protection), dance (bare feet, tights/leotards), or PE (athletic attire/shoes).
- Allow students to wear clothing of their choice that is comfortable.
- Allow students to wear clothing that expresses their self-identified gender.
- Allow students to wear religious attire without fear of discipline or discrimination.
- Prevent students from wearing clothing with offensive images or language, including profanity, hate speech, and pornography.
- Prevent students from wearing clothing with offensive images or language depicting or advocating violence or the use of alcohol or drugs.
- Ensure that all students are treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style.

Students and parents/guardians shall be informed about the dress code at the beginning of the school year and whenever these standards are revised. The dress code should be clearly

communicated in the student handbook and other means including, but not limited to, annual instruction, posters, and newsletters.

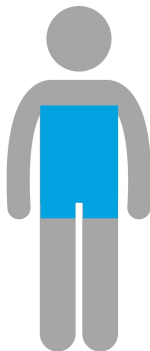
Gang-Related Apparel

Each school has a reasonable dress code that prohibits students from wearing gang-related apparel for the health and safety of the school's students. This portion of the dress code may be included as part of the school safety plan. "Gang-related apparel" is defined as 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 32282). Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. The Mountain View Police Department is a good source for this information.

Minimum Attire Standards

Student attire must permit the student to participate in learning without posing a risk to the health or safety of any student or school district personnel.

- a. Students must wear clothing including a shirt with pants or skirt, or the equivalent (for example dresses, leggings, or shorts) and shoes, including open-toed shoes and sandals
- b. Hats and other head coverings are not permitted in classrooms except when prescribed by the student's physician or as an expression of religious beliefs
- c. Clothing must cover the chest and lower torso at all times (see diagram)



- d. Clothing must cover undergarments
- e. Clothing must not be see-through
- f. Clothing must be suitable for all scheduled classroom activities including physical education, science labs, and other activities where unique hazards or specialized attire or safety gear is required
- g. Gang-related apparel (see reference above) is prohibited

h. Clothing must not have offensive images or language, including profanity, hate speech, pornography, or depicting or advocating violence or the use of alcohol or drugs.

Students and parents/guardians shall be informed about dress standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

School-directed changes to a student's attire should be the least restrictive and disruptive to the student's school day. Administration and enforcement of the dress code shall be gender neutral and consistent.

This policy applies to all individual schools. Schools may not enact more restrictive or less restrictive dress codes.

Uniforms

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable policy requiring students to wear uniforms. Such a policy may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

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.

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). This notice shall also inform parents/guardians 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 ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms including:

- Establishing criteria for determining eligibility for financial assistance when purchasing uniforms
- Establishing a method for recycling or exchanging uniforms as students grow out of them.

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

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 Pupils to be neat and clean on entering school

COURT DECISIONS

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

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

BP SAN JOSE UNIFIED SCHOOL DISTRICT

BP ALAMEDA CITY UNIFIED SCHOOL DISTRICT

DRAFT

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