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A UNIFORM DRESS CODE POLICY
FOR MIDDLE/JUNIOR HIGH
SCHOOL

A Project Report

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In Partial Fulfillment

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Master of Education

by

Cynthia A. Thoman

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A MODEL UNIFORM DRESS POLICY
FOR MIDDLE/JUNIOR HIGH LEVEL

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The purpose of this project was to design a model uniform dress code policy for the student population of a selected middle/junior high level school district in Washington State. To accomplish this purpose, a review of current literature regarding student dress codes and policies was conducted. Additionally, related information from selected public schools currently using student uniforms was obtained and analyzed.

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CHAPTER 2

A Review of Related Literature and Information Obtained From Selected Schools

Introduction

The review of literature and research summarized in Chapter 2 was organized to address:

1. Dress Control in American public Schools: Historical Background;
2. Reasons Cited for Implementing Dress Codes;
3. Factors Necessary for Uniform Dress Code Policy Implementation;
4. Student Dress and the Law;

A. Related Case Law;

West Virginia State Board of Education v. Barnette;

Brown v. Board of Education of Topeka;

Tinker v. Des Moines Independent School;

Goss v. Lopez;

Kelly v. Jobinson;

Bethel School District No. 403 v. Fraser;

Olesen v. Board of Education;

Hazelwood School District v. Kuhlmeiser;

Jeglin v. San Jacinto Unified School District;

B. How Court Cases Relate to the Successful Implementation of Dress Codes;

- C. Related Washington State School Law;
5. Information Obtained From Selected Schools;
- Demographics;
- Uniform Dress Policies Currently In Use;
- Statistics Supporting Uniform Dress;
- Noncompliance;
- History of Implementation;
- Information About Purchasing Uniforms;
- Implementation in High School;
6. Summary.

Data current within the past ten (10) years was identified through an Educational Resources Information Centers (ERIC) computer search. A hand-search of various other sources was also conducted.

Dress Control in American Public Schools:

Historical Background

Historically documented in the literature since the 1920's, administrators of public secondary schools have endeavored to control the appearance of students enrolled in their schools. In the 1920's, references to dress issues dealt mainly with girls' attire. Boys also had a dress code, but apparently it presented no problems for them ("Correct Dress

Revues", 1929). At issue in all articles was the amount of money spent on dresses for girls to wear to school. Wealthy families spent a great deal of money to dress their daughters in expensive silks and satins, while less affluent families sacrificed to follow suit. "The result is envy and rancor, and a blow at the democracy of the schools" (Uniformity of Dress, 1929, p. 89). To rectify this situation, uniform dress policies were instituted in some public schools as illustrated by Baltimore high schools (A Picture From the Past, 1935). Limiting dress choices promoted equality because rich and poor dressed alike, which promoted equality.

Dress problems in the 1950's centered around boys who wore blue jeans, black leather jackets, and boots. An article by Arnstein (1956) stated that "...it is no violation of individuality to expect young people to dress 'appropriately'" (p. 46). The author recommended uniform dress for several reasons: it was more democratic, students were judged by who they were instead of by their clothing, it was more economical in terms of cost and time efficiency, and it was less distracting (p. 47). "School spirit is fostered, discipline is enhanced, and higher standards of pupil behavior are maintained both in and out of school" (p. 47).

Manch (1956) recommended getting community support to encourage student involvement. He said,

We know that teenagers generally want to do the right thing if they are encouraged to exercise initiative and to think for themselves, with adult help and encouragement available to them when they want it and need it. (p. 84)

With his help, a program in the Buffalo, New York public high schools, entitled the

"Dress-Right" program, was very successful in regulating student dress (p.81). It used a strict dress code policy, as opposed to a uniform dress code policy. The main reason for its success was student involvement; the student leaders adopted the policy and enforced it themselves by means of peer pressure. It was also supported by the local newspaper.

According to Manch, it was an "... attempt to improve the standards of dress of teenagers in our community and, by so doing, to affect favorably their conduct in and out of school" (p. 81). This created no legal issues; school administrators never dealt with it. Due to its success, the program was expanded to include the elementary level.

By the late 1950's, student attire had become an issue in public schools as was demonstrated by the volume of articles written about it and the increase in court cases involving it. According to Handel (1957), the problems associated with the "juvenile delinquent attire" of dungarees, cowboy boots, and leather jackets (e.g., Kieran, 1957, p. 71) included intimidation, vandalism, and misconduct (p. 68). Handel suggested stressing the school's role as a character-building agency by which "Appropriate dress, neatness, cleanliness, good grooming are all part of this endeavor"(p. 69). He further stated that parents wanted help in dressing their children appropriately. The results of dress codes in this case were less boisterous behavior and vandalism, the disintegration of many "groups", and an increase in parental support of the schools.

Cutler (1965) surveyed school districts and found that most controlled dress. "Most districts have dress codes that spell out what is forbidden, and most students stick to the rules, the survey found" (p. 86). Some schools had faculty-created dress codes. Others had student-generated codes, while some had codes written by joint committees of

students, faculty, parents, and administrators. Schools avoided a specific dress code by instituting a policy which said "...if a pupil's appearance detract from the general instructional atmosphere, or creates a disturbance, he's inappropriately dressed" (p. 88). Students generally seemed to follow the dress rules and those who deviated were suspended causing few problems.

In the late 1960's, the climate in schools changed. There was greater concern for the rights of students as dress codes were legally challenged. The newest fads which school administrators wanted dress codes to control included "Beatle" haircuts and tight, hip-slung trousers and skirts (Waleski, 1967, p. 12). It was advised that committees be formed, comprised of principals, teachers, PTA members, and students including those creating the fuss (Administrator's Forum, 1967, p. 24). These committees were to review codes in other districts, with consideration given to current fashion and changing public attitude. Administrators began to loosen the controls on dress and appearance due to the threat of expensive lawsuits. Through this time of student unrest, the literature was filled with the legal ramifications of dress codes. And yet there continued to be a need for some limits to be placed on student dress and behavior.

In the 1980's, administrators faced evolving safety issues and growing liability in public secondary schools. Fights, drug possession and sale, theft, intimidation, aggression, and dangerous weapons were noted in a study by Slaby (1983, p. 65). He surveyed staff members, students, and community members in order to develop a policy to deal with dress and behavior. This resulted in a policy to suspend serious offenders, and send them to an after school program; lesser offenders were given a conference. A reference to

"gangs" appeared as early as 1987 by Gaustad (1990). In order to fight gangs, she recommended banning weapons, violence, illegal activity, and gang-identified clothing (p. 3). Again dress codes were being suggested to deal with negative behavior which was related to dress.

Another dress-related problem referred to in the literature, since the late 1980's, was the preoccupation of youth with wearing designer clothes. This presented two major problems in public schools according to Pugh (1990): students were spending exorbitant amounts of money on this type of clothing, and some students were stealing and assaulting other students to obtain this type of clothing.

Recently the print and visual media have highlighted the significance that high school and junior high school students have attached to clothes, e.g., the \$400-\$500 designer jackets and the \$100-\$150 sneakers which have resulted in teen robberies as well as killings. (p. 4)

To combat these problems, the newest trend in dress related policy in public schools has been the institution of school uniforms.

President Bill Clinton addressed the issue of public school uniforms in a 1996 memorandum to the Secretary of Education. In it he said,

We must do everything possible to ensure that schools provide a safe and secure environment where the values of discipline, hard work and study, responsibility, and respect can thrive and be passed on to our children. (Clinton, 1996)

He mentioned two reasons violence occurred in schools today: first, students used violence or theft to get fancy athletic shoes or designer clothes; and secondly, colors or

insignias used by gang members caused fear in teachers and students. He recommended the Department of Education's Manual on School Uniforms which gave information on the benefits of using school uniforms, how to establish a uniform dress policy, and listed some public schools which used uniforms.

According to the Manual on School Uniforms (1996, p.2), for uniforms to be a success, initial parental support was cited as being critical. Parents were to be surveyed to gauge support. Then they were to have input into uniform design. This was crucial to get them to encourage their children to wear the uniform. Potential benefits of school uniforms included:

1. decreasing violence and theft ... among students over designer clothing or expensive sneakers;
2. helping prevent gang members from wearing gang colors and insignia at school;
3. instilling students with discipline;
4. helping parents and students resist peer pressure;
5. helping students concentrate on their school work;
6. helping school officials recognize intruders who come to school. (p.1)

The Manual suggested that students' religious and other rights of expression must be upheld. Those students whose religious beliefs would be greatly burdened by a uniform requirement must be accommodated. For example, certain religions required the wearing of special head attire. Students could wear political candidate support buttons as long as they didn't cause a disruption or interfere with other's rights. Also, students were not

allowed to wear clothing which would have compromised the uniform such as a sweatshirt covering it up (p.2).

The Manual further stipulated that each district should determine if the uniform policy would be voluntary or mandatory. If mandatory, would there be an "opt-out" provision? To survive a legal challenge, the school district needed to show that an "opt-out" option would cause a significant disruption of the learning environment. It also recommended that school personnel find the means to provide financial help to families which were unable to afford uniforms (p. 3).

Reasons Cited for Implementing Dress Codes

As stated by Landen (1992, p. 2), the sixth National Education Goal for the year 2,000 has acknowledged the problem of violence in the public schools. By the year 2,000 every school in America is supposed to be free of drugs and violence and offer a disciplined environment conducive to learning.

John Cohn (1996), superintendent of the Long Beach School District in Long Beach, California, suggested that safety from gang attacks was the primary reason his district instituted a uniform dress policy. He stated that "...a public school without a primary emphasis on student safety is fraudulent in seeking any other improvements no matter how lofty or noble their purposes may be" (p. 23). In the Long Beach School District a common uniform has been required for all elementary and middle school students since 1994. The uniforms were introduced to overcome gang attacks on students

wearing certain colors.

Cohn referred to uniform dress as more effective than a strict dress code policy against gang apparel. Long Beach had tried a strict dress code policy for thirty years and it had been adapted to eliminate the wearing of gang colors. But gang colors changed constantly, so the Dress Code Policy was not very effective. He summarized by saying,

"Uniforms go a long way toward providing a neutral coat of arms for children whose clothing might otherwise make them targets" (p. 23). In addition, the uniforms have enabled the easy identification of outsiders who do not belong on school premises.

After instituting a uniform dress policy, crime on campus in Cohn's district was reduced, including fighting, assaults, robbery, vandalism, weapons possession, and the number of suspensions. Teachers and parents believed that students were coming to school more prepared to learn after instituting the uniform dress policy (p.23).

A uniform dress policy was instituted in Washington D.C. to alleviate the problem of clothing disputes. According to a study done by Stevenson (Stevenson, Chunn, 1991), "...the pressure placed on students by their peers to wear expensive, designer clothing was more important than good grades, success in athletics or other extracurricular activities" (p. 1). As a result, some students turned to criminal activity to acquire money for clothes.

Parents said that their children expressed feelings of shame and embarrassment

because they lacked designer/expensive clothing...parents expressed concern their

child might participate in an illicit act in order to purchase designer clothing. (p. 5)

Another advantage listed by study participants was that uniforms would provide an

egalitarian environment. The result would be enhanced self esteem in children who could

not afford expensive clothing. It would redirect attention to the task of learning (p. 1).

The Virginia Department of Education released a report entitled Model Guidelines for the Wearing of Uniforms in Public Schools (1992). In it a study by Johnson (1977) was cited which found that teachers appeared to view students differently depending on what they were wearing.

{There is} a high correlation between mode of dress, socioeconomic condition, and academic standing and status. Similarities and differences in clothing and appearance paralleled patterns of formal academic grouping as well as informal student interaction. Specifically, these patterns correspond with the color and class alignments in the community; generally they correspond to the color and class alignments in the national society. It seems as if we are to believe that academic ability and class standing invariably are a reflex of clothing and appearance.(p. 2)

If students dressed alike, teachers would view them as equals, which would increase educational equality.

Factors Necessary for Uniform Dress Code Policy Implementation

The literature contained references to suggestions for successful Uniform Dress Policy implementation. Paliokas (Paliokas et al, 1996) advised the consideration of several factors when a dress code was established. "Institute a dress code that outlines general goals, and let principals and local school officials formulate and implement policy at the grass-roots level" (p.34). This allowed individual schools to be responsive to their

particular local community needs. Also, schools targeted various community factions to build consensus for instituting the policy. She recommended a voluntary Uniform Dress Policy or one with an opt-out provision unless there existed a serious and visible violence problem (p. 35). For a policy like this to be successful, parents had to be openly supportive. The type of uniform worn had to be agreed upon by parents and students.

Students who opted out of the uniform policy must be required to abide by a strictly enforced dress code established by school officials. Committees working to resolve these issues were comprised of parents, students, teachers, and administrators. At least six months was allowed between announcement of the policy and its implementation.

Cohn described how uniforms were established in the Long Beach School District. The school board first passed a proposal for a mandatory Uniform Dress Policy in 1994 (p.23). Then each school met with parents, teachers, and administrators to decide on "...their choice of uniforms, incentives, compliance measures (within approved parameters), and means for providing financial assistance to indigent families" (p. 23). In surveys of parent and community members, uniforms had an eighty percent approval rate (p. 25). Other factors leading to successful implementation were: a stable school board, site administrators who were capable and enthusiastic, community resources which provided uniforms for needy children, and resources to defend the policy (p. 25). "During our two-year experience with mandatory uniforms, we have had two legal challenges that, as of the end of 1995, we have successfully countered" (p. 24).

At William H. Ruffner Middle School in Norfolk, Virginia, a Uniform Dress Policy was established in 1995 (Hoffler-Riddick, Lassiter, 1996). Prior to this, the principal

collected data from a recent needs assessment. "An important issue raised was school climate, and one way to improve the school climate was to improve the appearance of both students and staff members" (p. 28). To set an example, a mandatory teacher dress code was instituted and staff members were trained in improving their professional image by their attire. "Additional training was also provided so teachers could use their advisory periods to teach manners, etiquette, and respect for diversity" (p. 28). After a variety of presentations, town meetings, and parent surveys, the superintendent asked to be allowed to mandate uniforms for the next year. This was approved by the school board and supported by a Virginia state law passed in 1995 which allowed school districts to require students to wear uniforms.

Student Dress and the Law

A. Related Case Law

Historically school officials have been viewed as acting *in loco parentis* (i.e., in place of the parent) in their management and discipline of student behavior and appearance (Dolce, 1971, p. 9). Initially the courts ruled in favor of school officials who controlled the dress and appearance of their students. This was shown by two cases as described by Rowe (1960). In the 1921 case of Jones v. Day, a public agricultural high school in Mississippi required students to wear their school uniforms in public places within a five-mile radius of the school. This also applied to day students who commuted to school and who did not live in dormitories. One of these day students brought a suit

against the school over this requirement. The Supreme Court upheld the lower court's ruling when it " ...dismissed the appeal with the explanation that trustees have full power to do all things necessary to the successful operation of the school" (p. 28). The court excluded day students when at home, because then they were under their parents care. In the 1922 case of Pugsley v. Sellmeyer, an Arkansas high school dress code had forbidden transparent hosiery, low-necked dresses, any immodest apparel, and cosmetics. A student brought suit over the issue of not being allowed to wear face powder to school.

The courts ruled against the petitioner stating that the courts will not interfere with the exercise of discretion by school directors in matters confided by law to their judgment unless there is a clear abuse of discretion or violation of the law. (p. 29)

As was confirmed by these representative cases, students' rights were not an issue during the 1920's.

West Virginia State Board of Education v. Barnette (1943)

Squires (1968) cited this case in which a student's rights were upheld.(p.3) The case involved a student being forced to salute the flag against his religious convictions.

The Supreme Court, ruling against the school, stated,

The Fourteenth Amendment, as now applied to the States, protects the citizen against the State itself and all of its creatures - Boards of Education not excepted. These have, of course, important, delicate, and highly discretionary functions, but none that they may not perform within the limits of the Bill of Rights. That they are educating the young for citizenship is reason for scrupulous protection of

constitutional freedoms of the individual, if we are not to strangle the free mind at its source and teach youth to discount important principles of our government as mere platitudes. (Price et al, 1988, p. 160)

Because schools were preparing students for life in a democracy, their rights needed to be protected. "The lesson is clear: Students have the right not to be standardized or coerced into uniformity of dress, hairdo, or opinion without the compelling reason of their own or other's welfare" (Squires, p. 30).

Brown v. Board of Education of Topeka (1954)

Oliver Brown, a black railroad worker, sued the Topeka, Kansas Board of Education for not allowing his daughter to attend an all-white school near her home. In 1954, the court found in favor of the plaintiff (Kutler, 1988, p. 656). The court said, ...education is perhaps the most important function of state and local governments. It is required in the performance of our most basic public responsibilities.... It is the very foundation of good citizenship...it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the State has undertaken to provide it, is a right which must be made available to all on equal terms.(Burke, p. 395)

Tinker v. Des Moines Independent School (1969)

This important decision affecting school officials control of student appearance was considered "the most monumental and influential" decision concerning education and

student's rights according to Shaha (1980, p. 6). Several students decided to wear black arm bands to publicize their objections to the Vietnam War (Connors, p. 96). School officials in Des Moines, Iowa, schools adopted a policy against wearing these arm bands. They feared disruptions would occur because some students had lost relatives in the war. The students were suspended until they agreed to return without the arm bands.

Connors stated that students had rights they didn't lose in the school environment. Citing West Virginia v. Barnette, "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the school house gate" (Connors, p. 98). The Supreme Court found that the wearing of arm bands was within the First Amendment because it was symbolic speech which gave a particularized message. The court emphasized the need for "...affirming the comprehensive authority of the States and of school authorities, consistent with fundamental constitutional safeguards, to prescribe and control conduct in the schools" (Price et al, p. 160). The students were quiet and passive in their protest. They were not disruptive and did not infringe on the rights of others, but the school officials were afraid disruptions would occur. The Court ruled,

In our system, undifferentiated fear or apprehension of disturbances is not enough to overcome the right to freedom of expression. Any departure from absolute regimentation may cause trouble; any variation from the majority's opinion may inspire fear; any word spoken in class, in the lunchroom, on the campus that deviates from the views of another person may start an argument or a disturbance, but our Constitution says we must take this risk, and our history says that it is this

sort of hazardous freedom, this kind of openness that is the basis of our national strength and of the independence and vigor of Americans, who grow up and live in this relatively permissive and often disputatious society. In order for the state in the person of school officials to justify prohibition of a particular expression of opinion, the state must be able to show that its action was caused by something more than a desire to avoid the discomfort and unpleasantness that always accompany an unpopular view point. ("The Hard Rules," 1978, p. 30)

The Court also found that buttons advertising other causes were allowed and therefore one symbol was singled out.

In our system, state-operated schools may not be enclaves of totalitarianism. School officials do not possess absolute authority over their students. Students in schools as well as out of schools are "persons" under our Constitution. In our system, students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate. They may not be confined to the expression of those sentiments that are officially approved. (Shaha, p. 10)

At the end of this ruling, the Court held,

A prohibition against expression of opinion, without any evidence that the rule is necessary to avoid substantial interference with the school discipline of the rights of others, is not permissible under the First and Fourteenth Amendments. (Shaha, p. 7)

Goss v. Lopez (1975)

Connors described this case in which a student filed suit because he was suspended with a large group of other students for a disturbance in the lunchroom. He testified that he was not involved in the disturbance, there was no evidence otherwise, and he never had a hearing. The Court ruled in favor of the plaintiff. Although the Constitution did not provide for education as a right, state law did. Therefore, it became protected under the Fourteenth Amendment. Under this provision the Court ruled "...due process requires, in connection with a suspension of ten days or less, that the student be given oral or written notice of the charges against him and, if he denies them, an explanation of the evidence the authorities have and an opportunity to present his side of the story" (p. 122). The Court stipulated the following minimum requirement including emergency procedures prior to a suspension:

- 1) permit "immediate removal of a student whose conduct disrupts the academic atmosphere of the school, endangers fellow students, teachers or school officials, or damages property";
- 2) require notice of suspension proceedings to be sent to the student's parents within twenty-four hours of the decision to conduct them;
- 3) require a hearing to be held, with the student present, within seventy-two hours of removal. ...statements in support of the charge be produced, that the student and others be permitted to make statements in defense or mitigation, and that the school need not permit attendance by counsel. (p. 113)

Kelly v. Jobinson (1976)

This case was not a school-related case but was referred to in dress-related school cases by Majestic (1991). Suffolk County police officers were not permitted to wear long or bushy hair or facial hair except for medical reasons. The patrolmen's union filed suit to challenge the regulation. The Supreme Court found for Suffolk County on the grounds that this was "...a restriction placed on a public employee whose job historically limited his freedom of choice in personal matters" (p. 2). The Court cited that the reasons for these restrictions were to establish *esprit de corps* and make the patrolmen easily recognizable.

Bethel School District No. 403 v. Fraser (1986)

In this 1986 case, a high school student was expelled for giving a sexually-explicit speech at a school assembly after being advised not to by faculty members according to Burke (p. 400). The Court found in the school's favor because "...it is a highly appropriate function of public school education to prohibit the use of vulgar and offensive terms in public discourse..."(Majestic p. 5). Also, the Court found that if this type of speech were allowed, it would undermine the school's basic educational mission.

...the schools, as instruments of the state, may determine that the essential lesson of civil, mature conduct cannot be conveyed in a school that tolerates lewd, indecent, or offensive speech and conduct... (Splitt, 1986, p. 5)

In contrasting Tinker to this case, the Court declared that this speech was not protected because of its offensive nature.

...the undoubted freedom to advocate unpopular and controversial views in

schools and classrooms must be balanced against the society's countervailing interest in teaching students the boundaries of socially appropriate behavior. Even the most heated political discourse in a democratic society requires consideration for the personal sensibilities of the other participants and audiences. (Gluckman, 1996, p. 3)

Olesen v. Board of Education (1987)

According to Burke, in 1987 a high school senior sued an Illinois school district which had a rule against gang activities, including gang symbols, jewelry, and emblems. The student wanted to wear an earring because it expressed his individuality. However, this was one symbol used by a gang.

The district court reasoned that there was no violation of First Amendment free expression because a message of individuality was not within the protected scope of the Constitution. The school district had a *clear and reasonable basis* for their policy curtailing gang activities in the school setting. The student failed to demonstrate that his rights should outweigh the public interest in uninterrupted education. (p. 403)

Hazelwood School District v. Kuhlmeiser (1988)

Grantham (1994) described a case in which members of a Missouri high school journalism class wanted to publish two articles; one on the effect of parental divorce on students and another on the experiences students had with pregnancy. The principal

would not allow this because "...he was concerned that the identities of the students interviewed for the articles were apparent, and he considered the subject matter inappropriate for some of the younger students" (p. 4). The Court sided with the school district on the grounds that schools were not open public forums like the streets or parks; therefore they could impose reasonable restrictions on free speech (Paliokas et al, 1996, p.

33). This was related to the State's interest in public education as follows:

A school must retain greater control over school sponsored student speech to ensure that it actually furthers the educational mission of the school, coincides with the needs of students as determined by school officials, and does not associate the school with causes or values not embraced by the school's community. (Grantham, p. 4)

Jeglin v. San Jacinto Unified School District (1993)

In this case, Grantham explained in a footnote that the school district had a policy prohibiting high school students from wearing any clothing bearing collegiate or professional sports insignia. This was in response to actual gang activity at the high school. A student challenged this as restricting a particularized message of free speech because it was only the "...wearing of clothing that displays a student's support of a college or university or a professional sport team" (p. 8). In 1993, the district court ruled in favor of the school district even though there was testimony that gang members did not wear sports clothing in order to be identified as part of a gang and even though the school district did not prove that this ban would reduce gang presence.

B. How Court Cases Related to the Successful Implementation of Dress Codes

According to Stover (1990), the implementation of a stronger dress code involved a "...conflict between student's rights and school administrator's need to create an environment that promotes learning" (p. 26). He suggested that the courts would uphold the right to set a dress code if it were based upon a clear educational objective. "You must be able to argue that the clothes are disruptive to learning or to student discipline" (p. 27). This association of student's rights with school responsibilities was a reference to Tinker v. Des Moines Independent School. Avant (Avant & Davis, 1984) clarified this issue.

On the one hand, there are the individual students' rights as guaranteed under the Constitution and the Bill of Rights...On the other hand, there is the States' interest in regulation for the health, safety, morals, and welfare of its citizenry...Orderly and effective education of youth is a vital component of this interest of each state.

(p. 2)

Tinker struck a balance between these two issues; school authorities could interfere with students' rights only when they could show a probability of material and substantial disruption of the States' interest in school discipline.

In designing student dress codes, school officials needed to show that there was a substantial need for these restrictions on the rights of students' to wear what they wanted. If school officials were not careful to demonstrate such a need, they could be held accountable in a law suit. According to Shaha:

With respect to the appropriate remedy for students denied constitutional rights,

the Supreme Court, 1975, held that school officials who discipline students unfairly cannot defend themselves against civil rights suits by claiming ignorance of students' basic constitutional rights. By a vote of 5-4, the Court further ruled that a school Board member may be personally liable for damages "if he knew or reasonably should have known that the action he took within his official sphere of responsibility would violate the constitutional rights of the student...". (p. 3)

Grantham provided "...a summary of the law on dress codes and a basic set of rules to assist school officials in drafting constitutionally valid dress regulations" (p. 3). Referring to Tinker, Grantham said that in order to infringe on a student's First Amendment rights concerning dress regulations, it must be shown "...that the student's attire materially disrupts school operations, infringes on the rights of others at the school, or otherwise interferes with any basic educational mission of the school" (p. 10). In examining dress codes, she also referred to Bethel School District No. 403 v. Fraser as follows:

It is by virtue of the special relationship between schools and pupils that schools may control the dissemination of indecent or lewd speech in schools, and it is by virtue of their unique status as students in the company of other students that students' speech may be curtailed if it is lewd or indecent or patently offensive. (p. 4)

Majestic (1991) compared the establishment of dress codes in public schools to those imposed on policemen in Kelly v. Jobinson.

The Kelly decision thus establishes a method for analyzing personal appearance

cases. At most, a person has a basic liberty interest in his personal appearance that cannot be infringed without some showing of a rational basis related to legitimate governmental interest. (p. 2)

Grantham noted that "...the Court held that the principal had the authority to 'disassociate' the school from the articles on divorce and teen pregnancy..." and had not violated the students' First Amendment rights (p.5).

Burke referenced the Brown v. Board of Education of Topeka decision which found that a school board would not be overreaching its authority if it adopted "...a dress code for the purpose of maintaining the board's interest in providing safe and secure classrooms to facilitate effective learning" (p. 395). This was because state laws mandated compulsory education and charged school board members with ensuring a positive learning environment.

According to Lane (Lane, Swartz, Richardson, & VanBurkum, 1994), rulings in Olesen v. Board of Education supported school dress codes.(p. 64) The court ruled that a dress code could prohibit the wearing of specific apparel if a school district established a need for the policy. For example, an appropriate rationale would be "...a need to curb documented gang activity in and around the schools" (p. 64). Lane also cited Jeglin v. San Jacinto Unified School District, in which a District Court "...upheld that dress code at the high school level, though, saying that the school district had carried the burden of showing a gang presence resulting in the intimidation of students and faculty - and the potential of disruption" (p. 64).

Looking at uniform dress policies, Paliokas (Paliokas et al., 1996) cited

Hazelwood as an example of a supportive ruling by the Supreme Court because schools were not open public forums and therefore school officials could "...impose reasonable restrictions on free speech" (p. 33). She also cited a ruling by an Arizona State judge in 1995, where a strict mandatory uniform policy with no opt-out provision was upheld by the following argument:

The judge found that the school's policy reasons were "appropriate matters of concern to the School Board and that the policy itself [was] reasonable." He also applied a First Amendment balancing test and found that the interests of the entire student body, which were furthered by the uniform policy, outweighed the defendant's free-expression rights. (p. 33)

The advantage of a uniform dress policy over a dress code policy (which itemized inappropriate attire) was that it did not single out specific forms of expression. Itemized dress codes could be ruled against, citing Tinker, "...because they single out specific forms of expression and are more amenable to claims that officials are suppressing viewpoints with which they disagree" (p. 33). If school districts documented disruptions to the educational process and safety problems related to student dress, this would stipulate a rationale for the dress code or uniform policy as follows:

...courts will find that mandatory uniforms suppress students' free expression but that the restriction is reasonable in the public school context. Because the policy deprives all students of expression equally, without regard to content, and because it serves an education purpose unrelated to the content, courts will probably defer to the discretion of school officials on this policy issue. (p. 34)

The case of Goss v. Lopez was cited by Price (Price et al, 1988) in regulating the suspension of students as a disciplinary procedure. The District Court in this case said that to suspend a student from school required at least a notice and hearing prior to suspension except in an emergency (p. 170).

C. Related Washington State School Law

As of 1994, the Washington State legislature had enacted laws called the Revised Code of Washington (RCW) (Billings, p. 5). Title 28A of the RCW related to public schools. RCW 28A.320.140 addressed the issue of uniform dress in public schools in the state of Washington. This law said that school district boards of directors could establish schools or programs in which students were required to wear uniforms. School districts which had this requirement were obligated to accommodate students so that this would not be an unfair barrier to school attendance and participation (see Appendix A).

The State Board of Education adopted rules, policies, and regulations contained in the Washington Administrative Code (WAC) which were written to interpret and carry out the state laws included in Title 28A of the RCW (Billings, p 6). WAC 180-40-215 described student rights. Students in Washington had the constitutional right to freedom of speech and freedom of press which districts could limit only for good and sufficient cause. WAC 180-40-225 required school districts to have rules which defined misconduct for which discipline, suspension, and expulsion could be imposed. These rules were required to be made available in writing for all parents and students. In addition, districts

were mandated to develop written procedures for administering corrective action (see Appendix B).

The Washington State School Director's Association recommended Student Dress Policy #3224. This policy defined conditions under which student dress could be regulated by the school. It could be regulated when there was reasonable expectation that dress represented:

- a) a health or safety hazard;
- b) damage to school property;
- c) a material and substantial disruption of the educational process. (For example: obscene, sexual, drug or alcohol-related message, gang-related apparel, or dress of the opposite sex.)

Information Obtained From Selected School Districts

Eight secondary school principals at the middle school level were contacted by letter.(Appendix C) They were invited to submit information about their school's uniform policy, history of its institution, statistics supporting it, demographics, and any other pertinent information. The schools contacted were:

Baker Middle School
Tacoma, Washington

Robert Gray Middle School
Tacoma, Washington

Mason Middle School
Tacoma, Washington

Rogers Middle School
Long Beach, California

McIlvaigh Middle School
Tacoma, Washington

South Shore Middle School
Seattle, Washington

Mt. Royal Elementary/Middle School
Baltimore, Maryland

William H. Ruffner Middle School
Norfolk, Virginia

Phoenix Preparatory Academy
Phoenix, Arizona

Five principals returned information about their programs - Baker, Mason, and Robert Gray from Tacoma, Washington, Rogers from Long Beach, California, and William H. Ruffner from Norfolk, Virginia. Information returned from these principals showed tremendous similarity. All three states have enacted laws supporting school uniforms. In each school district uniforms were mandatory, although parents could opt their children out of California's program.

Demographics of Schools Contacted

In the California school, white students made up forty-two percent of the student population which included seven nationalities in 1996. Approximately fifteen percent of the students were Limited-English Proficient and forty-three percent had free/reduced lunch. At Gray Middle School the school population was fifty-three percent white with five different nationalities and sixty-eight percent free/reduced lunch. Mason Middle School had seventy percent white with the rest Asian or Afro American. There was a thirty-four percent free/reduced lunch population.

Uniform Dress Policies Currently in Use

All of the schools had similar dress requirements. They all required solid white shirts (or some other specified color) with collars and without writing or emblems on them. In Rogers Middle School, William H. Ruffner Middle School, and Baker Middle School, pants were required to be a specified color and jeans were not allowed. The other schools specified either dark Navy blue slacks or jeans. Sweatshirts and/or sweaters of specific colors were allowed. Shorts were of a specified style and color; denim was not allowed. Girls were also allowed to wear skirts and/or jumpers and skorts. Clothing had to be fitted, not over-sized. Socks, stockings, or tights had to be worn at all times. P.E. uniforms were also specified. Shoes were only specified as black, navy, or brown (not athletic shoes) at the Virginia school.

In addition to the dress that was specified, the dress codes also limited the wearing of other items. Hats were forbidden and coats must be stored in lockers during the school day. Other items controlled by the dress policies included jewelry, excessive hair styles, flip-flop style sandals, make-up, overalls, suspenders, sunglasses, visors, headbands, wallet chains, dickies, sweat pants, and stretch pants.

Statistics Supporting Uniform Dress

The California school summarized improvement in the reduction of crime. The following were reduced: assault/battery by 34 percent, assault with a deadly weapon by 50 percent, fighting by 50 percent, sex offenses by 74 percent, robbery by 65 percent, extortion by 60 percent, chemical substances by 69 percent, weapons by 52 percent,

vandalism by 18 percent, and dangerous devices by 50 percent. The total average drop in crime was 36 percent. Also, suspensions were reduced by 36 percent. In addition, attendance had improved and was the highest it had been in fifteen years.

Mason Middle School showed improved attendance for the months of September and October. Also, suspensions were reduced by 22 percent from 1994 and other infractions were reduced almost 5 percent for the same time period. CTBS scores increased in reading, language, and math so that the total battery increased 5 percent from 1994.

The Virginia school had decreased disruptions as follows: talking by 52 percent, teasing by 73 percent, horseplay by 68 percent, leaving school without permission by 73 percent, refusing seat by 81 percent, rude noises by 29 percent, temper tantrums by 75 percent, throwing objects by 46 percent, and others by 52 percent. Instances of insubordination, such as refusing detention, P.E. dress, and work in class, were also reduced. Overall, discipline problems including referrals decreased 42 percent. Attendance increased one percent, and dropouts decreased by 59 percent. IOWA test results increased in vocabulary, reading, punctuation, usage, visual, science, references, math concepts, and math computation from 3/10 to 4 percent points.

Noncompliance

To deal with noncompliance of the uniform dress policy, the California school took disciplinary action excluding suspensions, expulsions, and lowered academic grades as mandated by state law. The Washington schools had a mandatory policy and strictly

enforced it. Non-compliance resulted in an initial warning and parent contact, followed by in-school-detention, suspension, and finally long term suspension or transfer to another school.

History of Implementation

Information was provided about the steps taken in establishing a uniform dress policy. In Washington, state law mandated that school district boards of directors could establish schools or programs in which students were required to wear uniforms. (see Appendix A). Also, students with financial need had to be accommodated so that the uniform requirement did not become an unfair barrier to school attendance and participation.

To meet these requirements, Gray Middle School's staff began exploring this option in the 1994/95 school year. In the fall of 1995, a parent survey was sent out which indicated that 73 percent of the parents were in favor of uniforms. Costs of uniforms were explored with local stores. In January 1996, students selected their colors by survey. Parents of incoming students were invited to a forum in February 1996, in which open enrollment occurred and uniform information was supplied. Uniform dress was instituted in the 1996/97 school year. The information from the Virginia school included similar information.

Information About Purchasing Uniforms

The cost and availability of clothing, required to fulfill the uniform policy,

presented another challenge. Principals provided information about where uniform dress clothing could be purchased. In Tacoma, Washington, it could be purchased at department stores such as Mervyn's, The Bon, Target, Nordstrom's, J.C. Penny's, and Lamonts. For convenience, these stores arranged to make uniform items available to parents at the schools. Cost ranged from \$100.00 to \$160.00 for two pairs of shorts, a short sleeve and long sleeve blouse, a cardigan, skirt, pair of pants, and two polo shirts. P.E. uniforms were an additional \$18.50 to \$20.50.

Implementation in High School

Rogers Middle School, in California, sent a copy of a newspaper report about the first high school in its district to require uniforms. In addition to required uniforms, the school would become a magnet school which required a tougher curriculum in the fall of 1997. Students were required to apply to the school in order to be considered for placement, and they had to agree in writing to adhere to the school's dress, academic, attendance, and behavior rules.

Summary

The research and literature summarized in Chapter 2 supported the following themes:

1. Historically, since the 1920's, student dress has been regulated by dress codes.
2. Reasons given by school administrators in defense of student uniforms have included safety from gang pressures, clothing disputes, and equality.

3. Schools, which have been successful in implementing uniform dress policies, have had consensus from various community factions.
4. School law related to student dress has been characterized by a conflict between student's rights and the school administrator's need to create an environment that promotes learning.
5. Information obtained from selected schools, revealed that certain characteristics were generally common to schools instituting student uniform dress related programs, such as: stipulations in the uniform dress policies, statistics supporting uniform dress, noncompliance regulations, history of implementation, and information about purchasing uniforms.

CHAPTER 3

Procedures Of The Project

The purpose of this project was to design a model uniform dress code policy for the student population of a selected middle/junior high level school district in Washington State. To accomplish this purpose, a review of current literature regarding student dress codes and policies was conducted. Additionally, related information from selected public schools currently using student uniforms was obtained and analyzed.

Chapter 3 contains background information describing:

1. Need for the project
2. Procedures
3. Planned implementation and assessment of the project

Need For The Project

The idea for developing a model for a mandatory uniform dress policy at the junior high level was influenced by the following considerations:

1. The writer (Cynthia A. Thoman), a certified Washington State science teacher who has taught in Moses Lake at Chief Moses Junior High for five years, had become aware that school violence was a problem in 1996. A ninth grader in Moses Lake shot three students and a teacher during school, killing all but one student.
2. This incident propelled the community into an investigation of how safe the schools really were and what could be done to make them safer. The writer attended Safe

Schools and Community Task Force (SSCTF) meetings comprised of students, community members, parents, administrators, and teachers.

3. The SSCTF recommended instituting school uniforms to the school board, but an outcry by students caused the school board to institute a stricter dress code instead.
4. This graduate level project provided the writer an opportunity to undertake in-depth research related to instituting public school uniforms in Washington State.
5. Undertaking this project coincided with the writer's graduate studies in educational administration at Central Washington University.

Procedures

To obtain background information regarding the implementation of a uniform dress policy, an Educational Resources Information Center (ERIC) computer search was conducted. In addition, information regarding uniform dress policies was obtained from five selected school districts throughout the United States, including:

Baker Middle School, Tacoma, Washington

Mason Middle School, Tacoma, Washington

Robert Gray Middle School, Tacoma, Washington

Rogers Middle School, Long Beach, California

William H. Ruffner Middle School, Norfolk, Virginia

Planned Implementation and Assessment of the Study

The model uniform dress code policy was designed for general use at the

discretion of middle/junior high school personnel with school board approval. The writer may be afforded an opportunity to share results of the project with Moses Lake School District officials at a later date. In the event that such an opportunity is provided, the school district could commence with the collaboration of with administrators, instructional personnel, students, parents, and community members for each school instituting a uniform dress code policy.

CHAPTER 4

The Project

The model uniform dress policy for use at the middle/junior high level in Washington State, which was the subject of this project, has been presented in Chapter 4 in two parts as follows:

Part 1: Suggested options for uniform dress policies from the schools in the study.

Part 2: A model Uniform Dress Policy

A UNIFORM DRESS CODE POLICY
FOR MIDDLE/JUNIOR HIGH
SCHOOL

A Project Report

Presented to

The Graduate Faculty

Central Washington University

In Partial Fulfillment

of the Requirements for the Degree

Master of Education

by

Cynthia A. Thoman

July, 1997

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Part 1: Suggested Options For Uniform Dress Policies

Introduction: Information from selected schools in the study have been summarized as follows:

Baker Middle School, Tacoma, Washington

Pants and Slacks

1. Dark navy blue in color
2. No more than one size larger than the waist
3. Standard leg and hemmed
4. Length is to the top of the shoe, not dragging on the floor
5. Worn at the waist
6. Belted if there are belt loops

Shorts

1. Dark navy blue in color
2. No more than one size larger than the waist
3. No shorter than a couple of inches above the knees and hemmed
4. Worn at the waist
5. Belted if there are belt loops
6. Worn only after Spring Break or administrator's decision

Skirts and Jumpers

1. Dark navy blue in color
2. No shorter than a couple of inches above the knees
3. No longer than mid-calf
4. Belted if there are belt loops
5. Pleated, A-line, straight, gathered or gored styles

Tops

1. Solid white collared shirts and blouses
2. Turtleneck, button-up or polo styles
3. Tucked in
4. No sleeveless tops
5. Clothing worn under shirts, blouses, and turtlenecks must also be solid white in color

Vests and Sweaters

1. Dark solid navy blue or solid white in color
2. Long or short sleeve sweaters
3. Pullover or cardigan

Sweatshirts and T-shirts

1. Gray or white Baker School sweatshirt
2. Plain dark navy or plain white sweatshirt acceptable
3. Sweatshirt and Baker School T-shirt must have a solid white collared shirt underneath
4. Baker School T-shirts must be tucked in

Belts and Suspenders

1. Solid color belts - black, dark brown, dark navy blue or white
2. Solid navy blue or solid white suspenders
3. Belts should fit, and the end of the belt can be only a couple inches past the buckle
4. Suspenders are to be worn as intended

Shoes, Socks and Shoelaces

1. Athletic/tennis shoes
2. Dark solid colored leather type shoes
3. Socks are to be solid white, dark navy blue, brown or black
4. Girls may wear skin tone pantyhose, tights or knee hi's in solid white or dark navy blue
5. Shoelaces must be tied and match shoe color

Ties and Blazers

1. Optional, but if worn must be solid navy blue

Jewelry

1. Conservative and simple in nature

Emblem/Logo

1. Baker Middle School logo purchased from the ASB School Store
2. Sewn only on designated places, upper left side of garment

P.E. Uniforms

1. Purchased at Baker
2. Gray shorts with Baker logo, worn at the waist
3. Shirts will be a specific color assigned to a specific P.E. teacher
4. Shirts will have the student's last name printed on designated area
5. Shirt must be tucked in
6. Optional, solid gray sweat pants with Baker logo, worn at the waist

Special Physical Disabilities

1. Will be handled on an individual basis
2. Necessary medical adjustments as needed

Not Acceptable

1. Oversized clothing
2. Hats, caps, berets or bandannas
3. Chains hooked to wallets, belts, keys, etc.
4. Dickies, overalls, jeans, stretch pants, stirrup pants, sweat pants, spandex or denim material
5. Scarves
6. Flip-flops or shower-type sandals
7. Outer jackets or coats worn during school
8. Piercing rings on any part of the body except the ears
9. Hair coloring that is excessive or extreme

Gray Middle School, Tacoma, Washington

Pants

1. Navy or tan fitted and hemmed pants (appropriate waist size)
2. Fitted and hemmed blue jeans (appropriate size)
3. Navy or tan fitted and hemmed walking style shorts (length to be a few inches above the knee)
4. Girls may wear navy or tan skirt, skort or jumper (same length as walking shorts above)

Tops

1. Navy, white or forest green long or short sleeve polo shirt, hoodless sweatshirt or turtleneck (no logos), sweater or cardigan style sweater or sweatshirt
2. Any "Gray Pilot" emblem shirt or sweatshirt

P.E. Clothes

1. Gray colored shorts or sweats
2. Gray, maroon or white plain crew neck t-shirt (no pictures)
3. Athletic (tennis) style shoes

Not to be Worn in the Building

1. Hats, headbands, sunglasses, visors, wallet chains, etc.
2. Sagging pants, strapless dresses, spaghetti straps, and tank tops
3. Any article which advertises alcohol, tobacco, drugs, or displays suggestive words

Mason Middle School, Tacoma, Washington

Shirts

1. Polo style (short or long sleeve)
2. No emblem, logo, or writing
3. Polos must be tucked in at all times
4. No sweater substitutes
5. Must be solid colored

Pants

1. Jeans - any color of blue
2. Slacks - navy blue or light tan
3. All jeans and slacks must be hemmed
4. No stapling or taping of hems permitted
5. No split cuffs or frayed material
6. All jeans and slacks must be a fitted style. Waist size should be no more than 1-1/2 inches larger than current waist size
7. Jean and slack legs should be no more than three inches wider than leg
8. No baggy/sagging clothing is permitted

Shorts

1. Navy blue or light tan
2. Walking style only
3. No denim or any color permitted

Skirts

1. Navy blue or light tan
2. No denim of any color permitted

Belts

1. Any jeans, slacks, shorts, or skirts with belt loops must have a belt worn
2. Belt lengths should be no longer than three inches outside belt buckle

Sweatshirts

1. Crew style in red, white, navy blue or a Mason Sweatshirt
2. No hooded or zippered sweatshirts permitted
3. Must be worn with polo underneath and collar outside of sweatshirt

T-Shirts

1. Solid short-sleeve, colored t-shirts may be worn underneath polos
2. Only white t-shirts may be worn underneath polos
3. Must be tucked in at all times
4. T-shirts with logos that show thru polos are not permitted

Shoes/Socks

Socks must be worn with all types of shoes or sandals

Not Permitted in the Building

Jackets, coats sweaters

William H. Ruffner Middle School, Norfolk, Virginia

Gentlemen

Navy Pants or shorts

Ladies

Navy skirt, skort, pants or shorts

Tie/Cross Tie

Navy or plaid

Outerwear

Navy sweater, vest or jacket

Shirts

6th grade - light blue

7th grade - yellow/(ecru or yellow for boys only)

8th grade - white

Socks/Tights

Blue, black or white

Shoes

Black, navy or brown

Belts

Black, navy or brown

P.E. Uniforms

NPS physical education uniforms are required

Not Acceptable

1. Make-up
2. Earrings larger than a quarter
3. More than two bracelets or rings
4. Nose rings
5. Excessive perfume or cologne

Rogers Middle School, Long Beach, California

Pants

1. Black
2. No jeans, sweatpants, or leggings
3. No more than two inches larger than waistline

Shirts/Blouses

1. White with collars
2. No turtlenecks or t-shirts
3. Rogers logo or none at all
4. Must be tucked in

Outerwear

1. Red only
2. Sweaters or sweatshirts

Shorts

1. Black
2. Walking style only
3. Must be just above knee
4. No more than two inches larger than waistline

Skirts

1. Black
2. Biking shorts may be worn underneath
3. Must be just above knee
4. No more than two inches larger than waistline

Stockings

Black or white

Shoes/Socks

Any color or type acceptable

Not Appropriate

1. Baggy clothing
2. Vests (other than red) in the classroom
3. Turtlenecks or jumpers
4. Hats
5. Overalls or suspenders

Part 2: Model Uniform Dress Code Policy

After conducting the project analysis, the following composite has been prepared by the writer.

Clothing Specifications

Pants

1. Slacks and jeans of a specified color(s)
2. Fitted waist no more than 1.5 inches larger than waist size

Shorts

1. Specified color(s)
2. Walking style
3. No denim of any color

Shirts

1. Polo style, turtleneck, or collared
2. Plain white or selected color(s)
3. Long sleeve or short

Skirts, skorts, jumpers

1. Specified color(s)
2. Pleated, A-line, straight, gathered, or gored styles

Belt

Solid specified color(s)

Sweatshirts, sweaters, and Vests

1. Crew neck style in specified color(s)
2. Pullover or cardigan style
3. Long or short sleeve; vest sleeveless with shirt underneath
4. No hoods or zippers

Socks/shoes

1. Socks worn at all times with shoes or sandals
2. Any shoes except flip-flops or shower type sandals

P.E. Uniforms

1. T-shirt or sweatshirt of specified color(s)
2. Gym shorts or sweatpants of specified color(s)

Clothing Expectations:

- 1) Clean and neat
- 2) Clothing hemmed and not frayed
- 3) Pants to top of shoes (not touching floor); fitted waist, belted if loops
- 3) Pant/shorts legs no more than three inches wider than leg
- 4) Shirts tucked in at all times
- 5) Belts no longer than three inches outside of buckle
- 6) No underwear exposed

Not Acceptable in Classroom:

- 1) Jackets or coats (must be put in lockers immediately)
- 2) Hats, sunglasses, scarves
- 3) Stretch pants, sweatpants (except in P.E.), overalls
- 4) Spandex, sleeveless, or see-through tops; exposed midriffs
- 5) Advertisements of alcohol, tobacco, or drugs
- 6) Vulgar, profane, or racist messages or scenes
- 7) Short shorts, including spandex shorts/skirts
- 8) Baggy/sagging clothing
- 9) Gang affiliated clothing or jewelry
- 10) Chains

Non-compliance Discipline Procedures

Non-compliance with uniform dress policy may result in, but not be limited to, the following:

- 1st Offense - Warning, compliance, parent contact
- 2nd Offense - Detention, compliance, parent contact
- 3rd Offense - In-school suspension, compliance
- 4th Offense - 2 day suspension
- 5th Offense - 4 day suspension
- 6th Offense - Long-term suspension/transfer to another school

CHAPTER 5

Summary, Conclusion, and Recommendations

Summary

The purpose of this project was to design a model uniform dress code policy for the student population of a selected middle/junior high level school district in Washington State. To accomplish this purpose, a review of current literature regarding student dress codes and policies was conducted. Additionally, related information from selected public schools currently using student uniforms was obtained and analyzed.

Conclusions

Conclusions reached as a result of this project study were:

1. Administrators need to control the appearance of the students enrolled in their schools.
2. Violence, clothing disputes, or educational equality may motivate administrators to institute a uniform dress code policy to control student appearance.
3. Both federal and state law must be considered before the institution of a uniform dress code policy can be successfully implemented and parents must be included in the process.

Recommendations

As a result of this project, the following recommendations have been suggested:

1. School districts should implement a dress code policy to control student appearance in their buildings.
2. Administrators may require uniform dress to protect students from gang violence or clothing disputes after carefully documenting the problem in order to show good and sufficient cause.
3. To implement a uniform dress code policy, school administrators need to be familiar with related federal and state law and should include parents, students, and district personnel in the policy development process.
4. Other school districts seeking to design a model uniform dress code policy for middle/junior high level students may wish to adapt and/or utilize the model policy developed for this project, or undertake further research on this subject to meet their unique needs.

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APPENDIX A

RCW 28A.320.140

RCW 28A.320.140 Schools with special standards. (1) School district boards of directors may establish schools or programs which parents may choose for their children to attend in which: (a) Students are required to conform to dress and grooming codes, including requiring that students wear uniforms; (b) parents are required to participate in the student's education; or (c) discipline requirements are more stringent than in other schools in the district.

(2) School district boards of directors may establish schools or programs in which: (a) students are required to conform to dress and grooming codes, including requiring that students wear uniforms; (b) parents are regularly counseled and encouraged to participate in the student's education; or (c) discipline requirements are more stringent than in other schools in the district. School boards may require that students who are subject to suspension or expulsion attend these schools or programs as a condition of continued enrollment in the school district.

(3) If students are required to wear uniforms in these programs or schools, school districts shall accommodate students so that the uniform requirement is not an unfair barrier to school attendance and participation.

(4) Nothing in this section impairs or reduces in any manner whatsoever the authority of a board under other law to impose a dress and appearance code. However, if a board requires uniforms under such other authority, it shall accommodate students so that the uniform requirement is not an unfair barrier to school attendance and participation.

APPENDIX B

WAC 180-40-215

WAC 180-40-215 Student rights. In addition to other rights established by law, each student served by or in behalf of a common school district shall possess the following substantive rights, and no school district shall limit these rights except for good and sufficient cause:

(1) No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, economic status, sex, pregnancy, marital status, previous arrest, previous incarceration, or a physical, mental or sensory handicap.

(2) All students possess the constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have their schools free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising such right.

(3) All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures.

(4) All students shall have the right to be free from unlawful interference in their pursuit of an education while in the custody of a common school district.

(5) No student shall be deprived of the right to an equal educational opportunity in whole or part by a school district without due process of law.

The foregoing enumeration of rights shall not be construed to deny or disparage other rights set forth in the constitution and the laws of the state of Washington or the rights retained by the people.

APPENDIX C

Letter to Selected Schools

January 1, 1997

Dear Colleague,

I am completing my Master of Education degree in Educational Administration at Central Washington University. I am writing to invite your help in obtaining information needed to complete my Master's degree project entitled "A Model Secondary-Level Student Dress Policy".

In order to justify a dress policy, I am collecting information from post-primary school programs which require students to wear uniforms or "like-dress". I am particularly interested in safety issues, legality questions, and academic improvement related to requiring uniforms in public schools. Specifically, I would appreciate copies of any appropriate materials you may have including:

- 1) dress code/policy
- 2) history behind implementation
- 3) school rules/handbook
- 4) statistics supporting implementation (reduced occurrences of fights, suspensions, etc.)
- 5) demographics of school population including number of free lunch recipients
- 6) names and addresses of other schools to contact for further information.

Materials or information you provide will be extremely valuable. Your response will be treated confidentially and under no circumstances will individuals or schools be identified.

Thank you for your cooperation. Enclosed is a self-addressed, postage paid envelope for your convenience. Please return the information no later than February 15, 1997.

Sincerely,

Graduate Student:

Cynthia Thoman

University Supervisor:

Dr. Jack McPherson
Director, Educational Administration Program
Professor, Educational Administration
Central Washington University
400 E. 8th Ave.
Ellensburg, WA 98962-7409