

Valtena G. Brown, Deputy Superintendent/Chief Operating Officer
School Operations

**SUBJECT: PROPOSED AMENDMENT OF BOARD POLICY: INITIAL READING
5511, *DRESS AND GROOMING***

COMMITTEE: PERSONNEL SERVICES AND STUDENT AND SCHOOL SUPPORT

**LINK TO STRATEGIC
BLUEPRINT: SAFE, HEALTHY AND SUPPORTIVE LEARNING ENVIRONMENT**

This item is presented to the Board to consider the proposed amendment to School Board Policy 5511, *Dress and Grooming*. This will require all students in grades K-8 to participate in a mandatory school uniform program. Policy and process provisions allowing schools to select the school uniform will not be changed and no-uniform days may be authorized by the principal for specific purposes such as fundraising, rewards, spirit days, and club days. Exemptions are provided for a student's sincerely held religious belief and when a parent requests a reasonable accommodation to address a student's disability.

The policy is proposed to be renamed to *Dress Code and School Uniforms*. Attached are the Notice of Intended Action and the proposed policy amendment. Changes are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Policy 5511, *Dress and Grooming*.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Policy 5511, *Dress and Grooming*.

VGB:mf

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on September 9, 2015, its intention to amend Board Policy 5511, Dress and Grooming, at its meeting of October 14, 2015.

PURPOSE AND EFFECT: To require all students in grades K-8 to participate in a mandatory school uniform program. Policy and process provisions allowing schools to select the school uniform will not be changed and no-uniform days may be authorized by the principal for specific purposes such as fundraising, rewards, spirit days, and club days. Exemptions are provided for a student's sincerely held religious belief and when a parent requests a reasonable accommodation to address a student's disability. The proposed amendments include changing the title to *Dress Code and School Uniforms*.

SUMMARY: Policy 5511, *Dress and Grooming*, is proposed to be amended to require all students in grades K-8 to participate in a mandatory school uniform program. Policy and process provisions allowing schools to select the school uniform will not be changed and no-uniform days may be authorized by the principal for specific purposes such as fundraising, rewards, spirit days, and club days. Exemptions are provided for a student's sincerely held religious belief and when a parent requests a reasonable accommodation to address a student's disability. The proposed amendments include changing the title to *Dress Code and School Uniforms*.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41 (1), (2), 1001.42(4), (8), F.S.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: 1001.43(1)(b), F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING of October 14, 2015, which begins at 1:00 p.m., in the School Board Administration Building, School Board Auditorium, 1450 N. E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by October 5, 2015, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED POLICY is available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 Northeast Second Avenue, Miami, Florida 33132.

Originator: Mrs. Valtena G. Brown
Date: August 27, 2015

1 | DRESS CODE AND SCHOOL UNIFORMS GROOMING

2 Students shall come to school clean and appropriately groomed and dressed.
3 Students whose personal attire or grooming distracts the attention of other students
4 or teachers from their school work shall be required to make necessary alterations
5 before entering the classroom or be sent home by the Principal. Students who fail to
6 meet the minimum acceptable standards of cleanliness and neatness as determined
7 by the principal and as specified in this policy shall be subject to appropriate
8 disciplinary measures pursuant to in accordance with Policy 5500, Student Conduct
9 ~~and Discipline, and the document, Code of Student Conduct.~~

10 **Dress Code**

11 | A. ~~This ere is a minimal~~ District dress code. It is not intended to
12 regulate the length of hair, length of dress, or types of the clothing
13 (such as slacks, dresses, shorts) which students may wear to school
14 ~~except as these relate to~~ based on the health, safety, ~~or~~ and
15 cleanliness of students, to minimize the distraction of students from
16 classroom activities, to ~~the~~ prevent disruption of a school program,
17 ~~or~~ and to reduce excessive maintenance of school property.

18 B. The determination of what constitutes a safety or health hazard, or
19 what constitutes a distraction of students from a classroom activity,
20 or what constitutes a disruption of a school program or excessive
21 maintenance of school property shall be made by the teacher, other
22 District employee concerned, and the Principal.

23 C. Disciplinary action may be taken to encourage compliance with the
24 policy. Since the intent of the policy is not to inhibit or prohibit any
25 student who is not in compliance with the dress code from receiving
26 the education to which they are entitled, no student shall be
27 suspended from class or from school, expelled from school, or
28 receive a lowered academic grade as a result of noncompliance.

29
30 ~~Suspension of students for violations of this dress code shall be~~
31 ~~made by the principal pursuant to current Florida law and School~~
32 ~~Board policies, and after providing appropriate due process. A~~
33 ~~student will be suspended only after being given an opportunity to~~
34 ~~correct the cause of the act for which charged, and after a~~
35 ~~conference with professional school personnel and the parents.~~

36 D. Except for schools participating in with regard to a mandatory or
37 voluntary school uniforms program (see below), senior high schools

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1 desiring to establish regulations that go beyond or deviate from this
2 District dress code must have them approved by the Region
3 Superintendent and adopted by the Board. Individual school dress
4 regulations must be submitted to the Superintendent prior to the
5 opening of the school year for which the dress code is effective.

6 E. Once a dress code has been approved by the Board, it need only be
7 re-submitted if additional changes are made.

8 **Mandatory Uniforms**

9 To promote a safe and supportive learning environment and improve school safety
10 and discipline, all students in K-8 Schools shall be eligible to participate in a
11 mandatory uniform program. Students in grades 9-12 may participate in a
12 mandatory uniform program as follows:

13 A. For students in grades 9-12 only, A the school's Educational
14 Excellence School Advisory Council (EESAC) may determine that a
15 vote should be taken during the spring of any given year provided
16 that notification of the intent to vote is submitted by February of the
17 year in which the voting is to occur to the Regional Superintendent
18 and the Deputy Superintendent, District/School Operations. Voting
19 shall occur on a specific,
20 advertised date(s) to be effective the following school year.

21
22 At least fifty percent (50%) plus one (1) of the parents in that school
23 who vote, must vote in favor of establishing a mandatory uniform
24 program. This vote will stand for a minimum of three (3) school
25 years, at which time the EESAC may determine if a subsequent vote
26 is warranted.

27
28 New senior high schools shall conduct an initial vote in the spring of
29 their opening year, and thereafter, conduct votes according to the
30 established procedures for all schools.

31 B. Every school participating in the mandatory uniform program The
32 ~~school~~ shall establish a uniform committee that adequately
33 represents administrators, teachers, students, and parents and
34 follows guidelines promulgated by the Superintendent for selection
35 of uniforms. The committee cannot select a uniform company as an
36 "official uniform company" for a school. The committee can identify
37 a uniform company as a "preferred" option but parents must be
38 advised that the selected uniform or a generic option can be
39 purchased from a variety of sources, such as other uniform
40 companies, department stores, catalogs, etc. The uniform
41 committee may determine whether the school logo patch will be
42 required.

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- 1 C. The school-selected uniforms may prohibit types or styles of clothing
2 e.g., shorts, pants, dresses, and certain types of sweatshirts and
3 jackets. The uniform chosen may consist of (1) solid colored clothing
4 and fabrics for pants, skirts, shorts or similar clothing, and (2) short
5 or long-sleeved shirts with collars. The uniform also may include a
6 small logo but may not allow mottos or slogans and must comply
7 with all other provisions of this policy concerning appropriate attire.
- 8 D. The uniforms selected shall not be characterized as gender-specific.
- 9 E. The school shall provide for those students who, by reason of
10 financial hardship, cannot comply with the mandatory uniform
11 policy and notify parents of these provisions.
- 12 F. Exceptions to wearing the uniform are permitted when:
- 13 1. Uniforms of a nationally recognized youth organization such
14 as the Boy Scouts or Girl Scouts are worn on regular meeting
15 days.
- 16 2. A student wears a button, armband, or other accouterment to
17 exercise the right to freedom of speech as guaranteed by the
18 First Amendment unless they signify or are related to gangs,
19 gang membership, or gang activity.
- 20 3. Wearing a school uniform violates a student's sincerely held
21 religious belief.
- 22
- 23 4. A student's parent requests a reasonable accommodation to
24 address a student's disability.
- 25
- 26 5. The principal has authorized a "no-uniform" day as a
27 fundraiser or reward. The principal may also authorize club
28 shirt or uniform days, and school or community spirit days,
29 in which the mandatory school uniform will not be required.
30
- 31 ~~6. A student's parent has secured an exemption from the~~
32 ~~mandatory uniform policy by following the procedures below.~~
- 33
- 34 G. Exemptions from the mandatory uniform program may be obtained
35 as follows:
- 36 1. A request may be made in writing or in person by the parent
37 for an Application for Exemption from the Uniform Program
38 ("Application") which is available at the student's school site.
39 ~~Parents and students must receive a copy of the school's~~
40 ~~established dress code upon requesting an Application for~~

- 1 | ~~Exemption from the Uniform Program.~~ Students exempted
2 | from the mandatory uniform program must adhere to the
3 | school's dress code.
- 4 | 2. The application must be completed in full and submitted to
5 | the Principal.
- 6 | 3. The Principal then meets with the parents to discuss the
7 | uniform policy and the objections to the policy. The purposes
8 | of this meeting include: ~~(1) ensuring that the parents~~
9 | ~~understand the justification and goals of the uniform policy;~~
10 | ~~(2) verifying the accuracy of the information on the~~
11 | ~~application; and (3) preventing fraud or misrepresentation.~~
- 12 | 4. ~~For consistent administration and evaluation of the uniform~~
13 | ~~policy, the parent must meet with a designated District~~
14 | ~~administrator to discuss the nature of their objection to the~~
15 | ~~policy.~~
- 16 | 5. Parents should be notified of the exemption procedure.
- 17 | H. Compliance with a mandatory uniform policy shall be implemented
18 | as follows:
- 19 | 1. Each school shall develop and use incentives and positive
20 | reinforcement measures to encourage and achieve full
21 | compliance with the uniform policy and should resort to
22 | disciplinary action only when positive measures fail to ensure
23 | compliance. Schools shall communicate with parents so that
24 | expectations, rationale, and benefits are fully understood by
25 | students and families.
- 26 | 2. Disciplinary action may be taken to encourage compliance
27 | with the policy. Since the intent of the policy is not to inhibit
28 | or prohibit any student who is not in uniform from receiving
29 | the education to which they are entitled, no student shall be
30 | suspended from class or from school, expelled from school, or
31 | receive a lowered academic grade as a result of
32 | noncompliance.
- 33 | 3. Disciplinary action may be initiated only after all other means
34 | to secure support and cooperation have not succeeded.
35 | Schools shall use "progressive discipline" to encourage full
36 | and consistent compliance with the least amount of
37 | disciplinary action.
- 38 | 4. Prior to initiating any disciplinary action against a student for
39 | not complying with the policy, a school administrator or

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1 counselor shall hold a conference with the parent to solicit
2 cooperation and support.

3 I. The school participates as requested in any required evaluation of
4 the mandatory school uniform program.

5
6 J. The School Board is immune from any civil liability resulting from
7 adoption of this mandatory uniform policy.

8 **Standards for eEvaluating the aAppropriateness of dDress/gGrooming** ~~are as~~
9 follows:

10 A. A student with hair of such length or style that it creates classroom
11 or school disorder, or distracts the attention of another student or
12 students in any class in session from the lesson being presented or
13 from any other assigned classroom activity, or which creates a safety
14 or health hazard for any student in a classroom will be required to
15 change the length or style of the hair. Failure on the part of a
16 student to comply with this requirement shall result in disciplinary
17 measures which may include suspension from school.

18 B. A student who wears items of clothing which, because of fit, design,
19 color, texture, inadequate coverage, or some other factor, create
20 classroom or school disorder or distract the attention of another
21 student or students in any class in session from the lesson being
22 presented or from any other assigned school activity, or which create
23 a safety or health hazard for any student in school, shall be required
24 to change the clothing to eliminate the disorder, distraction, or
25 hazard. Failure on the part of a student to do so shall result in
26 disciplinary measures which may include suspension from school.

27 C. A student who fails to maintain personal cleanliness, grooming, or
28 neatness of dress which creates classroom or school disorder or
29 distracts the attention of others from assigned classroom activity
30 will be required to maintain a level of personal cleanliness,
31 grooming, or neatness of dress that eliminates the disorder or the
32 distraction of other students. Failure to do so shall result in
33 discipline which may include suspension from school.

34 D. Articles of clothing that cause excessive maintenance problems of
35 school property -- for example, shoe cleats that scratch floors or tear
36 rugs, trousers with metal rivets that scratch furniture -- are not
37 allowed. Students who fail to change articles of clothing of this type
38 after being instructed to do so by school employees are subject to
39 discipline which may include suspension from school.

40 The time, the specific location, the type of activity going on, and whether the alleged
41 offense is the first or repetitious on the part of a student must all be considered

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- 1 when disciplining a student. The primary consideration is correction of a problem
- 2 by the quickest and most reasonable method so that the instructional program for
- 3 students may proceed with the least possible disruption.

4 F.S. 1001.43