

Policy Reference Education Subscription Service



A policy and procedure information and update service for Illinois school boards

What is the Policy Reference Education Subscription Service?

PRESS is a resource tool for school administrators, school board members, school attorneys, or anyone looking for well-reasoned sample policies and procedures plus the legal rationale and references supporting them. **PRESS** has two components published online: a Policy Reference Manual and the periodic updates and revisions to it.

What are some advantages of PRESS online?

You can

- Access current policy information 24/7.
- Download sample policies and procedures.
- Jump to cross-references, most legal references, and all footnotes.

Why should your District subscribe to PRESS?

PRESS allows your school board to successfully perform an essential leadership function – the establishment of board policy. Your **PRESS** subscription gives board members sample policies with accompanying information that help them focus on their leadership role while complying with state and federal law. **PRESS** answers: *What are appropriate policy subjects? What is the impact of state or federal law? What should be included in a policy verses left to implementing procedures?* **IN ADDITION**, **PRESS** gives your superintendent sample procedures that enhance proper policy implementation. The sample procedures answer whom, does what, and when.

Does the IASB Policy Reference Manual (available through a PRESS subscription) replace the local district policy manual?

The Policy Reference Manual does not replace the local district policy manual. Instead it supplements the district's policy proficiency. The Manual is an encyclopedia of policy and procedures for every school district, whether or not the district has used IASB Policy Services.

What impact does PRESS have on IASB Policy Services?

IASB Policy Services provides school boards with a fully customized policy manual development service, a policy manual update service, and an administrative procedures service. These services are all based upon the **PRESS** sample policies and administrative procedures. Individual samples are available upon request.

How much does PRESS cost?

For an annual fee of \$625, your school district will receive a calendar year subscription of revisions and updates as well as online access to the Policy Reference Manual.

Sample page from the Policy Reference Manual

Each PRESS policy is dated.

Applicable legal references and policy cross-references are listed.

Explanations, analysis, rationale, alternatives, and legal references are contained in footnotes; these are for reference purposes and should not be adopted as part of a policy.

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Students

Student Appearance 1

A student's appearance, including dress and grooming, must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be developed by the Superintendent and included in the Student Handbook. 2

LEGAL REF.: 105 ILCS 5/10-22.25b.
Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:165 (School Uniform), 7:190 (Student Discipline)

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

1 State or federal law controls this policy's content. 105 ILCS 5/10-22.25b specifically authorizes a school board to adopt a school uniform or dress code policy. There are hundreds of decisions on dress codes and uniform policies making it imperative that a board contact its attorney for assistance in applying the law to specific fact situations.

Generally, if a student's dress has sufficient communicative content, it will warrant First Amendment protection. If protected, a school's ability to regulate the dress will be analyzed according to *Tinker v. Des Moines Independent School District*, 89 S.Ct. 733 (1969) - it may be regulated only if it would substantially disrupt school operations or interfere with the right of others. However, in upholding a school's authority to punish students for wearing t-shirts portraying a one-handed boy, an Illinois federal court said: "A school need not tolerate student speech that is inconsistent with the school's basic educational mission even though the First Amendment would protect similar speech or expressive conduct outside of the school setting." *Brandt v. Board of Educ. of City of Chicago*, 2006 WL 623651 (N.D.Ill., 2006), *en banc decision*, 326 F.Supp.2d 916 (N.D.Ill., 2004).

A school may regulate student dress that does not have sufficient communicative content to receive free speech protection, provided the regulation is not arbitrary or excessive. Although many courts have ruled similarly with respect to grooming (e.g., hair length, and non-sticking piercings), the Seventh Circuit, the federal appellate court that governs Illinois, has struck down school regulations governing hair length and earrings (See *Bodge v. Kalli*, 419 F.2d 1034 (7th Cir., 1969); *Cross v. Clinton*, 432 F.2d 1259 (7th Cir., 1970) (exclusion of long-haired student from class constituted denial of equal protection to male students); *Arnold v. Carpenter*, 459 F.2d 939 (7th Cir., 1972); *Holsapple v. Woods*, 500 F.2d 49 (7th Cir., 1974); *Oleson v. Board of Education*, 676 F.Supp. 820, 822 (N.D.Ill.1987) (male students have a liberty interest in wearing an earring to school); see *Blin v. East Thomas Public Sch. Dist.*, 401 F.3d 381 (6th Cir. 2005) (upheld a Kentucky middle school's student dress code that prohibited visible body piercing other than ears). A school's uniform policy was upheld in *Alamozed v. Bellefonte Community High School Dist.*, 2005 WL 2001317 (S.D.Hl., 2005).

2 A comprehensive Student Handbook can provide notice to parents and students of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The Handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board.

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Please review this material with your school board attorney before use.

The Manual has 8 separate sections.

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