

# Math and Science Academy

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## 504 STUDENT DRESS AND APPEARANCE

### I. PURPOSE

MSA believes that the responsibility for the dress and grooming of a student rests primarily with the student and their parents or guardians and that appropriate dress and grooming contribute to a productive learning environment. We expect students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate.

School-directed changes to a student's attire or grooming should be the least restrictive and disruptive to the student's school day. Any dress code enforcement actions should minimize the potential loss of educational time. Administration and enforcement of the dress code will be gender neutral and consistent. Enforcement should not reinforce or increase marginalization or oppression of any group based on race, sex, gender, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, body type/size, body maturity, or personal style.

Our values include:

- Maintaining a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology (eye or body protection) or PE (athletic attire/shoes).
- Recognizing all students should be able to dress comfortably for school without fear of unnecessary discipline or body shaming.
- Recognizing all students should be able to wear religious attire without fear of discipline or discrimination.
- Recognizing all students should be able to wear clothing that expresses their self-identified gender.
- Understanding all students and staff are responsible for managing their own personal "distractions" without regulating individual students' clothing/self-expression.
- Maintaining teachers' ability to focus on teaching without the additional and often uncomfortable burden of dress code enforcement.
- Recognizing students should not face unnecessary barriers to school attendance or lose educational time.
- Maintaining that students should not wear clothing with offensive images or language, including profanity, hate speech, and pornography.
- Maintaining that students should not wear clothing with images or language depicting or advocating violence or the use of alcohol or drugs.

- Ensuring all students are treated equitably regardless of race, sex, gender, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, body type/size, body maturity, or personal style.

## II. GENERAL STATEMENT OF POLICY

- A. The primary responsibility for a student's attire resides with the student and their parents or guardians. MSA is responsible for seeing that student attire does not interfere with the health or safety of any student, and that the student attire does not contribute to a hostile or intimidating atmosphere for any student.
- B. Certain body parts must be covered for all students. Genitals, buttocks, and nipples must be covered with opaque material. The policy is divided into three areas:

### 1. Students Must Wear\*:

- A Shirt (with fabric on the front, back, and on the sides under the arms) AND
- Pants or the equivalent (jeans/sweatpants/shorts/skirts/dresses/leggings) AND
- Shoes

\*Courses that include attire as part of the curriculum (for example public speaking, job readiness, PE, performances, science, engineering, or field trips) may require assignment-specific dress, but they should not focus on the covering of bodies in a particular way or demand attire from a specific culture.

### 2. Students May Wear:

- Religious headwear
- Fitted pants, including leggings, yoga pants, and skinny jeans
- Pajamas
- Ripped jeans, as long as underwear is not **intentionally** exposed
- Athletic attire
- Tank tops, including spaghetti straps
- Shirts that bare shoulders.
- Garments with hoods as long the hood is not covering the head.
- Headwear that does not include a brim or bill, and does not cover the ears or eyes
- Prescriptive sunglasses, with permission from administration

### 3. Students Cannot Wear:

- Violent language or violent images
- Hate speech, profanity, pornography
- Images or language depicting drugs or alcohol or any illegal item
- Images or language that create a hostile or intimidating learning environment
- Visible underwear - if straps or waistbands are visible, but they are worn under clothing, this does not violate the policy

- f. Bathing suits (unless PE requires swimming)
- g. Non-prescriptive sunglasses

\*Hate speech is a communication that carries no meaning other than the expression of hatred for some group, especially in circumstances in which the communication is likely to provoke violence. It is an incitement to hatred primarily against a group of persons defined in terms of race, ethnicity, national origin, gender, religion, sexual orientation, and the like. Hate speech can be any form of expression regarded as offensive to racial, ethnic and religious groups and other discrete minorities or to women.

### III. ENFORCEMENT

- A. Our dress code is based on the health and safety of the students, not the morality of their choice in clothing. Dress code violators will be sent to the office as soon as possible (in a way that does not shame the student nor cause loss of learning time). Once in the office, students will have three options for following the dress code:
  - 1. Students will be asked to put on their alternative clothing, if already available at school;
  - 2. Students may be provided with temporary school clothing for the remainder of the school day;
  - 3. If necessary, students' parents/guardians may be called to bring alternative clothing.
- B. No student should be disproportionately affected by dress code enforcement because of race, sex, gender, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, body type/size, body maturity, or personal style.
- C. No student should be shamed or required to display their body in front of others (students, parents/guardians, or staff) in school. **Any discussion of the dress code for a specific student should be done discreetly and privately.** "Shaming" includes but is not limited to:
  - 1. Kneeling or bending over to check attire fit;
  - 2. Measuring items of clothing or the body;
  - 3. Asking for students to account for their attire in front of others;
  - 4. Calling out students in spaces, hallways, or classrooms about perceived dress code violations in front of others;
  - 5. Accusing students of "distracting" other students with their clothing.
- D. These guidelines shall apply to regular and non-regular school days and any other school-related activities.

**Legal References:** U. S. Const., 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:** MSA Policy 413 (Harassment and Violence)  
MSA Policy 506 (Student Discipline)

**Credits:** The Evanston Township Illinois Dress Code  
The Oregon NOW (National Organization of Women) Model Dress Code