

IOWA DEPARTMENT OF EDUCATION

[26 D.o.E. App. Dec. 56]

In re Mandatory Dress Code

Ricki and Teesha Peters,	:	
Appellants,	:	
vs.	:	PROPOSED DECISION
	:	[Admin. Doc. 4715]
Waterloo Community School District,	:	
Appellee.	:	

The above-captioned matter was heard on September 1, 2010, before designated administrative law judge Carol J. Greta, J.D. The Appellants, Ricki and Teesha Peters [the Peters], were personally present on behalf of their minor children. The Appellee, the Waterloo Community School District [“the District”], was represented by its attorney, Steve Weidner.

An evidentiary hearing was held pursuant to agency rules found at 281 Iowa Administrative Code chapter 6. Authority and jurisdiction for the appeal is found in Iowa Code chapter 290 (2009). The administrative law judge finds that she and the State Board of Education have jurisdiction over the parties and subject matter of the appeal before them.

The Peters are the parents of four minor children enrolled in the District. On behalf of their children, the Peters seek review of the May 24, 2010 decision of the local board of directors of the Waterloo Community School District to adopt what the District has termed a “standardized dress code policy” for students. The Peters contend that the District lacks authority to promulgate a prescriptive dress code policy.

FINDINGS OF FACT

Prior to May 24, 2010, the District was not without a dress code. Local school board regulation 504.3-R, which is still in effect, prohibits the wearing of gang colors and apparel, and “any clothing which presents a safety concern or detracts from the educational process.”

The issue of a more restrictive District dress code has been discussed by local school administrators in Waterloo for at least the past eight years, according to a background statement provided to the local school board on May 10, 2010 (Exhibit 3). On that date, the local board held the first reading of the new standardized dress code policy. Much of the pertinent history is captured in the April 22, 2008 minutes of the District’s School Improvement Advisory Committee (SIAC). Those minutes (Exhibit 1) state as follows:

Uniforms

Dr. [Dewitt] Jones [District superintendent, 2002 – 2008] reported on the status of the school uniform study. The School Community Network, made up of school principals and representatives from school site councils or parent-

teacher organizations, have met regarding the idea of requiring uniforms for all Waterloo Community Schools students. Members heard a presentation from Principal Liz Crowley from Dr. Walter Cunningham School, whose building requires uniforms. A subcommittee has been formed to study this further. ...

There was discussion within the group that uniforms might be easier than trying to shop and adhere to a list of "what not to wear". Kathi Latta, lead teacher at Cunningham School, stated that since the uniform requirements have been in effect at Cunningham, the focus is more on who a student is and not what they are wearing. The class issue is gone.

The SIAC met again on January 12, 2010. Excerpts from the minutes of that meeting (Exhibit 2) are as follows:

Uniforms

Clothing can be a distraction to students. How students appear is very critical. The use of uniforms in schools has shown to improve discipline and help resist peer pressure that is associated with what clothes a student is or isn't wearing. Wearing uniforms also can help school officials recognize intruders in a building or on campus. Students tend to act the way they are dressed.

Kathi Latta started the discussion on uniforms and how it was implemented at Cunningham and how it has worked. Cunningham is in its eighth year using uniforms. It started when the new school was built and was suggested by the parents. ... In the beginning the clothes were purchased from a uniform company, but it became difficult to always purchase from one company. Now, local vendors supply the necessary items. ... The uniform policy creates a feeling of belonging for students and staff.

Brad Schweppe [principal at Carver] commented on Carver's uniform policy. They have adopted something similar to Cunningham's policy. ... The uniforms have helped promote confidence and outsiders have been very impressed with the school climate when they are in the building. Having the uniforms has taken clothes out of the mix of conversations. ...

On April 12, 2010, according to Exhibit 3, the background page for the May 10 meeting, the local board "held a work session on uniforms. A parent survey is being planned for mid-May, with a report back to the Board prior to its May 24, 2010 regular meeting, at which time this policy could be presented for second reading."

The parent survey authorized by the District was conducted by the Center for Social and Behavioral Research of the University of Northern Iowa. The survey instrument, protocols, and results were entered herein as Exhibit 10. This Board accepts that the survey was conducted using scientifically sound methodologies, including sample size and integrity of questions asked. This Board also accepts that the survey found a very high (89%) awareness of the issue among parents, as well as fairly broad support (over 70%) of the dress code policy. Respondents were read a summary of the dress code – see page 22 of Exhibit 10 – before being asked to respond. Respondents were not given a choice of responses to the question; they were merely asked, "What do you think the most positive impacts of implementing such a dress code policy would be?" Table 14, below, is the report of how respondents replied when asked what benefits they associate with a dress code policy.

Table 14. Positive impacts of the dress code policy

Positive Impacts of Dress Code Policy	
Percent	
Reduce competitiveness about clothing	44
Help students stay focused on academics	14
No positive impacts	13
Reduce peer pressure	09
Other	09
Enhance the school's image	07
Prevent gang color affiliation	07
Cheaper / Will save money	07
Will increase appropriateness of student dress	07
Boost morale among students	05
Reduce disciplinary problems	04
Increase student achievement / Academic performance	04
Increase safety in the schools	02
Improve attendance	01

A parent group, of which Mr. Peters was a member, was convened by the District and led by Mary Meier, the District's executive director of career and high school programs. The group met on or about May 20, 2010 after the local board had its first reading of the new policy on May 10. Ms. Meier, who was formerly an East High principal, is a proponent of the new policy. Her testimony as to the reasons for the administration's advocacy for a more restrictive policy provides a good summary of the reasons expressed by Superintendent Gary Norris, other administrators, and the local board members who testified herein.¹ Those reasons can generally be put into one of the following three categories:

1. Problems with enforcement of the former policy (the "what not to wear" policy)
 - a. Staff are reluctant to discuss manner of dress with students of the opposite gender than the staff member when the issue is skimpy or too tight clothing.
 - b. Some students "push the envelope" to see what they can wear.
 - c. Staff does not feel empowered to enforce the policy because they view the policy as subjective.
2. Advantages of requiring uniformity of dress
 - a. School safety is enhanced because uniformity of dress makes it easier for staff and students to discern students from non-students (intruders).
 - b. Students are more focused on learning and less distracted by apparel.
 - c. Students have decreased awareness of socioeconomic status issues.

¹ Local board president Bernice Richard and board vice president Michael Young testified, as did District administrators Sharon Miller (executive director of school and community relations), Dr. Willie Barney (East High principal), Brad Schweppe (Carver Academy principal), and Stephanie Mohorne (Lincoln Elementary principal). Any omission or error regarding correct titles of the foregoing persons is inadvertent.

3. Advantages of prohibiting overly loose clothing and footwear
 - a. Baggy, loose clothing poses a danger to students and staff because the wearer can easily conceal weapons in baggy clothing.
 - b. Pants with sagging waistlines are a hazard to the wearer if the wearer needs to evacuate school quickly.
 - c. Flip-flop footwear is a hazard to the wearer if the wearer needs to evacuate school quickly and because such footwear exposes skin to hazardous materials in some science and industrial arts classes.

District administrators, local board members, and members of the parent group convened by the District studied several published articles regarding the pros and cons of dress codes. Most of the articles espoused the benefits of uniform dress codes, that is, policies that give students a list of apparel from which to make choices about what to wear to school.²

On May 24, 2010 the local school board passed the standardized dress code policy (Exhibit 7), for students of all of the approximately 20 attendance centers of the District, to be implemented no later than the 2011-2012 school year, with each attendance center having the option to implement the policy for the 2010-2011 school year. Opting to use the policy this school year are the following attendance centers: East High School, West High School, the District's three alternative secondary school settings, Kittrell Elementary, and Lincoln Elementary. As already noted, uniform dress codes have been in place at the Dr. Walter Cunningham School for Excellence since the 2002-2003 school year, and at the George Washington Carver Academy³ since the 2009-2010 school year, and continue to be utilized at those attendance centers.

Because of the nature of this appeal, we find it pertinent to reproduce much of the policy, as follows:

Dress Code Benefits

The Waterloo Community School District has a mandatory (standardized) dress code for all elementary, middle, and high school students to reinforce the District's mission that each and every student graduate prepared for college, career, and citizenship. A standardized dress code helps to prepare students for their futures through:

- Professional/career dress
- Modesty/decency
- A focus on instruction
- School security
- Personal safety
- Businesslike image
- A sense of school pride and belonging

Standardized Dress Code

The dress code does not allow for clothing with colored trim, stripes, checks or plaids, embroidery, decoration, etc. It also does not provide for jeans, overalls (overalls with

² No less than 24 articles were submitted into evidence herein by the District alone. (Exhibits 11 – 15 and 17 – 19.)

³ Cunningham is an elementary attendance center; Carver is a middle school.

pants or shorts), sweat pants, knit pants/skirts, leggings, etc. A very small logo is acceptable on otherwise approved clothing items.

List of Acceptable Clothing

Bottoms: Navy, Black or Khaki/Tan (solid)

- Knee-length shorts, slacks, skorts, skirts, skirted jumpers
- Must be plain, solid-color twill, corduroy or denim fabric (not blue jeans)
- No cargo or carpenter style, patterns, rivets, large brand tags, or strings

Tops: solid colors with collar

- Must have long or short sleeves; no sleeveless shirts allowed
- Must have a collar except on designated days
- Knit polo-type, Oxford or woven dress shirts, blouses, turtlenecks
- School t-shirts are allowed on designated days
- Every school may specify acceptable colors. Call schools for school colors.
- No hoods

Other dress code rules:

- A belt may be required...
- Shirts must be tucked in.
- Shoes must be closed toe, safe, and appropriate...
- Clothes must be appropriate size, with waist of garment worn at student's waist.
- Clothing that is too tight or too loose is not appropriate for school.
- Undergarments must not be visible.
- **School administrators will determine if clothing is appropriate for school and complies with District rules.** ...[Emphasis is in original.]

Two of the Peters children attend West High School, and two attend Hoover Middle School. The Peters' challenge to the local board's action is based on their contention the standardized dress code policy exceeds statutory authority.

CONCLUSIONS OF LAW

Jurisdiction

Iowa Code section 290.1 provides for appeal from decisions by local school boards when such appeals are brought by an "affected pupil, or the parent or guardian of an affected pupil who is a minor, who is aggrieved by a decision or order of the board of directors of a school corporation in a matter of law or fact."

The District, in its post-hearing brief, asserts that the local school board's adoption of the dress code policy was neither a "decision" nor an "order" as those terms are used in section 290.1. Also in its brief, the District points out that the Peters are not challenging the policy as applied specifically to their children.

This case presents the first appeal of its nature, but it is analogous to the following appeals, which have not been specific to any one student: termination of a football cooperative sharing program (*In re Shared Football Program*, 25 D.o.E. App. Dec. 35); building closings (*In re Closing of Moore Elementary, Etc.*, 24 D.o.E. App. Dec. 21); grade realignments (*In re Grade Realignment*, 24 D.o.E. App. Dec. 284); removal of a book from the sixth grade curriculum (*In re Removal of Book from Curriculum*, 23 D.o.E. App. Dec. 188); and sale of a district's bus fleet to a private student transportation

company (*In re Transportation Services*, 23 D.o.E. App. Dec. 237). In all of these cases, the State Board has routinely allowed appeals from any parent or guardian of a student with a showing of a minimal nexus between the student and the local board's decision.

The case cited by the District to support its assertion is *Gabrilson v. Flynn*, 554 N.W.2d 267 (Iowa 1996). *Gabrilson* involved a dispute between a school board member (Ms. Gabrilson) and her fellow board members and the superintendent over Ms. Gabrilson's request for access to the student assessment test used in her school district. She did not file an appeal with the State Board of Education to contest her board's adoption of a policy giving the superintendent discretion to review requests from board members for student assessment test information, but instead filed an original action in Scott County district court.

The District's reliance on *Gabrilson* is misplaced. The Court in *Gabrilson* merely stated that Ms. Gabrilson did not have to exhaust an administrative remedy before bringing her action in district court:

It is a general principle of law that the courts will give broad deference to discretionary decisions of school boards and that persons aggrieved by decisions of a board must normally appeal to the state board of education for relief. [Citations omitted.] But...this presents a case where the plaintiff has expressly challenged the power of the school board to adopt a policy that delegates the discretionary authority granted to it by statute to its agency...thus, this court has proper jurisdiction over this question even though no appeal was made to the state board. [Emphasis added.]

554 N.W.2d at 275-276. The question presented to the Court in *Gabrilson* was not whether the State Board would have had jurisdiction; the Court appears to assume that this Board would have had jurisdiction.⁴

The Peters' children are students enrolled in schools of the District, and thus are impacted by the district-wide dress code policy. The enactment of the policy clearly was a decision made by the local school board. This Board has personal and subject matter jurisdiction over this appeal.

Standard of review

Iowa Code section 279.58 expressly vests the boards of directors of our public schools with authority to impose a limited dress code upon students. Section 279.58 states as follows:

1. The general assembly finds and declares that the students and the administrative and instructional staffs of Iowa's public schools have the right to be safe and secure at school. Gang-related apparel worn at school draws attention away from the school's learning environment and directs it toward thoughts or expressions of violence, bigotry, hate, and abuse.

⁴ At the time that *Gabrilson* was decided, Iowa Code section 290.1 authorized a "person aggrieved" by a local school board's decision or order to appeal to the State Board of Education. The statute was amended in 2002 to limit appeals from local board decisions or orders to students and parents of minor students.

2. The board of directors of a school district may adopt, for the district or for an individual school within the district, a dress code policy that prohibits students from wearing gang-related or other specific apparel if the board determines that the policy is necessary for the health, safety, or positive educational environment of students and staff in the school environment or for the appropriate discipline and operation of the school. Adoption and enforcement of a dress code policy is not a violation of section 280.22. [Emphasis added.]

Because a school district has discretion regarding whether to have a dress code and because section 290.1 gives the State Board authority to review local board actions, our review is for abuse of discretion. See *Sioux City Comm. Sch. Dist. v. Iowa Dep't of Educ.*, 659 N.W.2d 563, 569 (Iowa 2003) (where district has discretion regarding provision of transportation and the Department of Education has authority to review such decisions, review is necessarily limited to the abuse of discretion standard). In describing the abuse of discretion standard, the Iowa Supreme Court stated, “[W]e will find a decision was unreasonable if it ... was based upon an erroneous application of the law.” [Citation omitted.] 659 N.W.2d at 569.

Under this standard of review, we must be deferential to a local board’s decision because the Legislature decided that the local board’s “expertise justifies vesting primary jurisdiction over this matter in the discretion” of the local boards. *Berger v. Iowa Dep't of Transp.*, 679 N.W.2d 636, 640 (Iowa 2004). Such deference, however, does not pose an insurmountable obstacle for those who lawfully challenge discretionary decisions. In *Auen v. Alcoholic Beverages Division, Iowa Department of Commerce*, 679 N.W.2d 586 (Iowa 2004), the Iowa Supreme Court reversed an agency action that it found to be based on “an irrational, illogical, or wholly unjustifiable interpretation” of Iowa Code section 123.45. 679 N.W.2d at 590. That statute prohibited *any* ownership interest, no matter how remote, by a person in the chain of alcohol beverage distribution in the retailing of such beverages. The agency unlawfully permitted persons to have an indirect ownership interest, contrary to the plain language of the statute.

Was adopting the standardized dress code policy contrary to statutory authority?

Dress codes fall into two categories: those that *prescribe* what must be worn (uniform policies) or those that *proscribe* what may not be worn. 3 Rapp *Education Law* 9.04[8][c][iii]. Section 279.58 unambiguously confers authority on public school boards to adopt proscriptive dress codes only.

The District submits that section 279.58 does not restrict a school district’s broad general authority under section 279.8 (“The board shall make rules for its own government and that of the directors, officers, employees, teachers and pupils, ... and shall aid in the enforcement of the rules, and require the performance of duties imposed by law and the rules.”) to adopt a content-neutral dress code. In the alternative, however, the District argues that its policy is not a prescriptive uniform policy.⁵

We disagree with the District on both points.

⁵ We agree that the policy is not solely a prescriptive uniform policy. There are proscriptive aspects of the policy, which we address on page 65 of this Decision.

First, we find no support for the District's contention that school districts are no longer subject to "Dillon's Rule." The rule takes its name from a former chief justice of the Iowa Supreme Court, John F. Dillon, who authored the decision of that Court, *Merriam v. Moody's Ex'r*, 25 Iowa 163 (1868), establishing the doctrine that public entities possess and may exercise only those powers granted in express words, those necessarily implied or necessarily incident to the powers expressly granted, and those absolutely essential to the declared objects and purposes of the public entity. 25 Iowa at 170. By constitutional amendments in 1968 and 1978, first cities and then counties were removed from Dillon's Rule and have "home rule." Iowa public educational agencies are still governed by Dillon's Rule, as are those in Kentucky, Florida, Illinois, Michigan, New York, Ohio, Pennsylvania, Tennessee, Texas, Virginia, and Washington. This is not an exhaustive list, but merely represents those states in which an appellate court has supported application of Dillon's Rule. 1 Rapp *Education Law* 3.05[3][b]. Thus, while the rule originated in Iowa, it is not limited in application to public educational institutions in Iowa.

Because school districts are subject to Dillon's Rule and because section 279.58 is a specific grant of authority, the District cannot rely on section 279.8. The specific or substantive statute supersedes the general statute. *Albright v. Oliver*, 114 S.Ct. 807, 813 (1994). In addition, the express mention of one thing in statute implies the exclusion of other things not specifically mentioned. *State v. Beach*, 630 N.W.2d 598, 600 (Iowa 2001). The Legislature may regulate by omission as well as by inclusion. *Bob Zimmerman Ford, Inc. v. Midwest Auto. BMW*, 679 N.W.2d 606, 610 (Iowa 2004). We are left to examine the District's contention that its standardized dress code policy is not prescriptive.

In support of its assertion that its policy is not unlawfully prescriptive, the District urges that the policy merely gives families and students helpful examples of acceptable attire "to better define and explain apparel that is prohibited." (District's brief, page 18.) The District also argues that the required articles of clothing could be worn by a student in settings outside of school, and therefore, the clothes cannot be called a "uniform." One witness for the District both testified herein and stated at a local board meeting that school uniforms refer only to clothing that is "the exact same outfit" specific to a private school or worn by all members of an organization such as law enforcement. Finally, the District points out that because students in the District have a choice of at least 360 different combinations of styles and types and colors of acceptable clothing, we must conclude that the policy cannot be prescriptive.

Despite the District's efforts at hearing to deny that the policy is a prescriptive uniform policy, the District's own characterizations and actions are to the contrary, as evidenced by the following. In listing the items below this Board understands that people may have used the word "uniforms" for convenience, and not as a term of art. However, the cumulative evidence clearly and overwhelmingly shows that the policy in question is indeed a prescriptive uniform school dress code policy:

- District administrators repeatedly used the term "uniforms" when discussing the policies in place at Carver and Cunningham schools, and when discussing the proposed dress code policy. See Exhibits 1 – 5 and 20 – 22.

- Local board members, in debating the policy, understood that the standardized dress code policy did more than proscribe the wearing of certain apparel and frequently used the term “uniforms.” (Exhibit S)
- The application and process created for clothing assistance (Exhibit J) would not be necessary if the policy were solely proscriptive.
- The list of retailers that provide acceptable student attire (available on the District’s Website) would not be necessary if the policy was solely proscriptive. Superintendent Norris stated at the May 10 local school board meeting that the list was developed with the cooperation of local retailers because when the District first required the use of uniforms at Cunningham School, the District ordered acceptable student attire from a uniform company and found that to be “very expensive.” (Exhibit S)
- Dress Code “Frequently Asked Questions” from the District’s Website (Exhibit D), specifically # 6 (“[A]ssistance will be available for families including clothes closets where uniforms can be exchanged.”) and #7 (“Carver and Cunningham [Schools] will continue with their current uniforms.”) assume that the policy is prescriptive.
- The District heavily relies on a “School Uniform & Dress Code” used by the Polk County (Florida) Public Schools, which in turn mirrors that of the Louisville schools in *Long v. Board of Education of Jefferson County*, 121 F.Supp.2d 621 (W.D. Ky. 2000) (granting summary judgment to school district in face of claim that the policy violates the First Amendment).⁶ We understand not wanting to reinvent the wheel, and thus the attraction of copying a policy that has passed muster with a court of competent jurisdiction in another state. However, the legal question in *Long* was not whether the policy violated a Kentucky state law that is similar to Iowa’s section 279.58. There is no such state law in Kentucky. The question before the court in *Long* was purely a First Amendment question. No such challenge is raised here because the sole issue is statutory.

Section 279.58 unambiguously confers authority on public school boards to adopt proscriptive dress codes only. This law was enacted in 1995 as part of an omnibus juvenile justice act⁷ whose preamble sets forth the following:

An act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile’s motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile’s fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, placing a juvenile in short-term secure custody as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol

⁶ The Polk County (FL) school board’s policy was introduced in this matter as Exhibit 8 by the District. Much of the Florida district’s policy appears verbatim in the District policy at issue herein.

⁷ 1995 Iowa Acts, ch. 191 (House File 528).

offenses, authorizing school districts to adopt a dress code policy, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, and enhancing or establishing penalties.

The tenor of the above preamble bespeaks a toughened stance by the Legislature regarding misconduct of juveniles. The act consistently enhances the authority of law enforcement, other juvenile justice authorities, and school districts regarding such misconduct. We repeat the preamble above to make the point that the Legislature had an opportunity and the ability within the Act to give local school boards authority to adopt prescriptive uniform policies. It did not do so.

Because *prohibiting* certain apparel was not the focus of this appeal, no evidence was offered as to why the policy banned “colored trim, stripes, checks or plaids, embroidery, decoration, etc.” A reasonable implication from the evidence as a whole is that these prohibitions are wholly due to the prescriptive nature of the standardized dress code policy. That is, we believe that the District has no need to and would not prohibit colored trim, stripes, checks, and plaids outside of the uniform requirements of the policy. Accordingly, inasmuch as the integration of unlawful prescriptive elements dominates the District’s policy to the extent that the few allowable proscriptions can be seen to stand on their own, we void the entire standardized dress code policy.⁸

This appeal and our decision are limited to the District’s new standardized dress code policy. Current District regulation # 504.3-R is left intact and is available to District administrators to use to regulate many of the issues the District’s witnesses testified about at length. Those issues included overly baggy clothing, pants with sagging waistlines, and flip-flops and other open-toed footwear. The Peters do not dispute that prohibiting the same can be a matter of health and safety. Even in the absence of a regulation such as # 504.3-R, school districts may regulate clothing or other apparel pursuant to such case law as *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503, 89 S.Ct. 733 (1969) (permitting schools to regulate speech and conduct that impinges on the rights of others or has the likelihood of a substantial and material disruption at school); *Bethel School District No. 403 v. Fraser*, 478 U.S. 675, 106 S.Ct. 3159 (1986) (permitting school officials to regulate lewd, indecent, objectively offensive speech and conduct); and *Morse v. Frederick*, 127 S.Ct. 2618 (2007) (permitting school officials to regulate speech and conduct that appears to promote illegal or harmful activity).

This is a case of first impression. Neither this Board nor any reviewing body of competent jurisdiction in Iowa has had previous occasion to review a challenge to a school dress code since the enactment of section 279.58. We are not unsympathetic to the District’s position that a dress code that goes beyond “what not to wear” may have several desirable outcomes for students, staff, and families of the District. This Decision does not mean that a prescriptive uniform dress code policy is wise or unwise.

⁸ The bullet points under “Other dress code rules” may all be regulated by the District via its current regulation, # 504.3-R. As an example, we do not disagree with the statement of one District witness that gang activity is a “viable concern within any metropolitan area of Iowa.” However, no evidence about gang activity was offered that is specific to the District and the Waterloo area. We also note that the local regulation # 504.3-R can be used to regulate the wearing of jewelry and other gang-related paraphernalia, as well as clothing. The District’s standardized dress code is silent about jewelry.

However, whether section 279.58 should be expanded to give authority to public school boards to enact prescriptive uniform policies must be left to the Legislature to decide, not the local school boards and not the State Board of Education.

DECISION

For the foregoing reasons, it is recommended that the decision of the Board of Directors of the Waterloo Community School District made on May 24, 2010, imposing mandatory district-wide dress code policy be REVERSED. The effect of this Decision is that the Waterloo Community School District standardized dress code policy is void. This Decision does not void local regulation # 504.3-R. There are no costs of this appeal to be assigned.

10/21/10
Date

Carol J. Greta, J.D.
Administrative Law Judge

It is so ordered.

Date

Rosie Hussey, President
State Board of Education