

Fresno Unified Administrative Regulation (AR) 5132

Educationally Appropriate Dress and Appearance

The responsibility for the dress and appearance of a student rests primarily with the student and their parents or guardians. In the interest of maintaining an appropriate learning environment, the district believes in the following basic principles:

- All students are encouraged to dress in a manner that is appropriate, comfortable and conducive to an active academic school day.
- Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.
- The student dress code should serve to support all students to develop a body-positive self-image.
- The district standard dress and appearance policy is gender neutral and applies to all students equally regardless of gender on school campuses and at school-sponsored functions and will be enforced consistently and fairly by all members of the school staff.
- Clothing and hair styles are a matter of personal choice (except for schools with uniforms). The school shall be concerned only when these impact the health and safety of students and staff.

Examples of inappropriate clothing include:

- clothing where the buttocks or torso is exposed, i.e., tube tops, half shirts, halters
- clothing that is see-through. (clothing must be opaque)
- clothing or accessories which show profanity, obscene words or pictures, sexually suggestive statements, or incites to violence
- clothing representing gang-related activities
- clothing where the entire thigh is exposed, such as micro minis or short shorts.
- bathing suits or cut-offs
- the wearing and carrying of tobacco promotional items, or items promoting controlled substances (drugs) and/or alcohol
- clothing where undergarments are exposed
- clothing that has text that is libelous, bullying, constitutes harassment or discrimination
- footwear must be worn at school and all functions
- no backless footwear for elementary students

Additionally, site leadership may establish a site-specific dress code addendum in the following circumstances:

1. Times when students are engaged in extracurricular or other special school activities and where the standard dress and appearance policy would not be appropriate for the activity.
2. Times when students are engaged in specific courses where modification is needed to ensure the safety of the students engaged in the class. Examples include lab sciences, CTE classes or other classes that contain potential hazards.
3. Schools may set their own site-specific addendum relating to hats, caps and other head coverings. There shall be no restriction on student head coverings worn for bona fide religious purpose.
4. Each school site, in accordance with the District Dress Code Review Process may develop additional guidelines stricter than the district's minimum standard dress and appearance policy; however, these site-specific dress code addendums may not contradict the district's dress and appearance policy outlined in this AR. Schools are responsible for following the identified district policies on notification of students and parents for their site-specific addendums.

Sun Protective Clothing

Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including, but not limited to, hats, provided that sun-protective clothing does not otherwise violate this regulation. Each school site may set a policy related to the type of sun protective clothing, including, but not limited to, hats, that students will be allowed to use outdoors, if that policy is stricter than this regulation. Specific clothing and hats determined by the school district or school site to be gang-related or inappropriate apparel may be prohibited by the school site's dress code policy.

Consequences of Dress and Appearance Code Violations

Site Leadership can determine consequences for dress and appearance code violations provided these consequences are applied consistently and equitably. Except under exigent circumstances, suspension or expulsion will not be used as a consequence for the violation of a dress code.

Site Staff shall provide students opportunity to remedy the violation. Opportunities to remediate may include, but are not limited to, parental contact or offer of exchange of clothing. Any discipline that shall arise out of dress code violations shall have minimal loss of instructional time as its goal.

If a parent/guardian or student disagrees with the site administrator's decision on a standard violation, the parent/guardian or student shall attempt to resolve the problem by requesting a personal conference with the site administrator. If the problem cannot be resolved informally to the parent/guardian or student's satisfaction, the site administrator's decision may be appealed to the Superintendent's designee, whose decision shall be final.

Dangerous or Disruptive Violations: Dress or appearance-violations that cause actual disruption of the educational environment, result in actual violation of law or other school rules, including hate-crime laws, or cause actual injury may result, at the discretion of the district Administration, in more serious disciplinary action, up to and including expulsion without regard to the policy set forth above for standard violations. The process for appeal of these dangerous or disruptive violations shall be consistent with standard district disciplinary procedures.

Physical Education Grades: No grade of a student participating in a physical education class shall be adversely affected due to the fact that the student does not wear standardized physical education apparel where the failure to wear such apparel arises from circumstances beyond the student's control. (Education Code 49066)

(cf. 5121 - Grades/Evaluation of Student Achievement)

Exception to Regulations

Generally, these neutral dress rules will be applied to all students without regard to personal circumstances. However, religious beliefs, medical requirements or other reasons may be grounds for an exception to a specific portion of the district Standard Dress & Appearance policy with specific advance approval from the district. A petition for an exemption from enforcement of a specified portion of district Standard Dress & Appearance policy may be submitted to the principal. Under no circumstances will the principal allow an exception for dress that displays gang symbols, uses profanity, displays products or slogans that promote tobacco, alcohol, drugs or sex, materially interferes with school work, materially disrupts the school environment, substantially disrupts the school environment or which creates a risk of safety.

Gang-Related Apparel

Gang-related apparel is not acceptable. If individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to 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)

Principals will collaborate with Law Enforcement Agencies to update changes in gang-related apparel at the beginning of each semester or as often as needed. 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

Uniforms

In schools where a school-wide uniform is required, the principal, staff, and parents/guardians of the individual school shall jointly select the specific uniform, and uniform combinations to be worn. (Education Code 35183)

The principal or designee shall give parents/guardians at least six months' notice before a school uniform policy is implemented. (Education Code 35183)

Parents/guardians shall be informed of their right to have their child exempted from a school uniform policy. A student exempted from participation in a school uniform policy by his/her parents/guardians must comply with this regulation and any supplemental site-specific dress code adopted at the site level.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

The Superintendent or designee shall establish a method for recycling or exchanging uniforms as students outgrow 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 35183)

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.

Regulation FRESNO UNIFIED SCHOOL DISTRICT

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