Student Dress and Standards of Appearance Policy

1. Purpose and Scope

Vista Charter School ("Vista" or the "School") recognizes that student dress and personal appearance are forms of individual expression. The purpose of this policy is to maintain a safe, orderly, inclusive, and educationally appropriate environment while respecting student rights and ensuring that all dress and appearance standards are objective, gender-neutral, equitable, and nondiscriminatory.

This policy applies while students are on School property, using School transportation, participating in School-sponsored or School-approved activities, or attending a School event at which Vista may lawfully regulate student conduct. Activity-specific safety or uniform requirements are governed by Section 7 of this policy.

For purposes of this policy, "dress and appearance" includes clothing, footwear, headwear, accessories, jewelry, cosmetics, body adornments, hair texture, hair type, hair length, hairstyles, grooming, and other aspects of personal appearance.

2. Governing Principles

This policy shall be interpreted and enforced consistently with the First and Fourteenth Amendments to the United States Constitution; applicable federal and Colorado civil rights laws; the Colorado Safe Schools Act; Colorado laws protecting racial, cultural, religious, and gender expression; Vista's charter contract; authorizer requirements; and other controlling law.

(a) Dress and appearance standards shall be enforced uniformly, fairly, consistently, and without discrimination or stereotyping based on actual or perceived disability, race, ethnicity, creed, color, sex, sexual orientation, gender identity, gender expression, family composition, religion, age, national origin, ancestry, pregnancy, or any other status protected by law.

(b) Each student may choose from any clothing or appearance option permitted under this policy, regardless of the student's sex, sexual orientation, gender identity, or gender expression. Vista shall not maintain or enforce separate dress standards for different genders.

(c) A student shall not be cited for a dress-code violation merely because a permitted garment fits differently due to the student's body type, size, shape, or stage of development, or because another person may be distracted by the student's appearance.

(d) Political, religious, cultural, social, and other expressive messages may not be restricted merely because the message is unpopular, controversial, or considered offensive. Any restriction must satisfy the standards stated in this policy and controlling law.

3. Minimum Standards of Dress

Students may wear clothing and personal adornments of their choice, subject to the following minimum standards:

(a) Opaque material must cover the student's genitals, buttocks, and nipples or areolae during ordinary School activities. Clothing may not be transparent in those areas. These coverage requirements apply equally to every student.

(b) Footwear must be worn when reasonably required for health or safety. Exceptions and accommodations shall be provided when required by disability, medical need, religion, culture, or other applicable law.

(c) Students shall comply with reasonable, written health and safety requirements applicable to a particular class, laboratory, career and technical education setting, athletic activity, performance, work-based learning placement, or other specialized activity.

(d) A student may be asked to remove or adjust an item temporarily when reasonably necessary to verify identity or address an immediate safety concern. Any such request shall be made privately when practicable and shall account for religious, cultural, disability-related, medical, and gender-expression needs.

(e) Visible straps or waistbands of undergarments, standing alone, do not constitute a violation. An undergarment may not substitute for the opaque coverage required by subsection (a).

4. Prohibited Items and Messages

A student may not wear, carry as part of an outfit, or display on clothing or an accessory an item that falls within one or more of the following categories:

(a) An item that creates an actual and reasonably foreseeable health or safety hazard that cannot be adequately addressed through a less restrictive adjustment or accommodation.

(b) An item that materially and substantially disrupts the educational environment or School operations, or that School officials reasonably forecast will cause such disruption based on specific and objective facts rather than an undifferentiated fear or apprehension of disturbance.

(c) Material that is obscene as to minors, sexually explicit, child pornographic, lewd, vulgar, or plainly profane in the School setting.

(d) A true threat, incitement to imminent unlawful conduct, or targeted expression that constitutes unlawful harassment or discrimination under applicable law or Board policy.

(e) Material that promotes or advertises illegal drug use or the unlawful use or possession by minors of alcohol, tobacco, nicotine products, marijuana, controlled substances, or other illegal drugs.

(f) An item reasonably understood, based on reliable and current information, to identify or promote a criminal street gang or to threaten violence, when the item is prohibited under Vista's gang-related activity policy or is reasonably likely to threaten safety or materially disrupt School operations. Color, style, or generalized assumptions alone are insufficient.

(g) Images or messages depicting weapons or violence when, based on specific facts and context, they constitute a threat, unlawful harassment, or a material and substantial disruption. A political, historical, educational, or other protected viewpoint may not be prohibited merely because it references weapons, conflict, or violence.

5. Protected Cultural, Racial, Religious, and Gender Expression

(a) Vista shall not prohibit or discriminate against hair texture, hair type, hair length, or a protective hairstyle commonly or historically associated with race. Protected hairstyles include, without limitation, braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps.

(b) Students may wear religious or cultural clothing, head coverings, jewelry, and adornments. A restriction based on a genuine health or safety requirement must be narrowly tailored,

applied without discrimination, and accompanied by a reasonable alternative whenever practicable.

(c) Students may wear any clothing, hairstyle, cosmetics, jewelry, or other appearance option allowed by this policy without regard to gender. Staff shall not direct a student to dress or groom in a manner associated with the student's sex assigned at birth or with gender stereotypes.

(d) Vista shall not require a student to cut, chemically alter, or permanently change the student's hair to participate in School. When hair, jewelry, or an accessory presents a legitimate activity-specific safety risk, Vista shall first consider securing, covering, or temporarily removing the item and other less restrictive alternatives.

(e) Students with disabilities or medical conditions are entitled to reasonable modifications and accommodations as required by Section 504, the Americans with Disabilities Act, the Individuals with Disabilities Education Act, an individualized education program, a Section 504 plan, health plan, or other applicable law.

6. Personal Hygiene and Student Support

Personal hygiene concerns shall not be treated as dress-code violations merely because a student's appearance, odor, or grooming differs from staff preferences or community norms. When a hygiene condition presents an objectively identifiable health concern or materially interferes with the educational environment, staff shall respond privately and supportively, consider disability, medical, cultural, housing, and economic circumstances, and connect the student or family with available assistance. Any exclusion from instruction must be authorized under applicable attendance, health, disability, or discipline procedures.

7. Activity-Specific and Program-Specific Requirements

(a) Vista may establish written clothing, footwear, protective-equipment, hair-restraint, jewelry, or uniform requirements for physical education, athletics, laboratories, career and technical education, internships, performances, ceremonies, and other activities when the requirement is directly related to safety, sanitation, instructional objectives, or a legitimate program need.

(b) Activity-specific requirements must be gender-neutral, no more restrictive than reasonably necessary, and communicated before participation whenever practicable. Every student must be permitted to choose from any available uniform or attire option, subject to controlling safety standards and activity rules.

(c) Vista shall provide or arrange reasonable alternatives and accommodations for disability, medical need, religion, culture, gender identity or expression, and financial hardship. A student shall not be excluded from a required educational activity because the student cannot afford required attire or equipment.

8. Graduation Attire and Adornments

(a) Vista shall permit a qualifying student, and a qualifying student's immediate family members as provided by law, to wear and display tribal regalia at any School graduation ceremony. Nothing in this policy limits the rights provided by C.R.S. section 22-1-142.

(b) A graduating student may wear a recognized object of cultural or religious significance as an adornment attached to or worn with, but not replacing or entirely covering, required graduation attire. The adornment need not be limited to decoration of a graduation cap.

(c) Vista shall not impose restrictions on what a student wears beneath required graduation attire beyond the generally applicable requirements of this policy. No requirement may infringe the student's gender identity, gender expression, religion, or culture.

(d) Vista may prohibit a graduation adornment only when the adornment is likely to cause substantial disruption of, or material interference with, the ceremony. Any prohibition must be based on evidence of disruption rather than an undifferentiated fear or apprehension of disturbance and must use the least restrictive means necessary.

(e) Vista may request advance notice of a graduation adornment for planning purposes, but failure to provide advance notice, by itself, is not a basis to exclude a student from graduation or require removal of an otherwise lawful adornment.

9. Enforcement and Corrective Responses

(a) Dress-code concerns shall be addressed promptly, privately, respectfully, and in a manner that protects student dignity and instructional time. Staff shall not publicly shame a student, comment on the student's body, require the student to kneel, bend, or perform a movement to test clothing, physically touch the student or the student's clothing except as lawfully necessary for immediate safety, or require invasive measurement of a student's body or garment.

(b) A staff member who believes a violation has occurred should refer the matter discreetly to the Head of School or a trained designee. The student shall be told the specific provision at issue and given a reasonable opportunity to explain or correct the concern.

(c) When correction is required, the student shall be offered reasonable options, which may include adjusting the item, removing or covering a prohibited message or accessory, using clothing already available to the student, contacting a parent or guardian, or using clean alternative clothing offered by Vista. Whenever practicable, Vista shall provide at least one on-site, no-cost option that allows the student to return promptly to instruction.

(d) No academic penalty shall be imposed for a dress-code violation. Removal from class shall be limited to the time reasonably necessary to address the concern. A student shall not be sent home solely to change clothing unless the violation cannot reasonably be corrected at School, the item presents an immediate safety concern, or the student refuses reasonable corrective options after notice and an opportunity to respond.

(e) Any School-directed exclusion from instruction or School for disciplinary reasons shall be administered and documented in accordance with Vista's student discipline and suspension policies. A parent meeting, clothing purchase, or other condition may not be used to extend an exclusion beyond what those policies and applicable law permit.

(f) A student shall not be disciplined because the student or family lacks resources to obtain different clothing. Vista shall use supportive, educational, and progressive responses. Repeated, knowing refusal to comply with a lawful directive may be addressed under the student conduct policy, but discipline must remain proportionate and nondiscriminatory.

(g) An item temporarily held by the School shall be safeguarded and returned to the student or parent within a reasonable time unless the item is contraband or must be retained under another lawful policy.

10. Accommodations, Review, and Complaints

(a) A student or parent may request an exception, modification, or accommodation based on religion, culture, disability, medical condition, gender identity, gender expression,

pregnancy, financial hardship, or other protected need. No particular form or terminology is required. Vista shall respond promptly and shall not require unnecessary disclosure of private information.

(b) A student or parent may request prompt review of a dress-code decision by the Head of School. If the Head of School made the challenged decision, review shall be conducted by a Board designee or other impartial administrator. The student should remain in instruction while review is pending unless an immediate and objectively identifiable safety concern requires temporary action.

(c) A concern that this policy was enforced in a discriminatory, harassing, or retaliatory manner shall be reported and investigated under Vista's nondiscrimination and harassment procedures. Retaliation for requesting an accommodation, questioning enforcement, or making a good-faith complaint is prohibited.

11. Administration, Notice, Training, and Review

(a) The Head of School may publish age-appropriate handbook language and administrative guidance consistent with this policy. A handbook, classroom rule, athletic rule, event rule, or informal practice may not create a gender-based standard, prohibit protected expression, or impose a restriction broader than this policy without lawful Board approval.

(b) This policy and any student-facing summary shall be provided or made available to students and parents upon enrollment, posted or maintained as required by law, and communicated in a manner reasonably calculated to make students familiar with the standards and available complaint procedures.

(c) Administrators and other employees responsible for enforcement shall receive periodic training concerning gender-neutral and nondiscriminatory enforcement, cultural and religious expression, protective hairstyles, disability accommodations, student speech, and respectful corrective practices.

(d) The Head of School shall periodically review dress-code referrals and corrective responses for consistency and disproportionality and shall recommend revisions when needed. The Board shall consult with the persons and committees required by the Colorado Safe Schools Act when adopting or materially revising this policy as part of the School's conduct and discipline code or safe school plan.

(e) If any provision of this policy conflicts with controlling law, the charter contract, or a binding authorizer requirement, the controlling authority governs, and the remainder of the policy remains in effect to the fullest extent permitted by law.

Legal References

C.R.S. § 22-1-148
C.R.S. § 22-32-109.1
C.R.S. § 24-34-301, et seq.
C.R.S. § 24-34-402.3
C.R.S. § 22-2-147
Title VI of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972
Section 504 of the Rehabilitation Act of 1973
Americans with Disabilities Act
U.S. Const. amend. I