

Can Dress Codes Harm Students?

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**Students Against
Sexual Harassment**

Acknowledgment

Special thanks to Sabrina Bernadel, who worked on this presentation while at the National Women's Law Center.



Content Warning

****SASH Club Power Topics may include sensitive content that may be difficult to present and may possibly be triggering to some participants.****

You may want to seek the support of an ally during this presentation, especially if you're a survivor of sexual violence.

What's Ahead:

- School dress codes are a common part of most students' learning experiences, but do they keep students safe? In this presentation you'll learn about:
 - The harms of school dress codes, particularly through sexism and racism
 - How dress codes impact students



Due to its length, we suggest taking a break during this presentation or divide into two sessions. You may also want to see our companion presentation “How to Reform or Abolish School Dress Codes” to learn about how a school’s safety and community goals can be met without dress codes.

What's Ahead:

- Definitions
- Why do schools have dress codes?
- Problems with dress codes
- How are sexist dress codes written?
- What are sexist dress codes? How are they enforced?
- Subjective language
- Who's impacted by sexist and racist dress codes?
- Black girls and intersectionality
- How dress codes harm students

Definitions

Bias

To be prejudiced in favor of or against one thing, person, or group compared with another

Discrimination

The unfair or prejudicial treatment of people and groups based on characteristics such as race, gender, age, or sexual orientation

Exclusionary discipline

When schools punish students by removing them from their regular classroom; the most familiar types of exclusionary discipline are suspensions and expulsions

Definitions

Gender binary

The idea that gender can only be categorized as either male or female

Intersectionality

Intersectionality refers to the intersecting identities that inform an individual's experiences. The term intersectionality was created by **Kimberlé Crenshaw** in 1989.

Racist

Treating someone differently in a worse way because of their race, including their color, or national origin.

Definitions

Sexist

Treating someone differently in a worse way because of their sex, including their gender identity, sexual orientation, pregnant or parenting status, and other sex-related characteristics

Sexualize

To make something sexual that wasn't or to see it in a sexual way

Subjective language

Language that is open to interpretation

What are School Dress Codes?

- > Rules that tell students what they can and can't wear at school
- > Dress codes can cover what students wear:
 - In the school building
 - At extracurricular clubs and activities
 - At school-sponsored events, even if off-campus

Grooming policies usually cover school standards about student hygiene, how they wear their hair, how they wear makeup or jewelry, and tattoos or body art, among other things.



What are School Dress Codes?

- Dress codes and grooming policies might be part of a school's overall code of conduct or disciplinary handbook or might be separate school documents or resources.
- In many schools, not following these rules usually leads to school discipline.
- Informally, many students say they were “dress coded” when they are disciplined for breaking the dress code.



Why Do Schools Have Dress Codes?

- > Schools say they need dress codes to:
 - Keep schools safe
 - Minimize distractions and disruptions to learning
 - Hide students' financial differences

Talk About It



What other reasons have you heard
for why schools have dress codes?
What kind of problems do they cause?

Problems with Dress Codes

- Dress codes often don't meet the goals that they were created for and, instead, push students out of the classroom, often through **exclusionary discipline**.
- Dress codes are often written and enforced in **sexist** and **racist** ways, as we'll see.

Problems with Dress Codes

- > **Sexist** and **racist** dress codes lead to **discrimination** and violate students' rights, especially federal civil rights:
 - Title IX of the Education Amendments of 1972 says that schools may not discriminate based on sex, including gender identity, sexual orientation, pregnant or parenting status, among other sex-related characteristics.
 - Title VI of the Civil Rights Act of 1964 says that schools may not discriminate based on race, color, or national origin.



Remember,
discrimination means being
treated differently in a
worse way because of your
sex, race, color, national
origin, disability, or other
identity

How are sexist dress codes written?

- Dress codes can be **sexist** (meaning they discriminate on the basis of sex) when they contain language that:
 - Directly names what boys vs. girls should wear
 - Ignores/invalidates experiences of trans, gender nonconforming, and nonbinary students
 - Uses words like “distracting” to describe and sexualize girls and imply that boys’ learning is more important than girls’ learning
- This language is discriminatory because it is often based in sex stereotypes. For example, it:
 - Forces students to dress according to the **gender binary**
 - Promotes one viewpoint on “femininity” vs. “masculinity”

Who is Impacted by Sexist Dress Codes?

- Girls, particularly girls of color
- LGBTQI+ students
- Students (most often girls) with curvier or more developed bodies

Examples of Sexist Dress Codes

- > “Boys may not wear skirts or dresses.”
- > “Hair length for boys shall not exceed 1 inch past the ears.”
- > Rules written with specific sex-based language may be especially harmful to trans, nonbinary, and gender nonconforming students.
 - For example, if school leaders do not treat a trans girl as a girl, they are likely going to discipline her for wearing a skirt or dress.
 - This can cause the student a lot of mental and emotional harm.
 - It can also lead other students to bully trans students and other students in the LGBTQI+ community who are seen as not following clothing norms.

Talk About It



Compare these rules with the reasons schools give for having dress codes. Are other students unsafe or unable to learn if a boy comes into school wearing a skirt or with 2-inch-long hair?

What are Sexist Dress Codes? How are They Enforced?

- Dress codes can also be sexist even if they don't have the words "girls" or "boys" in the rule. This can happen when teachers and administrators discipline one sex more than others for specific rules.
- These examples do not specifically use the word "girls" but would lead school staff to discipline girls more often because girls are more likely to be wearing things like short skirts or crop tops:
 - "Skirts, shorts, and dresses may be no shorter than 4 inches from the top of the knee."
 - "Tank tops, crop tops, or undershirts are not allowed."

Subjective Language

- > When dress code policy language is open to interpretation (“subjective”) it can lead to unequal discriminatory enforcement based on sex.
 - In schools, this often means different teachers may interpret the rule differently for different students.
 - With dress codes, this means one student may get in trouble, and the other may not—even if they are wearing the same thing.
- > Nearly all (93%) district dress codes in the U.S. contain rules with **subjective language***

*Report on dress codes by the [United States Government Accountability Office, 2022](#)



Subjective language can lead to sexist enforcement of dress codes when teachers and school administrators interpret rules using gender bias or sex-based stereotypes to discipline some students but not others.

Examples of Subjective Language

- > Examples of subjective language that can lead to unequal enforcement based on sex:
- Requiring clothing to be “appropriate” or “proper”
 - Prohibiting clothing that is “excessively tight,” “distracting,” “revealing,” “immodest,” or “sexually suggestive”

Below you will see how subjective language will also play a role in the racist enforcement of dress codes.

Who is Often Impacted by Sexist Dress Code Enforcement?

- > Girls, particularly girls of color
- > LGBTQI+ students
- > Students (most often girls) with curvier or more developed bodies



Talk About It



Turn to someone next to you and share how you would personally define some of the subjective terms above, like “proper” or “immodest.” How do your definitions differ? How would that impact which students each of you would decide to “dress code”?

What are Racist Dress Codes?

- You will likely never find a dress code that uses language that directly mentions race because that would clearly violate Title VI.
 - For example, you would not see: “Black students may not wear...” or “White students must wear...” or “Caribbean students are prohibited from wearing...”

What are Racist Dress Codes?



- > Dress codes are **racist** when:
- They have language based in racial stereotypes
 - School staff target students of certain races, colors, and national origins for dress code discipline more than others

Example: a dress code prohibiting “sagging pants” might be based in the racial stereotype that Black boys are more likely to wear sagging pants. This might cause teachers and administrators to look for and discipline Black boys more often for sagging pants than they would other students.

What are Racist Dress Codes?

- Subjective language can lead to unequal enforcement based on race.
 - This happens when teachers and administrators enforce rules that are open to interpretation using bias or stereotypes about a person's race, color, or national origin.
- Dress and grooming codes may be based on racial stereotypes when they single out clothing or hairstyles that have cultural or religious significance to students of a particular race or national origin.

What are Racist Dress Codes?

- Race-based hair discrimination often happens when Black students are disciplined, forced to cut or straighten Afrocentric hair, asked to leave the school, or excluded from educational programs and opportunities (such as clubs, sports, prom, and graduation) based on their hair.
- About 1 in 5 dress codes include rules on student hair with subjective language: “hair must look natural, clean, and well-groomed” or hair must not be “distracting” or “extreme.”*

*Report on dress codes by the [United States Government Accountability Office, 2022](#)

What are Racist Dress Codes?

- > Examples of race-based hair discrimination:
- (2023) **A Black student in Texas was suspended** because he would not cut his locs to meet the dress code.
 - (2021) **A Black student in North Carolina was forced to cut her braids** in the middle of a softball game in order to continue playing.
 - (2020) **A Black student in Texas was suspended and told he couldn't walk at graduation** unless he cut his locs.
 - (2018) **A Black student in New Jersey was forced by a referee to cut his locs** so he wouldn't forfeit his wrestling match.

Who is Often Impacted by Racist Dress Code Enforcement?



- > Black students, particularly Black girls
- > Hispanic students
- > Students wearing hairstyles or head coverings that are significant to their race, culture, or religion

Racist Dress Codes: Examples



- > “Bandanas are not allowed”
 - Black girls who are more likely to use bandanas to protect their hair may be more likely to be punished for this rule.
 - School dress codes may **prohibit** protective styles, which are styles that are meant to prevent knots, tangles, and breakage in Black hair; promote easy upkeep and care; and maintain curls, among other things. Bans on these hair styles are often reinforced with vague language like “no hair extensions”, or “hair must not be unkempt.” These styles include braids, twists, locs, Bantu knots, cornrows, hair wraps, and durags.

Racist Dress Codes: Examples



- > “Bandanas are not allowed”
 - Black boys may be more likely to be punished by this rule because bandanas are often associated with being in a violent gang, and Black boys are often associated with the racial stereotype of being in violent gangs.
 - School staff might be more likely to discipline Black boys for wearing bandanas because they might assume Black boys are “promoting gang-related activities” at school (a racial stereotype).

Racist Dress Codes: Examples



- > Grooming codes that say no “excessive curls” or no hair “deeper than 2 inches when measured from the scalp”
 - Might disproportionately affect Black students or students of other races and ethnicities who are more likely to have hair that can be measured out from the scalp, such as afros.
- > Over 80% of school districts have dress codes that prohibit head coverings, such as hats, hoodies, bandanas, and scarves; but only one-third of these dress codes makes exceptions for students’ religions*.
 - Might disproportionately affect students from various races or national origins who wear head coverings, such as a hijab, kippah, or kufi cap, in religious observance.

*Report on dress codes by the [United States Government Accountability Office, 2022](#)

Racist Dress Codes: Examples

- > “Facial hair will be allowed if neatly groomed and non-disruptive.”
- Whether facial hair is “disruptive” in school is subjective and might disproportionately affect students who grow beards for religious or cultural reasons but who are targeted because of racial or ethnic bias.

Talk About It



What are some dress codes you know of that might be based on racial stereotypes?

Dress Codes: Black Girls & Intersectionality

- > Black girls are often dress coded more than other students because of their intersectional identities as both being Black and being girls.
 - **Intersectionality** is way of talking about how different forms of inequality happen at the same time based on all the characteristics that make a person who they are, such as their race, gender, disability status, and so on.
 - Girls are likely to experience sex discrimination, and Black students are likely to experience race discrimination in schools. Black girls live at the intersection of both identities and experience a unique form of discrimination based on both.
- > Subjective language makes intersectional discrimination worse for Black girls.

Dress Codes: Black Girls & Intersectionality

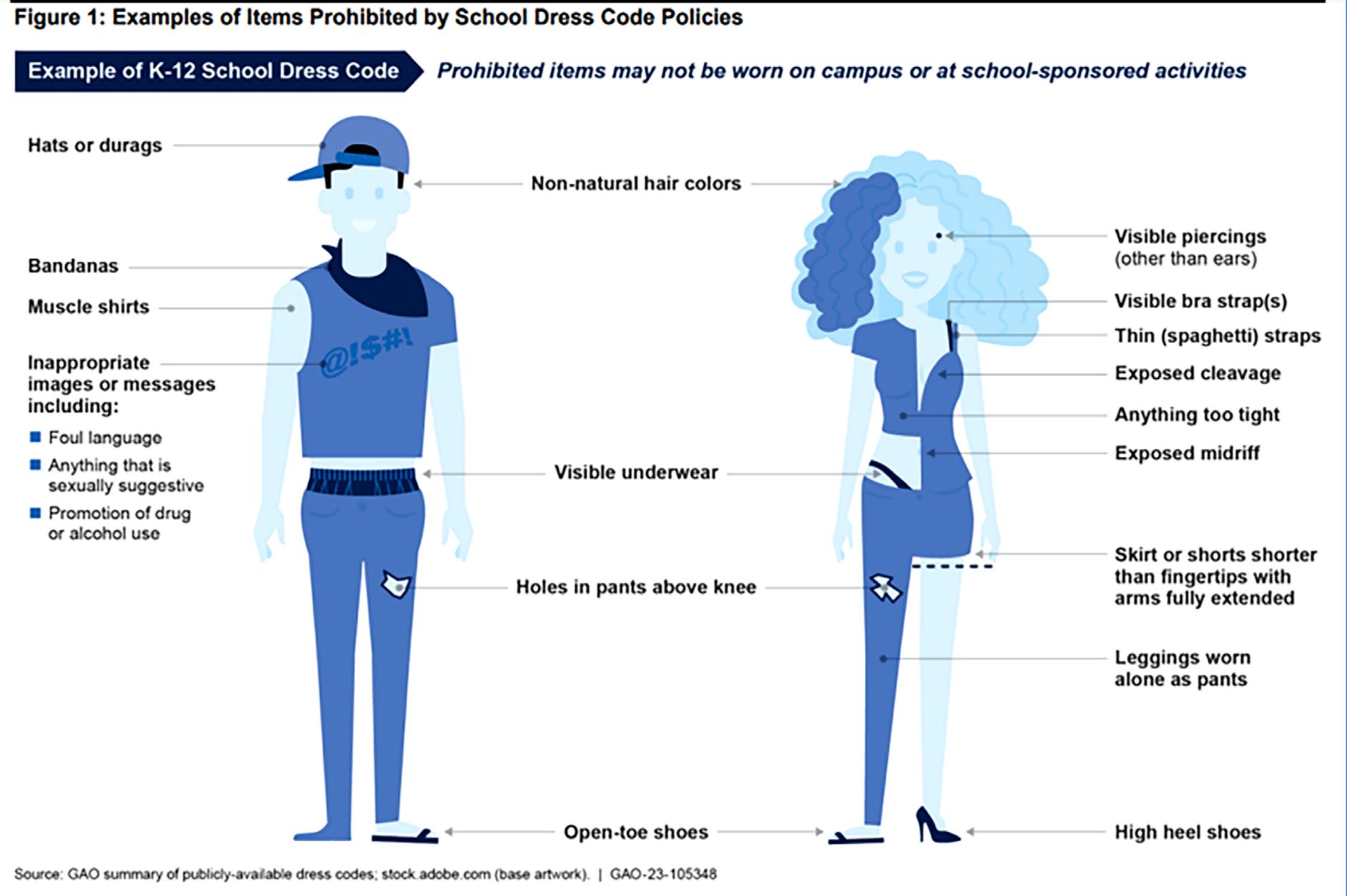
- Adultification Bias – Research shows that people see Black girls as older than they are and less innocent, less in need of help, and more sexually knowledgeable than their white peers. (see [Girlhood Interrupted: The Erasure of Black Girls' Childhood](#))
- Subjective Language + Adultification Bias = Harsher, more frequent discipline for Black girls (even though they aren't more likely than their peers to misbehave).

“Remember: Subjective language in dress codes often allows school staff to discipline students based on their own biases.”



Example: Black girls disciplined for wearing crop tops or leggings when white girls are not because Black girls may have curvier bodies or seem more developed, and school staff see them as older and less innocent than they are because of that.

Example of Items Prohibited by Dress Codes



Source: Report on dress codes by the **United States Government Accountability Office, 2022**

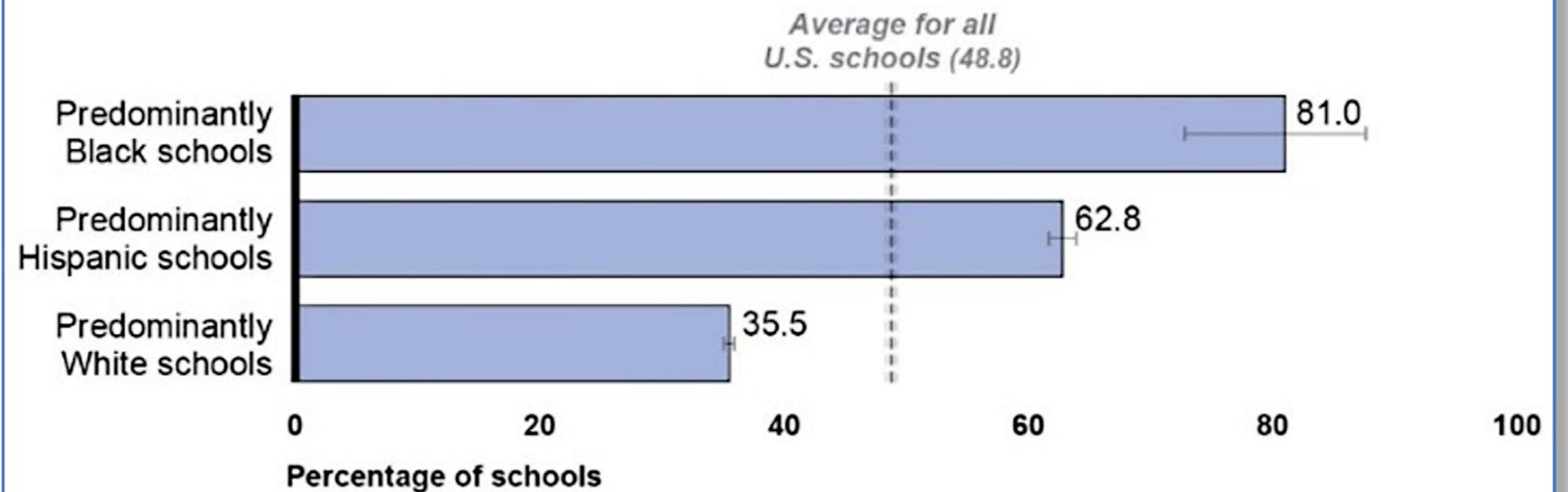
How Dress Codes Harm Students

- > Often lead to discrimination and unequal enforcement
- > Often impact girls most, particularly Black girls
 - 90% of dress codes across the country prohibit clothing typically worn by girls, while 69% prohibit clothing typically worn by boys*.
- > Schools with higher percentages of Black and Hispanic students are more likely to enforce strict dress codes*.
- > Pregnant students may be disproportionately disciplined for wearing comfortable or stretchy clothing.

*Report on dress codes by the [United States Government Accountability Office, 2022](#)

Schools that Enforce Strict Dress Codes

Figure 10: Estimated Percentage of Schools in Each Racial/Ethnic Category That Report Enforcing a Strict Dress Code, School Year 2017-18



Source: GAO analysis of the Department of Education 2017-2018 School Survey on Crime and Safety (SSOCS). | GAO-23-105348

Notes: Schools “predominantly” of a certain race/ethnicity are those where students of that particular race/ethnicity make up 75 percent or more of the student population. We could not report on schools predominantly enrolling Asian/Pacific Islander, Native American/Alaskan Native, or Multirace students due to insufficient data. In addition, Hispanic students can be any race, but in Education’s data, Hispanic is considered an ethnicity exclusive of race. Using a 95 percent confidence interval, the margin of error for each school group is within +/- 8 percentage points.

Source: Report on dress codes by the [United States Government Accountability Office, 2022](#)

How Dress Codes Harm Students

- Sex-specific dress codes also disproportionately affect trans students when their schools do not respect their gender identities, forcing them to wear the clothes of the gender the school tells them to be rather than the gender they are.
- Gender nonconforming and nonbinary students are also forced to dress as a certain gender, even if they might not feel they are that gender.

Dress Codes Lead to Missed Class Time and School Pushout

- Schools that enforce strict dress codes are more likely to have higher rates of exclusionary discipline, or discipline that removes students from class.*
- Some ways schools enforce dress codes:
 - Calling a parent to pick student up from school
 - Sending student home to change
 - Having student wait in the office until a parent drops off new clothes
 - Giving a student an in-school suspension or detention

*Report on dress codes by the [United States Government Accountability Office, 2022](#)

Dress Codes Lead to Missed Class Time and School Pushout

- Many of these punishments are informal removals from the classroom – an illegal form of discipline that violates students’ rights by excluding them from the classroom without formally suspending them.
 - When the student is removed from class, the removal likely doesn’t go on the student’s record or isn’t recorded in school files, and the student and family are likely not informed of their rights.
 - Informal removals impact students’ opportunity to learn, can have a negative effect on students’ grades and class engagement, and make it harder without a record of the discipline to challenge the school’s actions.

Dress Codes Promote Rape Culture

- By telling girls they need to cover up their bodies, so they don't distract or tempt boys, schools send the message that boys are not responsible for their behavior.
- Creates an environment where sexual harassment is excused, and victim-blaming is okay.
- Puts the responsibility just on girls to dress "appropriately" rather than teaching all students to respect each others' bodies and boundaries.

Dress Codes Promote Rape Culture

- School administrators often physically touch or shame girls for violating the dress code, demonstrating to girls that they are not in control of their own bodies:
 - Being grabbed or touched by teachers and security guards, like when teachers use a ruler to measure the distance between a student's skirt and knee
 - Being forced to wear loaner clothing
 - Being forced to wear attention-grabbing clothing to produce shame, like oversized t-shirts or gym clothes

Dress Codes Impact Students Emotionally and Psychologically

- Teaches students, often girls, that how they dress is more important than their learning.
- Leads students to believe the stereotypes they are told – lowers self-esteem and creates negative feelings about their bodies.
- Breaks down trust between students and educators.

Dress Codes are not the “Great Equalizer”

- Dress codes that require special clothing, like polo shirts and khakis, can actually be quite expensive for families already struggling to make ends meet.
- Some families can't afford to buy several sets of special clothes or new ones when they've been outgrown, exposing those students to discipline for being out of code if those clothes are in the wash or don't fit right.
- Some schools require students to pay them to “dress down” for the day, creating more inequity for students who may not be able to pay to wear their own clothes and more barriers to community-building for those students.

Summary

- Dress codes often don't meet the goals they are created for and, instead, push students out of the classroom, often through exclusionary discipline.
- Dress codes are often written and enforced in sexist and racist ways.
- Sexist and racist dress codes lead to discrimination and violate students' rights, especially federal civil rights.

See our companion Power Topic, "How to Reform or Abolish School Dress Codes."

Resources

- **Dress Coded: Black Girls, Bodies, and Bias in D.C. Schools (NWLC)**
- **Dress Coded II: Protest, Progress, and Power in D.C. Schools (NWLC)**
- **Dignity Denied: How Discriminatory School Discipline Leads to School Pushout (NWLC)**
- **100 School Districts: A Call to Action for School Districts Across the Country to Address Sexual Harassment through Inclusive Policies and Practices (NWLC)**
- **Survivors Speaking Out: A Toolkit About Defamation Lawsuits and Other Retaliation by and for People Speaking Out About Sex-Based Harassment (NWLC)**
- **Oregon National Organization for Women (NOW) Model Student Dress Code (NOW)**
- **4 Things Public Schools Can and Can't Do When It Comes to Dress Codes (ACLU)**
- **K-12 Education: Department of Education Should Provide Information on Equity and Safety in School Dress Codes (U.S. Government Accountability Office)**

To Do Immediately if Sexually Assaulted

- > Get away from the attacker to a safe place as fast as you can.
- > Then call 911 or the police.
- > Call a friend or family member you trust.
- > You can call a crisis center or hotline to talk with a counselor.
- > One 24/7 option, for all genders, is the Rape, Abuse & Incest National Network (RAINN) National Sexual Assault Hotline at 800-656-HOPE(4673).
- > RAINN will connect you with a rape crisis center in your area.
- > Visit the [Survivor Support page](#) for more helpline options and details.

To Do Immediately if Sexually Assaulted

- > Preserve the evidence, even if you are unsure you will report.
- > **Do not:**
 - Wash, comb your hair, or clean any part of your body
 - Brush your teeth
 - Change clothes, if possible, so the hospital nurse can collect evidence
 - Touch or change anything at the scene of the assault
- > **Seek medical attention ASAP at your nearest hospital ER:**
 - You need to be examined, treated for any injuries, checked for possible sexually transmitted infections (STIs) or pregnancy, and can receive preventative medicine.
 - The nurse or doctor will collect evidence the attacker may have left behind.
- > **Ask hospital staff to connect you with a local rape crisis center.**

If You are Sexually Harassed

It isn't your fault... and you can get help to make it stop.

- Reach out ASAP to a friend, school counselor or trusted adult for immediate safety & support to bring the issue to your Dean of Students, Principal, or Title IX Coordinator.
- Confidential National Sexual Assault Hotline: 1-800-656-4673
www.rainn.org
- Learn about your rights and how to take action on the [Stop Sexual Assault in Schools website](http://StopSexualAssaultinSchools.org).

Feedback & Suggestions:

SASH Club welcomes your feedback and suggestions on the content of this presentation. Contact us via:

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> Contact an adult advisor with your questions or concerns about local issues.



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