

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

**SUBJECT:** **FINAL READING: PROPOSED ADOPTION OF  
AMENDMENT TO BOARD POLICY 5511, DRESS AND  
GROOMING**

**COMMITTEE:** **PERSONNEL SERVICES AND STUDENT AND SCHOOL  
SUPPORT**

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

At its meeting of September 9, 2015, the Board approved the proposed amendment of Board Policy 5511, *Dress and Grooming*, as described below:

The amended recommendations are as follows:

- 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; and
- To rename the proposed policy to *Dress Code and School Uniforms*.

The Notice of Intended Action was published in the *Miami Daily Business Review* on September 14, 2015, in various places for public information and mailed to various organizations representing persons affected by the amended policy and to individuals requesting notification. The time to request a hearing or protest the adoption of these amendments has elapsed.

In accordance with the Administrative Procedure Act, the proposed amended policies are presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the amended policy in the official records of The School Board of Miami-Dade County, Florida.

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.

**RECOMMENDED:**

That The School Board of Miami-Dade County, Florida, adopt the proposed amended Board Policy 5511, *Dress and Grooming*, and authorize the Superintendent to file the amended policy with The School Board of Miami-Dade County, Florida, to be effective October 14, 2015.

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

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 in accordance with Policy 5500, and the *Code of Student*  
9 *Conduct*.

10 **Dress Code**

11 A. This District dress code is intended to regulate the clothing  
12 students may wear to school based on the health, safety, and  
13 cleanliness of students, to minimize the distraction of students from  
14 classroom activities, to prevent disruption of a school program, and  
15 to reduce excessive maintenance of school property.

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

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

27  
28 ~~Suspension of students for violations of this dress code shall be~~  
29 ~~made by the principal pursuant to current Florida law and School~~  
30 ~~Board policies, and after providing appropriate due process. A~~  
31 ~~student will be suspended only after being given an opportunity to~~  
32 ~~correct the cause of the act for which charged, and after a~~  
33 ~~conference with professional school personnel and the parents.~~

34 D. Except for schools participating in a mandatory or voluntary school  
35 uniform program (see below), senior high schools desiring to  
36 establish regulations that go beyond or deviate from this District  
37 dress code must have them approved by the Region Superintendent

1 and adopted by the Board. Individual school dress regulations must  
2 be submitted to the Superintendent prior to the opening of the  
3 school year for which the dress code is effective.

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

6 **Mandatory Uniforms**

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

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

19  
20 At least fifty percent (50%) plus one (1) of the parents in that school  
21 who vote, must vote in favor of establishing a mandatory uniform  
22 program. This vote will stand for a minimum of three (3) school  
23 years, at which time the EESAC may determine if a subsequent vote  
24 is warranted.

25  
26 New senior high schools shall conduct an initial vote in the spring of  
27 their opening year, and thereafter, conduct votes according to the  
28 established procedures for all schools.

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

41 C. The school-selected uniforms may prohibit types or styles of clothing  
42 e.g., shorts, pants, dresses, and certain types of sweatshirts and

1 jackets. The uniform chosen may consist of (1) solid colored clothing  
2 and fabrics for pants, skirts, shorts or similar clothing, and (2) short  
3 or long-sleeved shirts with collars. The uniform also may include a  
4 small logo but may not allow mottos or slogans and must comply  
5 with all other provisions of this policy concerning appropriate attire.

D. The uniforms selected shall not be characterized as gender-specific.

6 E. The school shall provide for those students who, by reason of  
7 financial hardship, cannot comply with the mandatory uniform  
8 policy and notify parents of these provisions.

9 F. Exceptions to wearing the uniform are permitted when:

10 1. Uniforms of a nationally recognized youth organization such  
11 as the Boy Scouts or Girl Scouts are worn on regular meeting  
12 days.

13 2. A student wears a button, armband, or other accouterment to  
14 exercise the right to freedom of speech as guaranteed by the  
15 First Amendment unless they signify or are related to gangs,  
16 gang membership, or gang activity.

17 3. Wearing a school uniform violates a student's sincerely held  
18 religious belief.

19 4. A student's parent requests a reasonable accommodation to  
20 address a student's disability.

21 5. The principal has authorized a "no-uniform" day as a  
22 fundraiser or reward. The principal may also authorize club  
23 shirt or uniform days, and school or community spirit days,  
24 in which the mandatory school uniform will not be required.  
25  
26  
27

28 6.  
29 G. Exemptions from the mandatory uniform program may be obtained  
30 as follows:

31 1. A request may be made in writing or in person by the parent  
32 for an Application for Exemption from the Uniform Program  
33 ("Application") which is available at the student's school site.  
34 Students exempted from the mandatory uniform program  
35 must adhere to the school's dress code.

36 2. The application must be completed in full and submitted to  
37 the Principal.

- 1                   3.     The Principal then meets with the parents to discuss the  
2                   uniform policy and the objections to the policy. The purposes  
3                   of this meeting include: (1) verifying the accuracy of the  
4                   information on the application; and (2) preventing fraud or  
5                   misrepresentation.  
6                   5.     Parents should be notified of the exemption procedure.
- 7                   H.     Compliance with a mandatory uniform policy shall be implemented  
8                   as follows:
- 9                   1.     Each school shall develop and use incentives and positive  
10                  reinforcement measures to encourage and achieve full  
11                  compliance with the uniform policy and should resort to  
12                  disciplinary action only when positive measures fail to ensure  
13                  compliance. Schools shall communicate with parents so that  
14                  expectations, rationale, and benefits are fully understood by  
15                  students and families.
- 16                  2.     Disciplinary action may be taken to encourage compliance  
17                  with the policy. Since the intent of the policy is not to inhibit  
18                  or prohibit any student who is not in uniform from receiving  
19                  the education to which they are entitled, no student shall be  
20                  suspended from class or from school, expelled from school, or  
21                  receive a lowered academic grade as a result of  
22                  noncompliance.
- 23                  3.     Disciplinary action may be initiated only after all other means  
24                  to secure support and cooperation have not succeeded.  
25                  Schools shall use "progressive discipline" to encourage full  
26                  and consistent compliance with the least amount of  
27                  disciplinary action.
- 28                  4.     Prior to initiating any disciplinary action against a student for  
29                  not complying with the policy, a school administrator or  
30                  counselor shall hold a conference with the parent to solicit  
31                  cooperation and support.
- 32                  I.     The school participates as requested in any required evaluation of  
33                  the mandatory school uniform program.
- 34                  J.     The School Board is immune from any civil liability resulting from  
35                  adoption of this mandatory uniform policy.  
36

37     **Standards for Evaluating the Appropriateness of Dress/Grooming**

- 38                  A.     A student with hair of such length or style that it creates classroom  
39                  or school disorder, or distracts the attention of another student or  
40                  students in any class in session from the lesson being presented or

1 from any other assigned classroom activity, or which creates a safety  
2 or health hazard for any student in a classroom will be required to  
3 change the length or style of the hair. Failure on the part of a  
4 student to comply with this requirement shall result in disciplinary  
5 measures which may include suspension from school.

6 B. A student who wears items of clothing which, because of fit, design,  
7 color, texture, inadequate coverage, or some other factor, create  
8 classroom or school disorder or distract the attention of another  
9 student or students in any class in session from the lesson being  
10 presented or from any other assigned school activity, or which create  
11 a safety or health hazard for any student in school, shall be required  
12 to change the clothing to eliminate the disorder, distraction, or  
13 hazard. Failure on the part of a student to do so shall result in  
14 disciplinary measures which may include suspension from school.

15 C. A student who fails to maintain personal cleanliness, grooming, or  
16 neatness of dress which creates classroom or school disorder or  
17 distracts the attention of others from assigned classroom activity  
18 will be required to maintain a level of personal cleanliness,  
19 grooming, or neatness of dress that eliminates the disorder or the  
20 distraction of other students. Failure to do so shall result in  
21 discipline which may include suspension from school.

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

28 The time, the specific location, the type of activity going on, and whether the alleged  
29 offense is the first or repetitious on the part of a student must all be considered  
30 when disciplining a student. The primary consideration is correction of a problem  
31 by the quickest and most reasonable method so that the instructional program for  
32 students may proceed with the least possible disruption.

33 F.S. 1001.43