

MINNETONKA PUBLIC SCHOOLS

Policy #504: STUDENT DRESS AND APPEARANCE

I. PURPOSE

The Minnetonka School District respects students' rights to express themselves in the way they dress and expects students to respect the school community and fellow students by dressing appropriately for a K-12 learning environment.

II. GENERAL STATEMENT OF POLICY

- A. The Minnetonka Public Schools encourage students to take pride in their attire at school. The dress and appearance of students becomes the concern of the school if it causes disruption of the educational program or is offensive or inappropriate to others. Students shall dress in a manner that takes into consideration the educational environment, safety, health and welfare of others and does not contribute to a hostile or intimidating environment. This dress code is applicable to all students and shall be applied equitably regardless of gender/gender identification, sexual orientation, race, religion, ethnicity, cultural observance, body type/size, and personal style.

III. PROCEDURES

The following guidelines apply to students during regular school hours.

- A. Clothing must cover areas from one armpit across to the other armpit, down to approximately mid-thighs, applicable to front and back. Tops must have shoulder straps. See-through or mesh garments must not be worn without appropriate coverage underneath that meet the requirements of the dress code.
- B. Clothing and accessories that endanger student or staff safety may not be worn.
- C. Shoes should be safe for the school environment.
- D. Specialized courses, activities or events may require specialized attire, and will be approved by administration. Such changes/requirements will be communicated to students and parents/guardians.
- E. Hats and caps are not allowed in the classroom except for religious or medical reasons. All other head apparel must allow for the face and ears to be visible.
- F. Clothing and accessories may not:

1. state, imply, or depict hate speech or other discriminatory language or imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected classification.
2. represent or promote hate/threat groups or criminal activity.
3. depict, imply, advertise, or advocate illegal, violent, or lewd conduct, weapons, or the use of alcohol, tobacco, marijuana or other products or activities that are illegal for use by minors.
4. depict or imply pornography, nudity, or sexual acts, or other vulgar or obscene language or images.

IV. CONSEQUENCES FOR WEARING INAPPROPRIATE CLOTHING

K-12	1 st Offense	2 nd Offense	3 rd Offense
	<ul style="list-style-type: none"> • Record of offense • Student is counseled • Clothing modifications as necessary 	<ul style="list-style-type: none"> • Record of offense • Student is counseled • Clothing modifications as necessary • Parent/guardian notification 	<ul style="list-style-type: none"> • Record of offense • Student is counseled • Clothing modifications as necessary • Parent/guardian notification • Detention or appropriate consequence as assigned

After the third offense within one semester, the student behavior will be considered as insubordination (see Policy #506: Student Discipline and Code of Conduct).

When situations arise that are not specifically covered in this policy, the building administrator(s) will interpret the situation in light of the spirit and/or intent of this policy.

Legal References:

U. S. Constitution, amend. I
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)
Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)
Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)
B.H. ex rel. Hawk v. Easton Area School Dist., 725 F.3d 293 (3rd Cir. 2013)
D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)
Hardwick v. Heyward, 711 F.3d 426 (4th Cir. 2013)
Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)
McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415 (W.D. Okla. 1992)
Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D. N.C. 1999)
Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820 (N.D. Ill. 1987)

Cross References:

Policy #427: Harassment and Violence

Policy #506: Student Discipline and Code of Conduct

Adopted: June 20, 2002

Reviewed: September 17, 2020

Reviewed: October 1, 2020

Reviewed: October 22, 2020

Reviewed: November 5, 2020

Reviewed: November 19, 2020

Reviewed: December 3, 2020

Reviewed: December 17, 2020

Reviewed: January 7, 2021

Adopted: January 7, 2021