

## STUDENT ~~APPEARANCE~~DRESS CODE AND GROOMING

The Board believes ~~inappropriate~~ student ~~appearance~~dress or grooming that causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees ~~and/or~~ visitors.

is not appropriate. Students are expected to adhere to standards of cleanliness, grooming and dress that are compatible with the requirements of a ~~good~~positive learning environment. ~~The standards will be those generally acceptable to the community as appropriate in a school setting.~~

The Board expects students to be clean and well-groomed and wear clothes in good repair and appropriate for the time, place and occasion. ~~Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated.~~ When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

~~A student~~ The Board respects the diverse racial and religious backgrounds of our students. The District's students have the right to visibly express themselves through their attire when associated with race, religion, sex, disability, or national origin, including tribal regalia, natural and protective hairstyles, or adornments. The District will facilitate and encourage a positive learning environment for all students while complying with any applicable health and safety law, rule, regulations or ordinance.

**"Caregiver" in this policy shall include any parent, guardian or other adult caregiver who is a member of an indigenous tribe on record with the District as one of the United States or another country may** ~~student's official custodians.~~

### **GENERAL PRINCIPLES/STANDARDS:**

1. Non-Discrimination: The District dress code and grooming policy prohibits discrimination against students based on race, religion, sex, disability, or national origin. Bullying Prevention and Harassment policies are also referenced below.
2. Respect for Individuality: Students are allowed to wear tribal regalia in any public or private location on the religious attire, adornments, and other attire associated with race, national origin or religion, or tribal regalia. Additionally, students' hair should not be permanently or temporarily altered by school grounds or at any personnel. Altering a student's appearance or removing or altering a student's attire without consent from their caregiver is not allowed. Additionally, students are permitted to wear natural and protective hairstyles including but are not limited to braids, locks, twists, tight coils or curls, cornrows, Bantu knots, afros, weaves, wigs, or head wraps.

3. Cultural and Religious Attire: Students are allowed to wear religious attire and tribal regalia in accordance with their race, national origin, or religion and will be protected from bullying and harassment according to district policies.
4. Prohibited Attire: Attire should not promote violence, drugs, alcohol, profanity, or hate speech. The District reserves the right to request immediate attire changes from students.

### **HEALTH AND SAFETY CONSIDERATIONS:**

In school function environments where the use of certain chemicals or equipment poses a direct safety hazard, students may be required to wear protective gear, such as lab coats and safety goggles. Similarly, in physical education classes or during sports activities, students may need to modify their attire or secure their hair to ensure the safety of themselves and others. A good faith effort applied equally and without discrimination will be made to ensure safety without compromising religious beliefs, grooming practices, or requiring students to permanently alter their appearance.

1. Proven Need: Any health and safety standard based on characteristics associated with race, religion, sex, disability, or national origin must demonstrate that such standard is necessary for the health and safety of the student or other individual.
2. Least Restrictive Means: Health and safety standards addressing such concerns should use the least restrictive means necessary. Measures that do not discriminate with respect to race, religion, sex, disability, or national origin should be pursued.

### **ENFORCEMENT:**

Enforcement of this policy will be consistent with the district's code of conduct and discipline policies. Enforcement of this policy shall not target, disproportionately impact, discriminate, or be applied in a discriminatory manner against any students on the basis of race, religion, sex, disability, or national origin.

### **TRAINING AND AWARENESS:**

The district will communicate this policy with students and families in their preferred language(s). Feedback from diverse students, caregivers, staff, and administrators will be considered when adopting and revising this policy. The District will provide appropriate staff training about this policy for its effective implementation with caregivers.

### **CONFIDENTIALITY:**

The school will handle all information related to students' race, sex, disability, national origin, or religious characteristics in accordance with the Family Educational Rights and Privacy Act (FERPA). Parental consent must be obtained before sharing confidential student information with school staff or outside parties.

### **PARENTAL CONSENT:**

The District shall make a good faith effort to obtain informed consent from a student's caregivers in their preferred language for any health and safety standard accommodation

needed. To respect individual identity and parental authority, our process includes the following steps:

1. Initiate Contact: Make a good faith effort to contact the caregiver using their preferred communication method (phone, email, or in person is otherwise authorized), explaining why adjustments to be as long as the tribal regalia does not interfere student's attire or grooming are needed to meet health and safety standards.
- 1-2. Collaborative Solutions: Work with the student and caregiver to find accommodation options to meet health and safety standards. Discuss the potential results of each option on the student's well-being and educational process and is not detrimental to the health or safety of the student or another person experience.
3. Parental Consideration: Allow the caregiver time to privately discuss the situation with their student or family members to make an informed decision.
4. Obtain Consent: Once an accommodation is agreed upon, obtain written consent through a signed document or email exchange, stating the accommodation and health and safety standard that required the accommodation. A copy of this written consent should be provided to the caregiver.
5. Documentation & Follow-up: Communication and decisions made with the parent/guardian/caregiver shall be documented as below. These records are subject to the Family Educational Rights and Privacy Act (FERPA) and shall be maintained accordingly. Follow up with the caregiver within 1-2 weeks to ensure the accommodation was implemented in a satisfactory manner.

#### **RECORD KEEPING:**

The District will establish and maintain records for any efforts made to accommodate a student's appearance or grooming of any kind. Each record must include:

1. the student's name,
2. federally identified demographic characteristics,
3. date of the occurrence,
4. the health and safety standard relating to the accommodation,
5. nature of the accommodation requested,
6. staff involved,
7. communication with parents/guardians/caregivers, and
8. the outcome of the effort.

The district will regularly review and analyse these records to identify areas that may require revisions of policies. It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

#### **DEFINITIONS:**

Grooming: the care of a body and its physical appearance, such as the personal hygiene routine of brushing one's teeth or combing one's hair.

National origin: includes characteristics associated with actual or perceived place of birth, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, headdress, tribal regalia, and attire.

Natural and protective hairstyles: include, but are not limited to, braids, locks, twists, tight coils or curls, cornrows, Bantu knots, afros, weaves, wigs, or head wraps.

Race: includes characteristics associated with actual or perceived race, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, tribal regalia, and attire.

Religious attire and characteristics associated with religion: includes, but is not limited to, natural and protective hairstyles, tribal regalia, burkas, hijabs, head wraps, yamaka, cross or other headdress, adornments, and clothing garments used to express or observe one's religious beliefs.

Tribal regalia: includes natural and protective hairstyles and traditional garments, jewelry, or other adornments or similar objects of cultural significance worn by members of an indigenous tribe of the United States or another country. Tribal regalia does not include any dangerous weapon or, except in compliance with an appropriate federal permit, any object that is otherwise prohibited by federal law.

Legal Reference: Hines v. Caston Sch. Corp. 651 N.E.2D 330 (1995)  
 Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
 Bethal School District v. Fraser, 478 U.S. 675 (1986).  
 Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).  
 Neb. Statute 79-526  
Neb. Statute 79-2,158

Cross Reference: 501 Objectives for Equal Educational Opportunities for  
 Students  
504.18 Harassment  
504.20 Bullying Prevention

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_