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**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 100
SCHOOL UNIFORMS (4374)**

§126-100-1. General.

1.1. Scope. -- This rule sets the minimum requirements for the implementation, by county boards of education, of dress codes requiring students to wear school uniforms.

1.2. Authority. -- W.Va. Constitution, Article XII, §2, and W.Va. Code §18-2-5 and §18-2-35.

1.3. Filing Date. -- September 16, 2002.

1.4. Effective Date. -- October 16, 2002.

1.5. Repeal of Former Rule. -- This is a new policy and is to be read in conjunction with WV 126CSR98, "Student Handbook - Student Rights and Responsibilities" (Policy 4372).

§126-100-2. Purpose.

2.1. The West Virginia Board of Education recognizes that clothing and footwear worn by students in public schools can often preoccupy and distract students from their major purpose for being in school, which is obtaining an education. Research shows that in schools that have adopted a dress code requiring students to wear school uniforms, disparities in student socioeconomic levels are less obvious and disruptive incidents are less likely to occur. This policy provides county boards of education the option to implement a dress code requiring students to wear school uniforms.

§126-100-3. Application.

3.1. These rules shall apply to all county boards of education in West Virginia and shall be followed when proposing and adopting any dress code that requires students to wear school uniforms.

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§126-100-4. Dress Codes Requiring School Uniforms for Students.

4.1. County boards of education may implement a dress code requiring students to wear school uniforms. The uniforms may be required by the county board for either the entire school district, or for any certain school within the district.

4.2. County boards of education considering the option of adopting a dress code requiring the wearing of school uniforms shall create an advisory committee consisting of parents, school employees and students.

4.2.1. The advisory committee shall:

a. consider whether the county board should adopt a dress code requiring school uniforms for students in the district, or

b. consider whether the board should adopt a dress code requiring school uniforms for students in any certain school within the district.

4.2.2. If the advisory committee recommends to the board that a dress code requiring school uniforms for students be adopted either for the district or for any certain school within the district, the advisory committee shall make recommendations on alternative methods of paying for the school uniforms. However, nothing in this policy shall require any level of funding from the Legislature, state or county boards of education, or any other agency of the government.

4.2.3. If the advisory committee recommends to the board that a dress code requiring school uniforms for students be adopted either for the district or for any certain school within the district, and if the advisory committee reports its recommendations on alternative methods of paying for the school uniforms to the board, then the board may adopt a dress code requiring school uniforms for students.

§126-100-5. School Uniform Policies Not Required.

5.1. This policy does not require county boards of education to adopt dress codes requiring students to wear school uniforms.

5.2. This policy shall neither require a county board of education to adopt a dress code policy in conformance with WV 126CSR98, "Student Handbook - Student Rights and

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Responsibilities" (Policy 4372), nor prevent a county board of education from adopting a dress code policy in conformance therewith.