



Oregon NOW Model Student Dress Code | February 2016

Oregon NOW created this Model Dress Code to help school districts update and improve their student dress code policies and enforcement processes. Student dress codes should support equitable educational access and should not reinforce gender stereotypes. Student dress codes and administrative enforcement should not reinforce or increase marginalization or oppression of any group based on race, gender, ethnicity, religion, sexual orientation, household income, gender identity or cultural observance.

This Model Dress Code is specifically intended to address recent and escalating controversy and conversation both in Oregon and across the nation about overreaching and detrimental dress codes for some K-12 school students.

Our values are:

- All students should be able to dress comfortably for school without fear of or actual unnecessary discipline or body shaming.
- All students and staff should understand that they are responsible for managing their own personal "distractions" without regulating individual students' clothing/self expression.
- Teachers can focus on teaching without the additional and often uncomfortable burden of dress code enforcement.
- Students should not face unnecessary barriers to school attendance.
- Reasons for conflict and inconsistent discipline should be minimized whenever possible.

I. GOALS OF A STUDENT DRESS CODE

A student dress code should accomplish several goals:

- Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology (eye or body

protection), dance (bare feet, tights/leotards), or PE (athletic attire/shoes).

- Allow students to wear clothing of their choice that is comfortable.
- Allow students to wear clothing that expresses their self-identified gender.
- Allow students to wear religious attire without fear of discipline or discrimination.
- Prevent students from wearing clothing with offensive images or language, including profanity, hate speech, and pornography.
- Prevent students from wearing clothing with images or language depicting or advocating violence or the use of alcohol or drugs.
- Ensure that all students are treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style.

II. RECOMMENDED DRESS CODE POLICY

The primary responsibility for a student's attire resides with the student and parents or guardians. The school district and individual schools are responsible for seeing that student attire does not interfere with the health or safety of any student, and that student attire does not contribute to a hostile or intimidating atmosphere for any student.

Students should be given the most choice possible in how they dress for school. Any restrictions must be necessary to support the overall educational goals of the school and must be explained within the dress code.

Districts should set the student dress code and enforcement policies for their entire district and take steps to ensure that all schools in the district adopt and follow it. Too often individual schools create their own student dress codes and enforce them in different ways that result in inequities within districts and in many cases policies and enforcement that are not consistent with the law or the district's intent.

1. Basic Principle: Certain body parts must be covered for *all* students

Clothes must be worn in a way such that genitals, buttocks, and nipples are covered with opaque material. Cleavage should not have coverage

requirements. All items listed in the “must wear” and “may wear” categories below must meet this basic principle.

2. Students Must Wear:*

- Shirt.
- Bottom: pants/sweatpants/shorts/skirt/dress/leggings
- Shoes; activity-specific shoes requirements are permitted (for example for sports)

* High-school courses that include attire as part of the curriculum (for example, professionalism, public speaking, and job readiness) may include assignment-specific dress, but should not focus on covering girls’ bodies or promoting culturally-specific attire.

3. Students May Wear:

- Hats, including religious headwear
- Hoodie sweatshirts (over head is allowed)
- Fitted pants, including leggings, yoga pants and “skinny jeans”
- Midriff baring shirts
- Pajamas
- Ripped jeans, as long as underwear is not exposed.
- Tank tops, including spaghetti straps, halter tops, and “tube” (strapless) tops
- Athletic attire
- Clothing with commercial or athletic logos provided they do not violate Section 3 above.

4. Students Cannot Wear:

- Violent language or images.
- Images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same.
- Hate speech, profanity, pornography.
- Images or language that creates a hostile or intimidating environment based on any protected class.

- Visible underwear. Visible waistbands or straps on undergarments worn under other clothing are not a violation.
- Bathing suits.
- Helmets or headgear that obscures the face (except as a religious observance).

III. TRAINING FOR SCHOOL ADMINISTRATORS, TEACHERS & STUDENTS

A school dress code is most effective when school administrators and teachers are trained to *understand and embrace* the intent of the code, how to *apply and enforce* the code equitably, and how to *talk about* the dress code and the reasoning behind it.

- School administrators and teachers should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- School administrators and teachers must enforce the district dress code consistently, once it is adopted. School administration and staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- School staff should be trained and able to use student/body-positive language to explain the code and to address code violations.

IV. DRESS CODE ENFORCEMENT AT SCHOOLS

A school dress code is only as effective and fair as its enforcement. Historically school dress codes have been written and enforced in ways that disproportionately impact girls, students of color and gender expansive students.

- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students in grades K-5 should be limited to safety and non-violence/non-discrimination and should not include messages predicated on body maturity or “professionalism.”
- Violations should be treated as minor on the continuum of school rule violations.
- Students should *never* be removed from a classroom / lose class time solely as a result of a dress code violation.
- Students should never be forced to wear extra school clothing (that isn’t their own) when they are in violation of the code. That is akin to a dunce cap or scarlet letter. They can be asked to put on their own on-site clothing, if available, to be dressed more to code.
- Students’ parents should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- The dress code should be clearly conveyed to students, not just in the student handbook which rarely gets read, but in other ways, too, such as posters, newsletters, etc...
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. “Shaming” includes but is not limited to kneeling or bending over to check attire fit, measuring straps or skirt length, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

V. TEACHING ABOUT CONSENT + SEXUAL HARRASSMENT: A STEP BEYOND DRESS CODE

Schools have a role to play in setting clear anti harassment policies and in teaching curricula that promote positive messages about consent-only sexual activity.

Consent: Schools should teach all students — and administrators and teachers — about consent (no means no) so there is a clear message that

individual students are responsible for their own actions and that consent is a must before any sexual or other physical contact.

This educational video is a great tool to teach consent to students in middle school and older as well as other adult members of the community:

<https://www.youtube.com/watch?v=pZwvrxVavnQ>.

Sexual Harassment: Schools should have clear and well publicized anti sexual harassment policies for students and staff. Schools should educate students and staff to not engage in sexual harassment and to recognize what it is and how to address it.