

## STUDENTS

### Student Dress and Grooming Codes

#### A. Purpose

All students, staff, and community members deserve a rigorous, respectful, and safe educational and work environment where diversity is valued and contributes to achieving positive academic and social outcomes. The Superintendent or designees are responsible for establishing and communicating to students clear and fair dress and grooming codes that comply with applicable law, policy, and regulation. The Superintendent or designee will establish procedures for enforcement and/or resolution of dress and grooming codes, for requesting and granting waivers to the code, and for review of the code to consider current conditions. The Superintendent or designees are authorized to establish specific dress and grooming code requirements for certain students when such requirements are necessary to accomplish the purpose of an educational program or school sponsored activity or are required by law, policy, regulation or another governing entity.

#### B. Standards and Modifications or Accommodations

The Superintendent or designee will ensure that student dress or grooming codes and related procedures are clear, fair, and equitably enforced. The primary responsibility for a student's dress and grooming resides with the student and/or the student's parent(s)/legal guardian(s). Students should comply with the dress and grooming codes and seek guidance from school administrators when modifications, accommodations or waivers are needed and should cooperate in resolution when disagreements arise.

1. Dress or grooming codes applicable to student shall be subject to the following:
  - a. permit any student to wear any religiously or ethnically specific or significant head covering or hairstyle, including but not limited to, hijabs; Yarmulkes; headwraps; braids; locs; and cornrows.
  - b. maintain gender neutrality subjecting any student to the same set of rules regardless of gender or gender identity.
  - c. not have a disparate impact on students of a particular gender.
  - d. be clear, specific, and objective in defining terms, if used.

- e. prohibit School Division employees or agents from enforcing the dress or grooming codes by direct physical contact with a student or a student's attire.
- f. prohibit any School Division employee or agent from requiring a student to undress in front of any other individual, including the enforcing School Division employee or agent, to comply with the dress or grooming code.
- g. clearly set forth any dress or grooming standards that are required in order for a student to participate in a school or school sponsored activity (sport or club uniforms/jewelry/hair requirements, safety or health rules for classes, internship, etc.) and provide a process for a student to seek a modification or accommodation to such dress or grooming standard.

### **C. Dress and Grooming Standards**

School administrators will adopt dress and grooming standards that include the conditions set forth below.

1. "Dress or grooming" code means any practice, policy, or portion of a code of student conduct that governs or restricts the attire, appearance, or grooming, including hairstyle, of any enrolled student. Jewelry, makeup, body art, electronic, communication, recording, photographing devices and their supporting accessories when worn on the body or as part of attire, perfume or applied fragrances may be considered in dress or grooming standards.
2. A student must wear opaque clothing that covers the student's chest from under the arm pits (where they meet the shoulder) and is secured over the shoulders or the neck to no less than five inches below the groin area. The following conditions also apply:
  - a. These body parts must be covered or not distractingly discernable through clothing: buttocks or any portion of the derriere, nipples, stomachs, or private area. Undergarments must be worn when clothing exposes those areas.
  - b. Exceptions may be for clothing approved for a class or extracurricular sport or activity, a dance or prom or a verified medical condition that must be accommodated.

- c. Clothing must not be sheer, see through or loose weaved material unless an opaque undergarment is worn underneath. Opaque is defined as not transparent or clear.
- d. Clothing, jewelry, or grooming items must not pose a safety issue, ex., clothing that drags on the floor causing a trip-hazard, sharp metal attachments spikes.
- e. Clothing that for a well-defined and specifically articulated reason is determined by a principal or designee to be safety or health issue or is significantly disrupting the educational environment.
- g. A student must wear shoes that do not restrict the student's ability to safely participate in educational or school-sponsored activities. Students may not wear shoes that have wheels, spikes or are otherwise dangerous. Footwear required or recommended for classes or extracurricular activities is an authorized exception to this condition.

3. Students must not wear or display the following images/symbols or words:

- a. Images, words or depictions of illegal drugs, alcohol, paraphernalia, imitations thereof, other drugs/paraphernalia that are not allowed on school property or at school-sponsored events, or other illegal activity.
- b. Pornography, nudity, obscenity, vulgar or profanity.
- c. Images/symbols or words that can reasonably be determined to or do incite violence or create harassment or discrimination in violation of School Board policy or regulation or applicable law. After reviewing the circumstances, principals or designees may determine that an image/symbol does not incite violence or create harassment or discrimination but is instead a disagreement of opinion and is not significantly disrupting the educational environment.
- d. Students may wear any religiously or ethnically specific or significant head covering or hairstyle, including but not limited to hijabs, yarmulkes, head wraps, braids, locs or cornrows.

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4. Dress and grooming codes must include references to how staff will handle and resolve disputes and the burden of proof as set forth in this Policy.

5. Dress and grooming codes application and enforcement must be gender, race, and ethnicity neutral.

## D. Disputes Regarding Enforcement of Dress and Grooming Code

### 1. Temporary Resolutions

The dress and grooming code provided to students and families will detail how an infraction will be temporarily resolved if a student or parent/legal guardian of a minor student disagrees with the school administrator's determination that an infraction has taken place. Students and administrators should seek to resolve dress and grooming code disputes in a reasonable manner. Options offered may include, but are not limited to:

- a. a warning to the student but requiring the student not to continue the infraction after that day.
- b. allowing the student to alter the attire or grooming to comply.
- c. lending the student appropriate attire to allow the student to be in compliance.
- d. allowing the student to leave school or the school sponsored activity until such time as the student complies or a resolution is reached.
- e. alternative participation in the educational or school sponsored activity, as determined by the school administration.

### 2. Modification or Accommodations to Dress and Grooming Code

Modifications or accommodations to the dress and grooming codes should be provided when doing so does not:

- a. create undue hardship or excessive expense.
- b. impair or have the reasonable potential to impair health or safety.
- c. violate an established rule or regulation set by an organization or competition as a condition of participation or eligibility for participation in an event or educationally related activity.
- d. create an unfair advantage to the student requesting the modification or accommodation.

### 3. Initial Burden of Proof

Students and parents/legal guardians of minor students who believe that a dress or grooming code standard is unfairly or inequitable applied will bear the initial burden of proving by a preponderance of evidence that the alleged dress or grooming is:

- a. not disruptive to the educational or work environment or school sponsored activity. Disruptive is defined as but not limited to: interfering with educational or extracurricular activities of students and staff; significantly contributing to student interactions that distract from the educational/extracurricular activities; causes or contributes to reasonable complaints of violations of law, policy, regulation or the Code of Student Conduct. School administrators will be given deference as to what causes disruption.
- b. does not denote gang membership.
- c. does not advocate or promote disruptive, violent conduct or illegal activity.
- d. is not gender neutral or is not equitably enforced.
- e. is worn for religious or ethnic reasons that the student or student's family follows.
- f. is not profane, pornographic, vulgar, or obscene.

### **E. Enforcement**

1. Enforcement of this Policy is the responsibility of the school administration at each school.
2. Enforcement must be reasonably discreet, equitable, and gender neutral in implementation.
3. Enforcement should include options for reasonable remediation of the infraction that demonstrates respect and where possible, minimizes loss of instructional or school sponsored activity time.

4. Enforcement may include disciplinary actions that are consistent with other student discipline policies, regulations, or guidance.
5. Enforcement will prohibit an employee or agent from enforcing the dress and grooming codes by making direct contact with a student or a student's attire or by requiring a student to undress in front of the employee or agent. Reasonable discretion may be used by employees or agents to make direct contact with a student or student's attire if the health or safety of the student or others is at risk.

**A. Generally**

~~All students are expected to wear dress appropriate to the occasion; extreme or ostentatious apparel or appearance is to be avoided. Any article of clothing or accessory which advertises alcohol, or an illegal substance, depicts lewd graphics, displays offensive or obscene language, or is gang-related is forbidden.~~

**B. Procedures**

1. ~~Dress standards shall be set by principals.~~
2. ~~Students and parents are to be advised of these standards, by letter, or other appropriate means, prior to the opening of school.~~
3. ~~Decisions regarding the appropriateness of clothing, footwear and accessories will be made by the principal or a designee.~~
4. ~~Items initially deemed inappropriate may be brought to the student's or the parent's attention for corrective action. Subsequent violations of the dress code will subject the student to suspension from school. The principal or his/her designee reserves the right to take appropriate disciplinary action with regard to any first time offense.~~
5. ~~Disciplinary action will be taken against any student taking part in gang-related activities that are disruptive to the school environment, which include the display of any apparel, jewelry, accessory, or tattoo, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior.~~

**Legal reference**

Code of Virginia § 22.1-276.6, as amended. Board of Education guidelines and model policies for codes of student conduct; school board regulations

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APPROVED AS TO  
LEGAL SUFFICIENCY

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