
STUDENT DRESS

The board of education, supported by court rulings, upholds its right to impose student dress codes that prohibit immodest or suggestive clothing, dress that would create a disturbance or distraction, and clothing that is unsanitary or creates a health hazard. Students are prohibited from wearing dress that contains obscenities, or leaves the student scantily clad. Clothing that conveys messages that are obscene, vulgar or refer to alcohol or illegal substances are prohibited. Clothing that contains messages of hate and violence is also prohibited. This restriction on student speech will be imposed only where there is a well-founded expectation of disruption to the educational process or on the legitimate rights of other students or staff.

In accordance with N.J.S.A. 18A:11-9, the board of education prohibits students from wearing, while on school property, any type of clothing, apparel or accessory which indicates that the student has membership in, or affiliation with, any gang associated with criminal activities.

As supported in N.J.S.A. 18A:11-7 and N.J.S.A. 18A:11-8, the board of education confirms its desire to authorize uniform school dress for students. The Linden Board of Education supports this policy for the following reasons:

- 1.) To instill discipline and create a positive educational atmosphere;
- 2.) To help with issues of peer pressure;
- 3.) To increase classroom concentration;
- 4.) To promote a sense of identity and improve security;
- 5.) To increase school spirit and school unity;
- 6.) To help families with economic issues regarding costs;
- 7.) To enhance community image; and,
- 8.) To assist students in preparing for the work world.

The Linden Board of Education will not adopt policies regarding uniform student dress in order to regulate appearance or to establish a sense of good taste. Uniform student dress policies will not interfere with a student's right to religious expression or other rights of expression.

The board of education is open to receive recommendations from schools to adopt a school-level dress code policy that includes uniform modes of student dress. Such recommendations will be made by the principal and forwarded to the board of education for approval through the superintendent. These recommendations must provide evidence that a majority of teachers and parents in the school are supportive of the proposed code and that provisions are made for economically disadvantaged students. The board will hold a public hearing on any such proposal and shall not implement the new policy with less than three months' notice to the parents and guardians of the students.

STUDENT DRESS (continued)

The specific uniform or mode of uniform dress will be specified in the proposal. Students attending schools that have implemented school uniforms will be required to wear the uniform. Failure to wear the proper uniform will not result in disciplinary action. However, students may not wear:

1. Short shorts, shorts or skirts with unfinished hems, hats, sports headbands, sunglasses, ski goggles, and bandanas;
2. Midriff, tube tops, strapless tops/dresses, halter-tops, tank-tops, camisoles, see-through articles, or articles that expose cleavage or stomach;
3. Garments that reveal under garments or buttocks; pajama pants, ripped jeans, pants or sweatpants with graphics or writing across the back, or any pants with holes;
4. Clothing and/or accessories that have any associations with illegal substances, violence, or gangs;
5. Clothing that is offensive to any nationality, ethnicity, religion, sexual orientation, or gender identity;
6. Clothing that has any obscene writing or promotes suggestive, indecent, or unacceptable school behavior whether stated or implied.

Students requesting exemptions for religious or other reasons must do so in writing. If an exemption is granted, they will not be penalized academically or otherwise discriminated against for non-compliance.

The board authorizes the superintendent to enforce school regulations prohibiting student dress and grooming practices which:

- A. Present a hazard to the health or safety of the student or to others in school;
- B. Materially interfere with school work, create disorder, or disrupt the educational program;
- C. Cause excessive wear or damage to school property;
- D. Prevent the student from achieving his or her own educational objectives because of blocked vision or restricted movement.

Date: June 13, 2016

Legal References: Use legal reference sheet.

Key Words:

Student dress, School uniforms.