

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION****Students
DRESS AND GROOMING**

The County Superintendent and County Board believe that appropriate dress and grooming contribute to a productive learning environment. They expect students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or causes a substantial disruption to the educational program.

County Superintendent and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

Each site administrator or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the dress code may result in disciplinary action.

Gang-Related Apparel

Site administrators, staff, and parents/guardians at a school may establish a reasonable 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 proposed dress code shall be presented to the County Superintendent who shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment. The dress code policy may be included in the school's comprehensive safety plan.

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

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Adopted: undated
Amended: 10/15/2020

Legal Reference

Education Code

212.1 Nondiscrimination based on race or ethnicity
220 Nondiscrimination
32281 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

Court Decisions

Jacobs v. Clark County School District (2008) 26 F. 3d 419
Harper v. Poway Unified School District (2006) 445 App. 3d 166
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
Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562
Hartzell v. Connell (1984) 35 Cal. 3d 899
Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503