



An Examination of Dress Code Policies Influencing Body Shame, Sexualization, and the  
Learning Environment of African American Middle School Girls

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## Abstract

The focus of this research is an examination of the literature, historical and psychological factors in relation to policies in the context of Durham county school’s culture of dress code. This research will specifically pertain to North Carolina, and more specifically the city of Durham. Dress code policies have a tendency to promote negative body esteem, sexualize women, and do not maintain healthy learning environments. When looking at the history of dress code policies, there is a clear favoritism for male education over female comfort in the classroom – just by analyzing the rules targeted at female and female identifying students alone. Dress codes can unknowingly target African American female students by placing restrictions on appearance such as hair, hair accessories, and cultural dress. If those who are enforcing the dress codes do not acknowledge the stereotypes involving body type/size, gender identification and personal style of African American female students, we risk overlooking the reality and overall classroom experience of these young girls. This research is a policy status review by means of an environmental scan design. Using materials such as policy details, news articles, and other grey matter, the procedure contains a web search based on key terms, or keywords. By using the research and statistics noted in this paper, with special note to the Oregon NOW Model Student Dress Code, policy recommendations were made with the hope to improve student dress code policies in Durham Public Schools and the enforcement process. Please note, the term “African American” and “Black” may be used interchangeably to refer to the girls in this research.



*Keywords: African American, dress code, dress code violation, statistics, black girls, body esteem, sexualization, adultification, learning environment, black women, women*

## **Introduction**

Dress codes in school settings over the past twenty-five years have been important to the learning environment and psyche of young girls. ‘Dress code’ is defined as a formally or socially imposed standard of dress (Merriam-Webster, n.d.). Dress codes can allow students a way to properly and positively express themselves in their learning environments through their school’s dress code policies. Unfortunately, some dress code rules can stifle students’ culture, heritage, and personality.

Lexie Kite, Ph.D. and Lindsay Kite, Ph.D., have dedicated their nonprofit towards redefining the meaning and value of beauty through body image resilience. In a 2018 article on dress codes, the pair noted a prom dress code which contained heavy restrictions on what the female students were allowed to wear, such as no cleavage, no low necklines, no sheer, lacey and see-through fabric. Dress codes, such as the ones the Kites observed, reinforce the culture that girls exist to be looked at as prizes and trophies – nothing more. “They inadvertently sexualize young women as a collection of inappropriate body parts...reduce them to bodies to be judged...Dress codes like these don’t prevent girls from being perceived as sexual objects. They reinforce it” (Kite, L. and Kite, L., 2018) are only some of the crucial, critical phrases to note in the article. Research, such as what was done by the Kites, supports that a certain level of modesty may vary from person to person, as modesty and comfort are subjective, but prioritizing how girls feel in their bodies is important (Kite, L. and Kite, L., 2018). Prioritizing how girls feel in their clothing as opposed to how they look is only the start. Instead of speaking from a place



of fear, which only reinforces old, out of date stereotypes, speak from a research perspective to empowers young girls and increase respect for their bodies.

The first case of dress code law on a wide scale can be seen by looking at the U.S. Supreme Court in 1969. The case is well known as *Tinker vs. Des Moines Independent School District*. The case involved high school students who, in protest to the Vietnam War, wore black armbands to make a statement. The school took the case to Court, and in response, the Court decided that schools were allowed to limit student expression if it caused a disturbance to the learning environment (School Dress Codes, n.d.). Because this is the first instance where a dress code is upheld, it should be noted that in the actual case, the students were noted to be “quiet and passive...not disruptive and did not impinge upon the rights of others” (FindLaw’s United States Supreme Court case, n.d.) This history of discrepancy between student behavior and the intended purpose of dress code has been going on for some time. Their conduct was within the protection of the Free Speech Clause of the First Amendment and the Due Process Clause of the Fourteenth. In the 1960s and 1970s, female attire was regularly checked by school administrators. “Skirts were required to touch the floor when girls kneeled on both knees at once and this was required of several girls every day in the hallways at class changes. Girls with skirts longer than that length also were required to kneel” (Inghish, 2019). One can see a clear distinction in stipulations placed on students identifying as female as opposed to the male students. Even though school boards are allowed to create and enforce dress code policies in their districts, the line between interfering with students’ right to self-expression and healthy policy is a thin line to balance.

In order to fully understand the impact of dress code policies on young girls, we must look at the culture surrounding the issue over time, from 1995 to now. It was 1996 when



former U.S. President Bill Clinton publicly declared his support for school uniforms. “School uniforms are one step that may help break the cycle of violence, truancy and disorder by helping young students understand what really counts is what kind of people they are” (Bowen, 2013). The thought behind statements such as Clintons, is that dress codes would encourage a safe and professional environment. In most modern cases, schools have the right to create a safe and effective learning environment/education in the public-school setting. Students and staff, no matter the grade or level of education, are said to have the right to be safe and secure in their persons. In other words, schools can include policies in the dress code methods that will further the goal of the school and/or prevent violent or abusive behavior (School Dress Code, n.d.). However, as with every policy, there are imperfections and improvements to be made. In 2017, a senior student at Hickory Ridge High School in Harrisburg, North Carolina was threatened by her school principle and a security guard for wearing a shirt that showed her collarbone and shoulders, hence violating the schools dress code policy. As a result, the school suspended and threatened the student with expulsion, barring her from graduation. Within that same week in Massachusetts, two African American sisters were penalized for violating their schools dress code by wearing their hair in braids, or extensions. In a similar situation, Florida student Jenesis Johnson, was not allowed to return to school unless she changed her Afro hairstyles, which was deemed extreme, faddish and out of control (Sherwin, 2018). It is modern day example such as these students which only emphasizes the statement that even though there have been changes to dress code policies, there is still a magnitude of work that needs to be done.

Galen Sherwin, Senior Staff Attorney with ACLU Women’s Rights Project wrote in her 2017 published article about five things public schools can and can’t do when enforcing dress codes.



- “Dress codes can’t be explicitly discriminatory
- All students, whether transgender or cisgender, must be allowed to wear clothing consistent with their gender identity and expression
- All students, whether transgender or cisgender, must be allowed to wear clothing consistent with their gender identity and expression
- Schools can’t discriminate based on the viewpoint expressed by your clothing
- Grooming codes regulating hair length, jewelry or ear piercing can raise many of the same issues” (English, 2019).

In the first point, Sherwin goes on to state how because of Title IX and the Constitution’s equal protection guarantee, schools cannot enforce what can be described as “sex stereotypes”, or clothing generalizations based on what is deemed appropriate for girls and boys. Schools can specify items such as “formal attire” but cannot explicitly say that girls should wear gowns and boys should wear tuxedos. The second statement comes down to schools not minimizing students’ appearance, and even behavior, to the sex or gender they were assigned at birth. In the third point, Sherwin reminds readers that dress codes are most often times unequally enforced against girls for wearing clothing that could become a distraction to their male counterparts. This concept alone emphasizes the stereotype of how “good girls” should dress, which in one fail statement puts boy’s concentration abilities over the comfort of the female students. Sherwin does make another note on this point, that there are racial overtones in some dress codes. The Malden policy in Massachusetts prohibits hair extensions and “hair more than 2 inches in thickness or height” (Lazar, 2017), both styles predominantly worn by black female students. It appears that black students are stifled on a very big level, with their natural hair not being acceptable and a popular protective style to keep black hair healthy, braids (extensions) is also neither acceptable. In the fourth point, due to the First Amendment, schools are not allowed to



pick and choose what statements can be made through students clothing, reference the previously earlier stated *Tinker vs. Des Moines* case. Sherwin explains further that if schools permits items like shirts with slogans, or wristbands, these items must be accepted, no matter what message is expressed. The fifth statement is in reference to antidiscrimination laws in their own respective contexts, such as religious freedom.

The age range of 10-14, which is when most children are in some level of middle school education, are going through a period of growth which then follows them to their later years. Students will experience conflicting emotions (Fenwick, 1997). There is a notable lack of self-confidence that is combined with the quest of discovering one's identity. Because of the extensive needs that comes with this age, research suggest that every available resource, such as teachers, administrators and counselors should be focused on efforts to meet this enormous goal (Fenwick, 1997). When administrators and teachers are harshly reprimanding students for non-educational concerns, such as a skirt that is too short or spaghetti straps, there is a certain level of embarrassment that is carried with it. This is especially true if a situation happens in front of a large group of students to be witnessed by many, such as a hallway setting. Because of this, not only does the actual rules of dress code have to be examined, but the way dress codes are enforced should be carried out with some degree of sensitivity. Fenwick also notes that "skewed" behavior patterns in students, due to rapid growth and hormone changes, can be seen (Fenwick, 1997). This is true not only for behavior, but for how clothing and what students wear reflect their behavior. Relationship and sex educator, Dr. Laura Berman, believes the idea of dressing to reflect confidence or happiness when one feels lost or sad is a coping mechanism. "When you feel poorly, it is natural to make changes to your external body in hopes that it will make you feel better internally..." (Alexander, 2017). This same concept applied to adults can be transferred to



middle schoolers. Often, to increase mood, the appearance will most likely be the first thing that is altered.

If these studies are generalized towards all students, this in turn brings up the discussion of why African American girls are at risk. The answer lies in their experience with public schools. The African American Policy Forum and Columbia Law School's Center for Intersectionality and Social Policy Studies issued a report entitled, *Black Girls Matter: Pushed Out, Overpoliced and Underprotected*. Within this report, there are startling statistics about the reality that many black girls face when in the public-school system and reflected the following:

- “In New York, the number of disciplinary cases involving black girls was more than 10 times more than those involving their white counterparts.
- In Boston, the number of disciplinary cases involving black girls was more than 11 times more than those involving their white counterparts.
- Rates of expulsion were even more strikingly disproportionate between black and white students, especially among girls.” (Crenshaw, 2014)

The statistics found in the report only emphasize the point that black girls are facing harsher school discipline than their white female peers. The report also highlights a case in George, where a 12-year-old girl faced being expelled, in addition to criminal charges, for writing the word “hi” on a wall in the locker room. The white female classmate in this case faced less severe reprimanding (Crenshaw, 2014). The executive summary for the report included two heavy statements that cannot be overlooked: “At risk young women describe zero-tolerance schools as chaotic environments in which discipline is prioritized over educational attainment” (Crenshaw, 2014) and “The failure of schools to intervene in situations involving the sexual harassment and bullying of girls contributes to their insecurity at school” (Crenshaw, 2014). It can be assumed



from the article that black girls in middle, just by statistics and research alone, will face a harder time than their white counterparts. It can also be presumed that since African American girls will be more likely to be reprimanded in school settings, getting in trouble for violating the dress code policy cannot be out of the question. Due to the sensitive matter, this subject area must be explored with caution, but undoubtedly needs to be examined. If we fail to acknowledge these issues specific to black girls and their interactions with dress codes, we will drastically overlook a population that is currently standing alone.

### **Problem**

Dress code policies have a tendency to promote negative body esteem, sexualize women, and do not maintain healthy learning environments. In order to understand this statement, we must address how dress code relates to sexualization and body shaming. In terms of this research, sexualization will be identical to the verb sexualize, meaning to make sexual or endow with a sexual character or cast (Merriam-Webster, n.d.). Shaming is defined as causing feelings of shame (Merriam-Webster, n.d.). For this research, the definition of shaming will be applied to the body. Therefore; body shaming will be defined as causing feelings of shame towards and about the body.

The focus of this research is an examination of the literature, historical and psychological factors in relation to policies in the context of Durham county school's culture of dress code. This research will specifically pertain to North Carolina, and more specifically the city of Durham. North Carolina recently had a 2019 ruling about girls-only dress code being unconstitutional. Charter Day School, a public charter school in Leland, North Carolina went through a lawsuit because of their dress code, which required female students to wear skirts, skorts or jumpers – no pants. The male students were allowed to wear pants. The parents of the



students bringing the lawsuit were represented by the North Carolina American Civil Liberties Union, with the argument “dress code inhibited their daughters from learning on par with their male classmates” (Fulwood III, 2019). Cases such as these are not foreign to North Carolina, with the ACLU of NC noting that it was “disappointing” it took a court order to address the issue (Fulwood III, 2019). Durham Public School Board of Education Vice Chairman Steve Unruhe mentions tough decisions are made when it comes to dress code and it may not always be right the first time (Childress, 2017); however, we owe it to our girls to try. The proposed research will focus on dress code influencing sexualization, body shaming and the learning environment of African American middle school girls. It hopes to gain more, modern knowledge in the area that can be applied to new policy changes to better the experience and overall satisfaction of African American girls’ time in middle school.

## **Methods**

This research will be a policy status review by means of an environmental scan design. Using materials such as policy details, news articles, and other grey matter, the procedure will be a web search based on key terms, or keywords (refer to abstract). This environmental scan will aim to answer the following questions: What is the policy in the region this research is trying to change? What are the key problem areas? What are the existing solutions?

The policy that this research is attempting to change is in Durham, North Carolina. The 2018-2019 and 2019-2020 dress code policy for Durham Public Schools (DPS) can be found in Appendix A. The dress code policy in both academic school years did not undergo any revisions, so they are identical in wording and policy. There is a very apparent theme that the dress code is not meant to take away from the education. This can be seen in the stated goal of Durham Public



Schools, to “provide a safe learning environment where all students are able to achieve at their highest potential” (Durham Public Schools, 2018). The appearance of the student is not supposed to cause physical, emotional or mental harm to any other student, faculty or staff. This however becomes conflicting when a majority of the 10 specific items that are not permitted in DPS (Durham Public Schools) directly targets female and female identifying students, such as clothing revealing cleavage, spaghetti straps and articles of appearance that are physically revealing or provocative. These restrictions are clearly directed towards a certain type of student. One report published by the Georgetown Law Center has coined the term “adultification” to describe the plight of young African American girls. The report deduces with data that African American girls are often perceived to be biologically older than they are. This can be based off of appearance alone. “Across all age ranges, participants viewed Black girls collectively as more adult than white girls...participants perceived Black girls as needing less protection and nurturing than white girls, and that Black girls were perceived to know more about adult topics and are more knowledgeable about sex than their white peers” (Epstein, Blake, Gonzalez, 2017). African American girls were two times more likely to be subjected to discipline for minor violations, such as dress code violations. Not only does the theme of having a safe environment conflict with this “adultification” and sexualization of African American female students, but the dress code rules are completely different for male students. The dress code rules for young men are significantly less, in number, than for young women. Young men may see rules in DPS such as no pants/shorts worn below hip level, no clothing that is excessively baggy, or no caps/hats/hoods worn inside the school building. Some restrictions can be unisex, and not necessarily target one gender over another, but one cannot deny that stark contrast of putting male



education over female comfort when it comes to clothing. This only reinforces the stereotype for female or female identifying students to cover up so they will not be deemed “distracting”.

Key problems areas are cultural sensitivity and adultification. The relationship between existing policy and body esteem can be referred back to the statistics from the Georgetown Law Report. Compared to white girls of the same age, survey participants perceived that African American girls need less nurturing, less support, are more independent, and know more about adult topics/sex (Epstein, Blake, & Gonzalez, 2017). This small snapshot of data is intense, which extreme implications – all of which have some level of influence of the body esteem and sexualization of young black girls. These young black girls lose some of their innocence and childhood solely based on appearance. The way dress code policies are implemented, and even enforced, should be approached with extreme caution knowing what is at stake for these African American girls. The blanket relationship with policy and black girls/women can be noted in a 2016 situation cited at Durham Public Schools. On February 1<sup>st</sup>, a group of female students decided to wear headwraps, rooted in African tradition, to celebrate Black History Month. The head wraps, which are also known as *geles*, were worn as a representation of cultural heritage (Green, 2016). These head wraps were in violation of the school’s dress code, and the students were threatened with suspension. “There should not be a situation where people should have to leave pieces of themselves at the door in order to receive free, public education” (Green, 2016) commented one parent, Afiya Carter. Since then, DPS has approved the new policies to make cultural exemptions to the dress code. The school district chose not to comment on the issue, saying it was resolved and had moved on. Simple things such as head wraps, which are common, almost a staple to black women across America, have issues being recognized by the majority



culture. Items such as hair and their accessories, not only are rarely found is body esteem measurements, but influence body esteem and the female African American identity.

Existing solutions can be found out of state. The Oregon NOW Model Student Dress Code used by Portland Public Schools is a great example of how dress codes in Durham Public Schools should be modeled after (reference Appendix B). This model addresses the problems found above and maintains an inclusive purpose to their dress code. In their stated values, Portland Public Schools make it clear that their students should be able to dress comfortably without the fear of being body shamed. Students and staff are said to be responsible for managing their own personal “distractions” without the added component of regulating individual clothing/self-expression (Portland Public Schools, 2016). Teachers should be able to teach without the burden of dress code enforcement (Portland Public Schools, 2016). “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” (Portland Public Schools, 2016). What students wear should not take away from their education. In Portland, a major issue seen was that dress code policy was not consistently enforced, a problem that Durham Public Schools also face. “One teacher might pull a student out of class for wearing something, while another teacher wouldn’t pay it any mind” (Matsumoto, 2018) said Lisa Frack, then president of the National Organization for Women’s Oregon chapter. The Oregon NOW model addresses issues with cultural sensitivity, body esteem and the learning environment very bluntly and specifically.

### **Analysis & Project Policy Impact**



The history of dress code policy, in general, had a consistent connotation of reinforcing gender specific stereotypes. Women of color, and African American girls specifically, have suffered at the hands of these policies. The Durham Public School system has made gradual changes to their dress code policies, but more can be done to achieve higher inclusivity and protection of black middle school girls. By using the research and statistics noted in this paper, with special note to the Oregon NOW Model Student Dress Code, the following project policy impact have been made:

- 1) **Include specific language that reassures student dress codes will not reinforce gender stereotypes, marginalization or oppression of any group.** The groups should be included but not limited to race, gender, ethnicity, religion, sexual orientation, household income, gender identity or cultural observance. This is for the school and the students benefit. There can be no confusion, on any grounds, when referring to the rules of the dress code policy.
- 2) **Provide trainings for school administrators, teachers and students.** This training should be done with the purpose of the following:
  - “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 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” (Portland Public Schools, 2016)



**3) Enforcement should be consistent with Durham Public Schools overall discipline plan.**

Student resources, such as student advocates, ombudspersons, and/or the appeals process should be comfortable used in cases of dress code violations. Dress code violations, if they do occur, should be treated as minor. “Students should *never* be removed from a classroom/lost class time solely as a result of a dress code violation” (Portland Public Schools, 2016). The other bullet points under Article IV of the Oregon Now Model should be referred to.

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## Appendix A

<b>Level 1.A: ELEMENTARY AND SECONDARY CONSEQUENCES – In-School-Interventions and/or In-School Discipline ONLY/NO Out-of-School Suspension</b>	
<b>Rule</b>	<b>Definition</b>
1.A-3 Student Dress Code	<p>The primary goal of Durham Public Schools is to provide a safe learning environment where all students are able to achieve at their highest potential. The personal appearance of every student is an important component of establishing a safe environment for optimal learning and respect for one another. Students are expected to adhere to standards of dress and appearance that are compatible with an effective learning environment. In support of these goals and expectations the Board establishes the following dress code for students:</p> <ul style="list-style-type: none"> <li>A. Students are prohibited from wearing clothing, jewelry, book bags, or other articles of personal appearance which:               <ol style="list-style-type: none"> <li>1. depict profanity, vulgarity, obscenity, or violence;</li> <li>2. promote use or abuse of tobacco, drugs, or alcohol;</li> <li>3. create a threat to the health or safety of the student or others;</li> </ol> </li> </ul>

	<ol style="list-style-type: none"><li>4. are prohibited under the Gangs and Gang Activities Policy (III- 7);</li><li>5. are reasonably likely to create a substantial and material disruption to the educational process or to the operation of the school, including but not limited to items that are reasonably expected to intimidate other students on the basis of race (for example the Confederate battle flag, swastika, and Ku Klux Klan or KKK), color, national origin, sex, gender identity, sexual orientation, disability, age, or religious affiliation.</li></ol> <p>B. The following specific items are also not permitted:</p> <ol style="list-style-type: none"><li>1. clothing worn in such a manner so as to reveal underwear, cleavage, or bare skin between the upper chest and mid-thigh;</li><li>2. bare feet, bedroom slippers;</li><li>3. spaghetti straps, strapless tops, halter tops;</li><li>4. see-through, mesh garments;</li><li>5. trousers, slacks, shorts worn below hip level;</li><li>6. clothing that is excessively baggy or tight;</li><li>7. skirts and shorts shorter than mid-thigh;</li><li>8. sunglasses worn inside school building;</li><li>9. hats, caps, hoods, sweatbands and bandanas or other headwear worn inside school building; and</li><li>10. any other article of appearance that is physically revealing or provocative.</li></ol> <p>C. If a student's dress or appearance violates this dress code, the principal or principal's designee may require the student to change his or her dress or appearance. A second or repeated violation of this policy may result in disciplinary action.</p> <p>D. This policy does not apply to school sanctioned uniforms and costumes approved by the principal for athletic, choral, band or dramatic performances.</p> <p>E. The principal may make reasonable accommodations to this rule for religious, cultural, educational, or medical reasons so long as the clothing in question is not</p>
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	<p>prohibited under (a.1) through (a.5) of this rule:</p> <ol style="list-style-type: none"><li>1. depict profanity, vulgarity, obscenity, or violence;</li><li>2. promote use or abuse of tobacco, drugs, or alcohol;</li><li>3. create a threat to the health or safety of the student or others;</li><li>4. are prohibited under the Gangs and Gang Activities Policy (III- 7);</li><li>5. are reasonably likely to create a substantial and material disruption to the educational process or to the operation of the school.</li></ol>
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## Appendix B



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### **Oregon NOW Model Student Dress Code | February 2016**

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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**

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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

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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



- 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.



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.



- 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**

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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.