



Dress Code Dilemma: Upholding Equality in Expression

PLAINTIFF'S CONFIDENTIAL FACTS: Principal Thompson

Principal Thompson and the school administration are deeply concerned about the disruptions caused by Alex's protest and subsequent actions. They received numerous complaints from teachers about students being distracted during class discussions, affecting the overall learning environment. The decision to suspend Alex for an extended period was made in accordance with the school's disciplinary policies, which outline consequences for intentional disruptions and violations of the dress code. Principal Thompson followed protocol to maintain order and discipline within the school. However, Principal Thompson recognizes Alex and the other students' point on traditional values in the school dress code policy. Thus, Principal Thompson has the power to update the policy in accordance with changing purviews. However, Principal Thompson has been directed that there must be a dress code in place and that it must still adhere with the school's priority of maintaining a safe and secure learning environment.

Principal Thompson's counsel is confident that if a legal claim is brought under Title IX, then the reports of disruptions that Alex incurred will be a good defense. However, the school board is concerned about the negative press they would likely receive on Alex's claim and are worried other parents will bring similar claims for their children, which the school may or may not have documented in the same manner.

Principal Thompson is still unaware what prompted Alex and their peers to act out. Principal Thompson has been given authority to change the school dress code policy if it is justified. So long as the policy is neutral, applies to all students, and does not interfere with school safety and learning environments. Furthermore, the school board is open to alternative forms of discipline for Alex's actions, however, it is imperative that Alex understand that advocacy does not triumph over school safety. Thus, the school is okay with allowing Alex to participate in the school fashion show if Alex agrees to write a written apology to the school and reads that letter to those who attend the show. As a token of goodwill, Principal Thompson also has the option of dressing up as a model for this fashion show, should the parties come up with meaningful solutions to this issue.

The school's focus should be ensuring this incident does not happen again, avoiding negative press, and updating the school policy moving forward, so that students feel heard without the school's environment of safety being jeopardized. The school may not be able to defend this case if it is brought by multiple students. Accordingly, mediation is the best course of action to help

address student concerns. Finally, whatever agreement is entered into between Alex's family and the school should include a non-disclosure agreement.