

STUDENT DRESS CODE

The Merrimack School District respects students' rights to express themselves in the way they dress. At the same time, all students who attend the Merrimack School District are also expected to respect the school community by dressing appropriately for a PreK-12 educational environment. It is important that student attire facilitate a positive learning environment as well as the health and safety of students and the adults that supervise them. This policy is intended to provide overarching guidance for students, staff, and families.

Core Values

The district's core values, which include respect, responsibility, character and courage are reflected in the following:

- It is recognized that the Merrimack School District, students and their parent/guardian share the responsibility in determining a student's personal attire, hairstyle, jewelry, and personal items (e.g., backpacks, book bags).
- Students are expected to meet reasonable standards with regards to health, safety, and cleanliness, and to dress in a way that is appropriate for the learning environment. Students shall have the right to express themselves through their dress and appearance choices and should also respect the school district's intent to sustain an inclusive learning community that supports a diverse range of identities.
- Students have the right to be treated equitably. Dress code enforcement will not create disparities, reinforce, or increase marginalization of any group, nor will it be more strictly enforced against students because their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, national origin household income, body size/type, or body maturity.
- The district is responsible for ensuring that student dress choices do not interfere with the health, safety, and attendance of any student, do not create a hostile or intimidating atmosphere for any student, and do not cause any disruption or disorder within the school. Prohibited items include any clothing depicting hate speech, profanity, pornography, violent images, or language; clothing with images or language depicting drugs, alcohol, tobacco, or other controlled substances; and clothing or accessories that could be considered dangerous, used as weapons, or could cause damage to school property.

Universal Dress Code

Students will wear:

- Top (shirt, blouse, sweater, sweatshirt, tank, etc.)
- Bottom (pants, shorts, skirt, dress, etc.)
- Footwear

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This policy permits additional student attire requirements when necessary to ensure safety in certain academic settings (e.g., physical activity, science, or CTE courses). Additionally, this policy allows for reasonable variation in required student attire for participation in athletics and school sponsored activities.

Students may not wear clothing, jewelry, accessories, personal items, or show tattoos that through word, design, or double meaning, display, advertise, or otherwise:

- Depict pornography, sexual references, sexual language or innuendo, profanity, or vulgarity.
- Show private parts/areas, or undergarments. Specifically, clothing must cover private areas in opaque (not able to be seen-through) material.
- Contain threats, encourage violence, or promote illegal or violent conduct such as the use of weapons, drugs, alcohol, tobacco, drug paraphernalia, or gang symbols, association, or activities.
- Demonstrate hate group association/affiliation and/or use hate speech targeting groups based on age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, national origin, or any other protected groups.
- Include materials and features that could cause harm to self or others. Spikes, or any similar features, are not permitted on any articles of clothing or accessories, including hats, shoes, belts, etc. Additionally, body jewelry, piercings, or clothing that may pose a safety concern will not be allowed.
- Cover a student's face (hoods and hats) to the extent that the student is not identifiable (except clothing/headgear worn for a religious or medical purpose) and represents a possible security risk.
- Promote intolerance of or lack of respect to others based on age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, national origin, or economic background.

Enforcement

Conversations about dress choice will be a collaborative discussion with the student to achieve an appropriate and satisfactory solution. Individual dress code accommodations may be made based on a student's disability or medical, religious, or sensory needs. If necessary, the student's parents or guardians may be contacted to help address the issue. Should a satisfactory solution not be reached, decisions regarding the safety, respect, or disruption of the learning environment will be made by the building administration.

School staff shall enforce the dress code consistently and equitably, and in a manner that respects the privacy, comfort, and well-being of the student. If a student's attire creates a disruption to the educational environment, poses a hazard to the health or safety of others, or factors into a student behavior rule

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violation (such as malicious harassment or the prohibition on harassment, intimidation, and bullying), they may be temporarily removed from the classroom and/or be given a related directive or consequence. Every effort will be made by staff to minimize the loss of instructional time and ensure a swift return to the classroom.

Building or program-based student handbooks may include more specific student dress guidelines regarding wellness classes, specialized programs, safety considerations, and school-sponsored events. Specific dress suggestions for classroom activities, extra-curricular activities, school ceremonies, school photos, field trips and other special events shall be inclusive, gender-neutral, and accessible to all students.

The Superintendent or their designee is authorized to develop procedures to implement this policy, if needed.

Legal References:

U.S. Constitution, 1st Amendment
RSA 189:15, Regulations
RSA 193:38, Discrimination in Public Schools

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