

Dress And Appearance (K-12)

The Governing Board believes that appropriate dress and appearance contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or interfere with the educational process. In adopting this Dress and Appearance Policy, it is the Board's intention to comply with education code 221.5.

The Board recognizes that, in order to promote student safety and a positive school climate, the staff, parents/guardians and students must be involved in the development of the Dress and Appearance policy.

School sites, in collaboration with the staff, parents/guardians and students may develop a Site-Specific Dress Code which exceeds the district's minimum Dress and Appearance Policy, but is not contradictory. The superintendent or designee shall establish a process for the submission and approval of Site-Specific Dress Code in conjunction with each school's safety plan.

(cf. 4119.22 - Dress and Grooming)
(cf. 5145.2 - Freedom of Speech/Expression)

Students and parents/guardians shall be informed about the Dress and Appearance policy as well as any Site-Specific Dress Code at the beginning of the school year and when revised. A student who violates the minimum Dress and Appearance Policy shall be subject to appropriate disciplinary action. Except in exigent circumstances, a violation of the Dress and Appearance Policy, shall not be grounds for suspension or expulsion.

(cf. 5144 - Discipline)
(cf. 5144.1 – Suspension & Expulsion/Due Process)

Each school site shall allow for outdoor use during the school day, articles of sun protective clothing, including, but not limited to, hats.

(cf. 5136 - Gangs)

Gang-Related Apparel

The Board recognizes that, in order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a district school may wish to establish a reasonable Site-Specific 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. Such a dress code shall be included as part of the school safety plan 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.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5136 - Gangs)

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 school uniform program as part of the Site-Specific Dress Code. Such a program shall be included as part of the school safety plan and presented to the Board for approval. The Board shall approve the plan upon determining that is necessary to protect the health and safety of the school's students.

Uniforms are the identification of a certain color for the students to wear from the waist up as tops and the identification of another color for the students to wear from the waist down as bottoms.

Parents/guardians may opt their children out from participation in a school uniform program. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians choose to opt out of the school uniform program. A student exempted from participation in a school uniform program must comply with the Site-Specific Dress Code in the school's safety plan.

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 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

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: July 8, 1993 Fresno, California

revised: December 11, 1997

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