TITLE: Student Dress Codes and Uniforms

NUMBER: BUL-6494.2

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Executive Director

Student Health & Human Services

ROUTING

LD Instructional Superintendent Administrators of Operations LD Operations Coordinators LD Instructional Directors

Community of Schools Administrators

Site Administrators

DATE: December 7, 2020

POLICY: State law provides that a school district governing board may adopt a reasonable dress

code policy and/or permit school-wide uniform policies. Restrictions on dress should relate to the health and safety of the school environment, including causing an actual distraction from or disturbance in any school activity or actually interfering with the participation of a student in any school activity; creating a hazard to the safety of the

student or others; or creating a health hazard (Board Rule 2251).

MAJOR This Bulletin replaces BUL-6494.1, dated June 22, 2015, issued by the Office of Educational Services. This revision reinforces the gender-neutrality of dress codes

and adds guidelines for graduation attire and specialized programs.

BACKGROUND: Los Angeles Unified supports students' right to free expression within guidelines of

appropriateness for learning environments. This Bulletin addresses student dress codes and uniforms and provides schools with guidelines and requirements for the

development of optional, local site policy.

In general, school sites may place specific restrictions on attire based on legitimate healthy and safety concerns. In light of this revised policy, schools should review any locally established school site dress codes to ensure relevance, alignment with current

policy, and stakeholder input.

GUIDELINES: The following guidelines apply to all schools, including magnet programs and magnet

schools. Los Angeles Unified supports students' right to free expression within

guidelines of appropriateness for learning environments.

<u>Los Angeles Unified School Board Policy</u> affirms that all dress codes must be gender-neutral; schools cannot impose or implement different standards based on gender. Students may not be disciplined or restricted from wearing attire solely on the basis that the attire may be traditionally associated with another gender.

Guidelines for Student Dress are communicated annually to students and parents/caregivers through the Parent-Student Handbook. The Parent-Student

Handbook is provided to each student at the beginning of the school year and to any student upon enrollment at any point after the beginning of the school year.

I. Guidelines for Student Dress

All students shall show proper attention to personal safety and suitability of clothing for school activities. Specialized programs and classes, such as physical education, science lab, wood shop, or culinary arts, may require specialized attire or impose unique restrictions related to safety and industry standards (e.g., hairnets, face coverings/masks, safety goggles, or closed-toe shoes). Students may be enrolled in industry partner programs such as police and fire academies and work experience. Students in these programs shall comply with specialized attire requirements (e.g., lab coats and/or securing hair above the collar) and to industry and/or facility clothing and grooming guidelines.

- A. Regardless, no attire can create a hazard to the health or safety of the student or others and attire must fully cover private areas. "Private areas" refers to areas typically covered by a swimsuit.
- B. Los Angeles Unified and <u>School Board Policy</u> affirm students' right to gender expression. Students may not be disciplined or restricted from wearing attire solely on the basis that the attire may be traditionally associated with another gender.
- C. Local school sites may adjust guidelines for dress for school activities, such as performances, competitions, campaigns and celebratory events (e.g., fall harvest festival, Halloween, spirit activities, Denim Day).
- D. Clothing, jewelry, and personal items, such as backpacks and book bags, with language or images that are vulgar, sexually explicit, discriminatory, obscene, libelous, contain threats, or that promote illegal or violent content such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia, are prohibited.
- E. Hair, sideburns, mustaches, and beards may be worn at any length or style, and clothing may be of any fashion, style or design.
- F. Students are allowed to wear jewelry or attire representative of their religious faith, including but not limited to a crucifix, yarmulke, headscarf, or turban.
- G. Students are allowed to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. A school uniform that limits the color of the hats may still be enforced.

H. Students who participate in a nationally recognized youth organization, such as Girl/Boy Scouts, 4-H Club, or Reserve Officer Training Corps (ROTC) shall be allowed to wear the organization's uniform on days that the organization has a scheduled meeting.

II. Graduation Ceremonies

Students may wear traditional tribal regalia or recognized objects of religious, ceremonial or cultural significance as an adornment at school graduation ceremonies. However, this shall not limit the District's discretion and authority to prohibit an item that is likely to cause a substantial disruption of or interference with the ceremony such as noisemakers or items that significantly block the view of other participants.

"Adornment" means something attached to, or worn with, but not replacing, the cap and gown customarily worn at school graduation ceremonies. "Cultural" means recognized practices and traditions of a certain group of people.

Students have the right to wear a dress uniform issued to the student by a branch of the United States Armed Forces while participating in their graduation ceremony if that student meets both of the following requirements:

- A. The student has fulfilled all the requirements for receiving a diploma of graduation and is otherwise eligible to participate in the graduation ceremony.
- B. The student has completed basic training for, and is an active member of a branch of the United States Armed Forces.

III. Short-Term Restrictions on Student Dress

The school site administrator is authorized to implement short-term or temporary restrictions, consistent with the Guidelines for Student Dress, in response to a reasonably foreseeable risk of substantial disruption, interference with the educational process, or when specific attire is likely to incite unlawful action. The Local District Superintendent or designee must be notified.

The site administrator has the authority to restrict clothing, signs, attire, or paraphernalia, which are identified as being gang related or which could reasonably be foreseen to create a hostile or unsafe environment among rival gangs, individuals, or groups. Urban fashion in and of itself is not "gang-related" apparel.

- A. The school has identified the necessity for the restrictions(s); and
- B. The school provides a reasonable description of the restricted apparel.
- IV. Guidelines for the Optional Adoption of Local, School-Site Dress Codes
 In addition to short-term restrictions on student dress (outlined in Section II), schools may adopt local, school-site student dress code policies with input from the administration, faculty, staff, parents/guardians, and students. The school governance council may fulfill this function. Locally adopted school-site dress codes must comply with Guidelines for Student Dress and applicable laws, regulations, and court decisions.

Prior to implementing locally adopted student dress codes that are more restrictive than the Guidelines for Student Dress, schools should:

- A. Identify and articulate a reasonably foreseeable risk of substantial disruption or interference with the educational process, based on credible information.
- B. Provide a reasonable description of the restricted apparel.
- C. Obtain the approval of their Local District Superintendent or designee.

Locally adopted dress codes restricting student dress beyond the District Guidelines for Student Dress should be reviewed annually for relevance and stakeholder input.

V. <u>Parent and Student Notification of Local School-Site Student Dress Code</u> Schools must inform parents/guardians and students of local school-site dress codes at the time of enrollment and at least annually.

Forms of communication may include, but are not limited to:

- 1. Mailings, distributions or posting of the dress code policy in prominent areas (see sample notification, Attachment B)
- 2. Parent/guardian meeting(s)
- 3. Classroom presentation(s)

Local school-site dress code notification to parents/guardians and students should include a statement that students may not be disciplined or unenrolled from school as a consequence for wearing attire that violates

the local, school-site dress code. However, a student may briefly leave the classroom to cover, remove or change the non-complying clothing. Depending on the seriousness of violation, the school may wish to contact the parent/guardian.

VI. <u>Guidelines for the Optional Adoption of Local School Uniform Policy</u> Schools may establish a local school uniform policy. A school uniform policy sets forth voluntary requirements for student attire that are more restrictive than a dress code (e.g., a school uniform specifies colors and types of clothing). Schools may establish voluntary uniform policies with input from the administration, faculty, staff, parents/guardians, and students.

Local school uniform policies must comply with all guidelines described in *Section I. Guidelines for Student Dress* with respect to gender-neutrality, religious attire, youth organization uniforms, and sun protective clothing.

Schools may establish a school uniform policy, consistent with the following criteria:

- A. The specific uniform selected must be determined by the principal, certificated and classified employees, parents/guardians, and students (secondary schools). The school governance council may fulfill this function.
- B. Prior to implementing a school uniform policy, schools must obtain the approval of their Local District Superintendent or designee.
- C. The school uniform policy must:
 - 1. provide a clear description of the types and colors of uniform, jackets/outer garments, and optional articles of attire, if any;
 - provision for allowing students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. However, consistent with the school dress code policy, schools may determine the type and style of approved sunprotective clothing;
 - ensure that students will not be disciplined, discriminated against, or otherwise denied rights and privileges available to other students based upon attire;
 - 4. allow for immediate enrollment of all students, whether students

have a school uniform at the time of enrollment or not;

- 5. inform families and staff that the uniform policy is **voluntary**, and parents/guardians may opt out at any time;
- 6. delineate and communicate procedures for opting out of the school uniform policy at least annually;
- 7. establish a protocol to assist families who would like to participate in the uniform policy but are unable to do so due to financial hardship, including a designee who handles requests for assistance; and
- 8. methods to facilitate reusing of uniforms within the school community.

VII. Parent and Student Notification of Local School Uniform

Parents/guardians, students, and school staff must be provided with a description of the school uniform policy, procedures for opting out of the uniform policy without consequence or retaliation, and resources to assist economically-disadvantaged students. Notifications should be provided at least 6 months prior to initial adoption of the uniform policy and annually thereafter.

A. School Uniform Policy Opt Out

If a student's parent/guardian exercises their right to opt out of the school uniform policy, the student must still adhere to the District Guidelines for Student Dress (Section I) and any Local, School-Site Dress Code (Section II).

- 1. A parent/guardian may opt-out of a school uniform policy by providing written notice, completing an opt-out form (Attachment D), or by contacting the Principal.
- 2. Upon notification by the parent/guardian of the opt-out, the school should provide the student with an identification card, which will serve as evidence of that they have opted out of the uniform (Attachment E).
- 3. The identification card should be carried, along with the student identification card, to school and school activities and events. The school must establish a procedure to replace lost opt-out cards.
- 4. Students shall not be penalized, subject to any disciplinary action, disparaging treatment, or denied attendance to school, or participation in school activities due to opting out of any locally adopted school uniform policy.

5. The school must ensure that appropriate staff are notified of student who have opted out of the uniform policy (refer to Attachment F).

VIII. <u>Specialized Attire for School-Sponsored Activities such as Band, Sports,</u> and Cheerleading

- A. Schools may not require students to purchase specialized uniforms or attire for school-sponsored activities such as band, sports and cheerleading.
- B. Specialized uniforms or attire are items that are typically not available or marketed for general wear, often include a school logo, and are worn in the context of specific school and/or district organized activities.

IX. <u>Standardized Physical Education Apparel (Education Code Section</u> 49066 (c)

- A. Student attire, clothing and shoes must be appropriate for physical education. Schools may require students to secure their own gym clothes of the same color and design, provided that they are the type sold for general wear outside of school and provisions are made to provide the attire at no cost if failure to have or wear appropriate apparel arises from circumstances beyond the control of the student. If a school chooses to adopt a physical education uniform, such as with the school logo, the school must follow all provisions for school uniform policies noted above regarding economic assistance and opting out.
- B. Parents/guardians must be provided with a description of the standardized physical education apparel and options for purchasing it; specifically noting that the attire need not be purchased through the school.
- C. Parents/guardians and students must be advised that Education Code section 49066(c) requires that no grade of a pupil participating in a physical education class may be adversely affected due to the fact that the pupil does not wear standardized physical education apparel where the failure to wear such apparel arises from circumstances beyond the control of the pupil;

X. Responses to Non-Compliance

School site responses to individual non-compliance with dress codes, uniform policies, or physical education apparel shall not objectify, demean, or degrade students. Responses may include: contacting

parent/guardian, determining reasons for non-compliance, and providing appropriate resources and supports.

Schools should utilize restorative and non-punitive approaches to increase adherence to the policies including, but not limited to:

- reviewing the dress code guidelines described in *Section I. District Guidelines for Student Dress*; and
- ascertaining and addressing reasons for non-compliance with the policy.

XI. Pupil Fees

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity, unless the charge for such a fee is specifically authorized by law and does not violate Education Code §49011.

With some exceptions, schools may not require fees for participation in educational activities. Parents/guardians may contest required fees with the school principal, the Local District superintendent or designee within one year of the alleged violation. If the complaint is found to have merit, every effort will be made to make refunds to all affected persons within a year of the complaint. For more information on pupil fees, contact the Educational Equity Compliance Office at 213-241-7682.

ATTACHMENTS: Attachment A: Checklist for Implementing a School-Site Student Dress Code

and/or School Uniform Policy

Attachment B: Sample Letter to Parents/Guardians Regarding a School-Site

Student Dress Code

Attachment C: Sample Letter to Parents/Guardians Regarding a School Uniform

Policy

Attachment D: Sample Parent/Guardian Opt Out Form for School Uniforms

Attachment E: Sample Opt Out Student Identification Cards

Attachment F: Sample Opt Out Roster

AUTHORITY: This is a policy of the District Superintendent of schools. The following legal

standard is applied in this policy:

Elementary and Secondary Education Act, Part C, Section 722

California Education Code sections 35183-35183.5, 48853.5, 49066 and 49011

RELATED RESOURCES:

Board Rule 2251

Board Resolution, Supporting an Expanded and Identity-Affirming Dress Code Policy for all Schools in the Los Angeles Unified School District (Res-032-18/19),

passed June 18, 2019.

BUL-5159.10 Uniform Complaint Procedures (UCP), dated July 1, 2020 – to

dispute educational fees

REF 1303.3 Commencement Guidelines, dated March 23, 2018

BUL 5298.2 Guidelines for Halloween Activities, dated September 26, 2016

ASSISTANCE: For assistance, contact your Operations Coordinator.

For questions about pupil fees and Uniform Complaint Procedures, contact

Educational Equity Compliance at 213-241-7682

For further information about this policy, contact the Office of Human Relations,

Diversity and Equity at 213-241-8719, or visit http://humanrelations.lausd.net

CHECKLIST FOR IMPLEMENTING LOCAL, SCHOOL-SITE STUDENT DRESS CODE AND UNIFORM POLICIES

Schools may adopt local, school-site student dress codes or uniform policies with input from the administration, faculty, staff, parents/guardians, and students. Locally adopted school-site dress codes must comply with BUL-6494.2 Guidelines for Student Dress and applicable laws, regulations, and court decisions, and be approved by the Local District Superintendent.

GUIDELINES FOR UNIFORM POLICY						
Notified parents/guardians of the uniform policy at least 6 months' notice prior to initial adoption, then annually thereafter.						
Developed and provided a reasonable description of the adopted uniform, including: types and colors of the attire, requirements for jackets/outer garments, optional articles of attire, if any,						
o provisions for opting out of the school uniform policy; and						
o procedures to provide uniforms at no cost if failure to have or wear appropriate apparel are beyond the control of the student;						
GUIDELINES FOR SCHOOL SITE DRESS CODES						
Restrictions on student apparel beyond the provisions of the <i>Guidelines for Student Dress</i> are clearly described and are based on a credible and reasonably foreseeable risk of substantial disruption with school operations (restrictions may be short term).						
UNIVERSAL GUIDELINES FOR SCHOOL SITE DRESS CODES and UNIFORM POLICIES						
Notified parents/guardians of the local school-site dress code or uniform policy at the time of enrollment and annually thereafter (refer to Section V and Attachment B, sample notification)						
Ensured gender neutrality of dress code policy, not imposing or implementing different standards based on gender.						
Ensured restrictions do not impact students' ability to wear religious jewelry or attire and appropriate outdoor sun-protective clothing.						
Ensured that students who participate in a nationally recognized youth organization, such as Girl/Boy Scouts, 4-H Club, or the Reserve Officer Training Corps (ROTC) may wear the organization's uniform on days that the organization has a scheduled meeting.						
Reviewed annually for relevance and stakeholder input.						

ATTACHMENT B

SAMPLE LETTER TO PARENTS/GUARDIANS REGARDING THE LOCAL, SCHOOL-SITE DRESS CODE

School Letterhead

[DATE]

Dear Parents/Guardians:

This letter is to provide information about our Local, School-Site Dress Code, a copy of which is enclosed.

We believe that appropriate student dress contributes to a productive learning environment and we want to ensure the health and safety of our students. For your reference, Los Angeles Unified's Guidelines for Student Dress are provided annually in the Parent-Student Handbook. Students are allowed to wear religious jewelry and attire, and sun-protective clothing, including hats, for outdoor use during the school day. All dress codes are gender-neutral and do not impose or implement different standards based on gender. All students shall show proper attention to safety, and suitability of clothing for school activities. In every case the student shall not wear apparel that:

- interferes with their participation in any school activity;
- creates a hazard to the health or safety of the student or others;
- has been identified as causing rival gangs or identity groups to be openly hostile to each other or create an atmosphere of intimidation. Please note that urban fashion in and of itself is not considered "gang-related" apparel.

Please know that students may not be disciplined or removed from class as a consequence for wearing attire that violates our local, school-site dress code. However, students may briefly leave the classroom to cover, remove, or change the non-complying clothing. If your child is not in compliance with our dress code, you may be contacted by the school.

Should you have a concern regarding this policy or procedures, please contact XXX

We look forward to a productive school year and thank you in advance for your assistance and cooperation.

Sincerely, [NAME]

Principal

Enclosure

SAMPLE LETTER TO PARENTS/GUARDIANS REGARDING THE SCHOOL UNIFORM POLICY

School Letterhead

[DATE]

Dear Parents/Guardians:

This letter is to provide information about our Local, School-Site Uniform Policy, a copy of which is enclosed. (Attach flyer with clear description of the types and colors of uniform, jackets/outer garments, and optional articles of attire, if any.)

We believe that appropriate student dress contributes to a productive learning environment and we want to ensure the health and safety of our students. For your reference, Los Angeles Unified's Guidelines for Student Dress are included in the Parent-Student Handbook. Our School Uniform Policy was developed with feedback from students, staff, families, and school community stakeholders and was approved by our Local School Site Council on [DATE]. We adopted this policy to create a sense of community and to encourage pride in our school. While participation in this policy is **voluntary**, all students are encouraged to participate. Please review the enclosed School Uniform Policy with your child.

Students are allowed to wear religious jewelry and attire, and sun-protective clothing, including hats, for outdoor use. All dress codes are gender-neutral and do not impose or implement different standards based on gender. All students shall show proper attention to safety, and suitability of clothing for school activities. In every case the student shall not wear apparel that:

- interferes with their participation in any school activity;
- creates a hazard to the health or safety of the student or others;
- has been identified as causing rival gangs or identity groups to be openly hostile to each other or create an atmosphere of intimidation. Please note that urban fashion in and of itself is not considered "gang-related" apparel.

Students will not be delayed from starting classes, disciplined, discriminated against, or otherwise denied rights and privileges available to other students based upon attire, nor removed from class for failure to wear a school uniform. However, students may briefly leave the classroom to change clothes. Unless you have opted out of the school uniform policy, you may be contacted and/or asked to attend a conference regarding your child's participation in the uniform policy.

Should you need financial assistance to participate in the School Uniform Code please contact XXX. If you wish to opt out of the Uniform Code, please contact XXX so that we may facilitate your request.

Sincerely,

[NAME]

Principal Englosur

Enclosure

SAMPLE PARENT/GUARDIAN OPT OUT FORM FOR SCHOOL UNIFORMS

School Letterhead

As you have been informed, participation in our school uniform policy is **voluntary.** At your request, we are providing this opt out form.

Please note that:

- This opt-out is effective immediately upon receipt by the school.
- Appropriate staff will be notified of your decision to opt out of the school uniform policy.
- Your child will be provided with an opt-out identification card, which should be carried, along with the student identification card, to school and school activities and events.

Our procedure for immediate replacement for lost opt-out cards is as follows: XXXXXX

Your child shall not be penalized academically, subject to any disciplinary action or disparaging treatment or denied attendance to school or participation in school activities due to opting out of our school uniform policy.

Parent-Guardian Acknowledgement and Opt-Out						
I have been informed of the School Uniform Policy.						
As the parent/guardian of (please print name of child), I am choosing to opt out of the School's Uniform Policy for my child, effective immediately, for the current academic year.						
I have received a copy of the Parent-Student Handbook, which outlines Guidelines for Student Dress and the local school-site dress code policy, if applicable. I understand that my child must still comply with these guidelines. I also have been informed that at any time, I may inform the school that I would like my child to participate in the School Uniform Policy and may revoke this decision to opt out.						
Print Name:	_					
Signature:	_Date:					

PLEASE RETURN COMPLETED FORM TO XXXXXX.

SAMPLE OPT OUT STUDENT IDENTIFICATION CARDS

SCHOOL UNIFORM POLICY OPT OUT CARD	SCHOOL UNIFORM POLICY OPT OUT CARD
Name of Student:	Name of Student:
Student ID Number:	Student ID Number:
Name of School: School Representative Signature:	Name of School:School Representative Signature:
Valid for the 2020 School Year	Valid for the 2020 School Year
SCHOOL UNIFORM POLICY OPT OUT CARD	SCHOOL UNIFORM POLICY OPT OUT CARD
Name of Student:	Name of Student:
Student ID Number:	Student ID Number:
Name of School:	Name of School:
School Representative Signature:	School Representative Signature:
Valid for the 2020 School Year	Valid for the 2020 School Year
SCHOOL UNIFORM POLICY OPT OUT CARD	SCHOOL UNIFORM POLICY OPT OUT CARD
Name of Student:	Name of Student:
Student ID Number:	Student ID Number:
Name of School:	Name of School:
School Representative Signature:	School Representative Signature:
Valid for the 20 -20 School Year	Valid for the 20 -20 School Year
SCHOOL UNIFORM POLICY OPT OUT CARD	SCHOOL UNIFORM POLICY OPT OUT CARD
Name of Student:	Name of Student:
Student ID Number:	Student ID Number:
Name of School:	Name of School:
School Representative Signature:	School Representative Signature:
Valid for the 20 -20 School Year	Valid for the 20 -20 School Year

ATTACHMENT F

<<SAMPLE>> SCHOOL UNIFORM OPT OUT ROSTER

	Student Name	DOB	Grade	Homeroom/Teacher	Date Issued
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					

The school should maintain a list of students who have opted out of the school uniform policy to ensure these students enjoy the same rights and privileges as all other students. Students shall not be penalized academically, subject to any disciplinary action or disparaging treatment or denied attendance to school or participation in school activities due to opting out of any locally adopted school uniform policy.