

## Can Your School Dictate Your Hair?

- Shaqwan Woodard, a high school student in Claxton, Ga., is in danger of being suspended from school. Why? He has musical notes shaved into his short hairstyle. The local NAACP has noted that the district's hair policy mainly targets African American hairstyles.
- Fifth grader Natasha Rzanca from Marquette County, Mich., was told she couldn't return to class until she dyed her pink hair back to a natural color.
- In Katy, Tex., Marshae Essett, 17, faced a similar problem. Her burgundy hair color caught the attention of school officials, and they gave her an ultimatum: get rid of the dye or face in-school suspension.
- A little farther north in Texas, Matthew Lopez-Widish battled his school board over his long hair — a violation of the district policy that boys' hair fall *above* the collar.

### CAN PUBLIC SCHOOLS REALLY DICTATE STUDENTS' HAIR?

It depends on whom you ask. Our nation's courts are very much divided on the matter. At issue: students' Constitutional rights and the competing interests of public schools.

Some federal courts have been receptive to students' claims that school hair policies can interfere with Constitutional rights. Generally, these courts have ruled that a student's hairstyle represents free expression<sup>1</sup> or that the policies in question violate liberty<sup>2</sup> or equal-protection interests<sup>3</sup>, under the Fourteenth Amendment.

Other courts, however, have concluded that such policies represent a legitimate government interest, as necessary under Constitutional due process<sup>4</sup>, and have dismissed students' claims. As the Eleventh Circuit Court of Appeals concluded, grooming regulations are a "reasonable means of furthering the school board's undeniable interest in teaching hygiene, instilling discipline, asserting authority and compelling uniformity."

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1 **Freedom of expression** | frēdəm əv ik spre sh ən| extends from the First Amendment of the Constitution, which guarantees freedom of speech. Court decisions have expanded the concept beyond mere verbal communication; protected speech now includes non-verbal expressions as well, i.e., wearing a symbol on one's clothing.

2 **A liberty interest** | libərtē int(ə)rist |, under the Fourteenth Amendment is the guarantee that the government will not deny or interfere with individuals' freedoms, especially without due process.

3 **An equal protection interest** | ēkwəl prə tek sh ən int(ə)rist|, encapsulated by the Fourteenth Amendment, is the guarantee that the government will treat an individual or class of individuals the same as it treats other individuals or classes in like circumstances.

4 **Due process** |d(y)oō prä ses|, under the Fourteenth Amendment, is the requirement that laws and regulations must be related to a legitimate government interest (i.e., crime prevention) and will not contain provisions that result in the unfair or arbitrary treatment of individuals.