

# Morgan Hill USD

## Board Policy

### Dress And Grooming

BP 4119.22

#### Personnel

The Governing Board believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. -During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and do not endanger the health or safety of employees or students.- All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

(cf. ~~4118 - Suspension/Disciplinary Action~~0415 - Equity)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4112.21/4212.21/4312.21 - Professional Standards)

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The district shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

In addition, the district shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant on the basis of religious dress or grooming practices. (Government Code 12926, 12940)

This policy shall be made available ~~presented~~ to employees upon employment, ~~through the employee handbook or other appropriate means~~, and may be periodically reviewed with all employees as necessary.

(cf. ~~5132 - Dress and Grooming~~)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

GOVERNMENT CODE

3543.2 Scope of representation

12926 Definitions

12940 Unfair employment practices

12949 Dress standards, consistency with gender identity

#### COURT DECISIONS

San Mateo City School District v. PERB (1983) 33 Cal. 3d 850

Domico v. Rapides Parish School Board (5th Cir. 1982) 675 F.2d 100

East Hartford Education Assn. v. Board of Education (2d Cir. 1977) 562 F. 2d 856

Finot v. Pasadena Board of Education (1967) 250 Cal.App.2d 189

#### PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Santa Ana Unified School District (1998) 22 PERC P29, 136

Inglewood Unified School District (1985) 10 PERC P17, 000

#### Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

Transgender Rights in the Workplace

#### WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Public Employment Relations Board: <http://www.perb.ca.gov>

~~Policy MORGAN HILL UNIFIED SCHOOL DISTRICT~~

~~adopted: November 13, 2012 Morgan Hill, California (9/91 7/04) 5/19~~