

Equitable Dress Code for Students

Best Practices and Recommendations

Dress codes within our school districts are in place to make the school environment more conducive to learning. Student clothing choices often represent the many facets of a student's identity including ethnicity, culture, religious beliefs, gender identity and others. Districts nationwide are working diligently to review current dress codes to ensure equity and consistent enforcement.

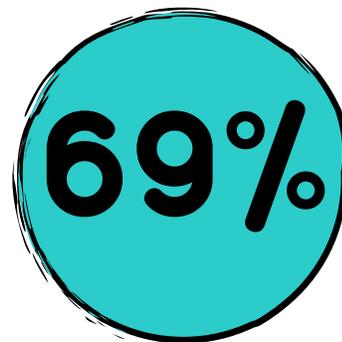
All students shall come to school in a comfortable manner that allows them to be authentically who they are, while also complying with equitable dress code policies. An equitable policy should have changes to the dress code to ensure it avoids gender stereotypes (i.e. girls must wear skirts) and should be gender neutral so as to not require particular clothing based on gender or gender identity. For the many school districts that already have an equitable dress code, the focus needs to be on consistent application.

To ensure equity for all students, school districts are recognizing updates to equitable dress code must be inclusive of transgender and gender non-conforming students. Research indicates:

 Transgender and gender non-conforming students experience harassment and bullying at higher rates due to their gender identity and/or expression.

 Transgender and gender non-conforming students are more likely to be called out, reprimanded, or punished on the basis of their clothing and accessory choices

A recent study indicated that 69 percent of transgender and gender non-conforming students report they were not allowed to dress in a way that fit their gender identity or expression (2018 HRC LGBTQ Youth Survey.) In order to improve these statistics and support the needs of all students, an internal review of dress codes and their implementation across districts to ensure consistent application is recommended for all school districts.



To assist in your internal review, please consider the following helpful suggestions to create fair and equitable dress codes for all students:

- Enforcement of Dress Codes must be approached with sensitivity with the ultimate goal of supporting the student in reaching their full potential, not shaming or criminalizing them.
- Administrators, teachers, staff, SROs, etc. shall not discipline a student for wearing dress code appropriate clothing that does not conform to perceptions of gender-based stereotypes unless it has been deemed to cause a disruption by appropriate and more than one personnel. (For example, if dresses or pants are appropriate attire, teachers cannot determine which students can and cannot wear dresses or pants.)
- Especially where students may face threats of violence or abuse at home, school staff should use discretion and maintain student privacy in disclosing the specific dress code or uniform violation to their parent or guardian (for example if the student is gender non-conforming at school but not at home due to threat of abuse).

- No student should be disproportionately affected by dress code enforcement because of gender, gender identity, gender expression, race, body size or body maturity.
- Students should not be shamed or required to display their body in front of others in school. “Shaming” includes but is not limited to kneeling or bending over to check attire fit, measuring skirt length, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Some school districts are reviewing their District Code of Conduct books. Dress code expectations are often part of the review. Below is some possible framing language as reviews proceed.

Avoid loss of learning time:

- Students must never be suspended, expelled, or arrested for uniform or dress code violations.
- Students should not be pulled out of class for dress code or uniform violations.
- Students should not be sent home to get a change of clothes unless they can leave and return without missing class time

If school staff see at the school entrance or anywhere else in the building that a student is not meeting the requirements of the dress code:

- An effort should be made to have a school staff person that has a positive relationship with the student address the issue.
- If there is enough time to discuss the issues before class begins, then they can approach the student sensitively and take them to a private area to discuss the dress code.
- If they will be late to class, they should allow them to proceed to class and wait to have the conversation during a lunch or free period, or after school.
- School staff should determine if there are other factors for why a student may not be meeting the dress code, and try to help them address these issues
- When enforcing dress code at school entrances, all, including law enforcement and SROs should be carefully trained in gender sensitivity.

Under no circumstances should a school staff person:

- Touch a student, or their clothing, or attempt to remove anything from a student’s body.
- Apply or require the student to apply items like tape or Band-Aids to their skin.
- Require a student to wear an item of clothing provided by the school, such as a school loans shirt.
- Gesture or point in a shaming way to a student’s clothing or their body; or use offensive words to characterize the students dress including “ghetto” or “trashy.”

General approach to creating an equitable dress code policy:

- Certain body parts must be covered for ALL STUDENTS: Clothing must be worn so that genitals, buttocks, and nipples are covered with opaque material.
- Dress code booklets should not contain pictures of students in certain clothing- best practice is to present written guidelines and if pictures must be used, only display the garment itself.

We hope this document has assisted with your equitable work in your school buildings and district.

Questions? Contact:
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