

## **I. Policy Statement**

The Board of Education is committed to providing a safe, inclusive, and nurturing educational environment conducive to student learning. The Board recognizes the right of students to express themselves through their choice of personal attire and affirms that the primary responsibility for a student's attire resides with the student and parents.

The Board is committed to equitable educational access for all students, and this student dress code does not differentiate based on students' race, color, creed, national origin, immigration status, religion, physical, mental, or educational disability, pregnancy, age, gender, gender expression, gender identity, genetic information, sexual orientation, marital status, veteran status, socioeconomic status, body type, body size or personal style.

The Board values for the student dress code are:

- A. All students should be able to dress comfortably for school without fear of or actual unnecessary discipline or body shaming.
- B. Teachers can focus on teaching without the additional and often uncomfortable burden of dress code enforcement.
- C. Students should not face unnecessary barriers to school attendance.
- D. Reasons for conflict and inconsistent identification of possible infractions should be minimized whenever possible.

While student dress and appearance are the responsibility of students and their parents, the Board believes that dress and appearance should not interfere with any aspect of the educational process and expects that dress and appearance are consistent with all Board policy. Student attire may not interfere with the health or safety of any student, nor contribute to a hostile or intimidating atmosphere for any student.

## **II. Purpose**

The purpose of this policy is to provide guidelines, standards, and implementation procedures for student dress during the school day and during other school-related activities.

## **III. Definitions**

Within the context of this policy, the following definitions apply:

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- A. Attire – Articles or aspects of personal appearance including, but not limited to: clothing, footwear, headwear, jewelry or accessories, wearable technology, bookbags, body art, tattoos, or sunglasses.
- B. Gang – A group of three or more individuals who engage in a pattern of destructive or delinquent activity for the benefit of the group’s members and/or for furthering the reputation of the group or individual. A gang shares a common identity, and members view themselves a cohesive group. The common gang identity may be one or more of the following:
1. The gang has a name that separates the group from others
  2. Members share common symbols such as clothing, graffiti, and hand signs
  3. Members regularly come together as a group and may claim a specific geographic location inside or outside of the school.
- C. Headwear – Any article worn on the head including, but not limited to, hats, scarves, bandanas, hoods, or visors.
- D. Gender – The attitudes, feelings, and behaviors that a given culture associates with a person’s biological sex.
- E. Gender Expression – The external manifestation of one's gender identity, usually expressed through behavior, clothing, haircut, voice, or body characteristics.
- F. Gender Identity – One's internal, personal sense of his/her/their own gender.
- G. Health – A state of positive physical, mental, emotional, and social well-being.
- H. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
1. Biological Parent – A natural parent whose parental rights have not been terminated.
  2. Adoptive Parent – A person who has legally adopted the student and whose parental rights have not been terminated.
  3. Custodian – A person or an agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.
  4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
  5. Caregiver – An adult resident of Howard County who exercises care, custody or control over the student, but who is neither the biological parent nor legal guardian, as long as the person satisfies the requirements of the Education Article, §7-101 (c)

(Informal Kinship Care) or has been issued a U.S. Department of Health and Human Service's Office of Refugee Resettlement (ORR) Verification of Release form entering into a custodial arrangement with the federal government.

6. Foster Parent – An adult approved to care for a child who has been placed in their home by a state agency or a licensed child placement agency as provided by the Family Law Article, §5-507.
- I. Religion – A recognized system of belief or worship encompassing the nature of a deity and/or reality and the relationship of human beings to that deity and/or reality.
- J. Religious Holiday – Significant traditional and customary day of religious observance, excluding regular weekly prayer, services, or practices.
- K. Religious Obligation – Traditional and customary practice required of adherents to a religion.
- L. Safety – The condition of being protected against physical and/or emotional harm.
- M. School-Related Activity – Any school system activity, on or off school property, in which a student directly participates (e.g., school field trip, athletic event, or class/graduation activity) or an activity in which the student does not directly participate but represents the school or student body by being present (e.g., spectator at a school event).

#### **IV. Standards**

- A. The student dress code will be implemented equitably regardless of students' race, color, creed, national origin, immigration status, religion, physical, mental, or educational disability, pregnancy, age, gender, gender expression, gender identity, genetic information, sexual orientation, marital status, veteran status, socioeconomic status, body type, body size, or personal style.
- B. Students will wear attire that contributes to a safe school environment conducive to learning.
- C. Students may wear attire of their choice that is otherwise not prohibited (See Section IV.F.).
- D. Students may wear attire that aligns with their gender, gender expression, or gender identity.
- E. Students may wear religious attire without fear of discipline or discrimination.

## F. Students must wear:

1. Shirt
2. Bottom (e.g. pants, sweatpants, shorts, skirt, dress, and leggings)
3. Shoes (curricular-specific and activity-specific shoe requirements are permitted).

## Students are permitted to wear:

1. Hats, hoods, and headwear (so long as the student's face is visible and wearable technology is visible to ensure it is not interfering with instruction and student safety<sup>1</sup>)
2. Ripped jeans, as long as undergarments are not exposed
3. Tank tops, including spaghetti straps, halter tops, and strapless tops
4. Athletic attire
5. Clothing with commercial or athletic logos provided they do not violate Section IV.G.3. below.

Certain body parts must be covered for all students. Clothes must be worn in a way such that the chest, midriff, pelvic/groin area, and buttocks are covered with opaque material.

## G. Students are not permitted to wear attire, including wearable technology that is disruptive to the school environment, that promotes illegal or harmful activities, or that could endanger the health or safety of that student or others during school hours and school-related activities. Prohibited attire includes, but is not limited to:

1. Attire that depicts profanity, hate speech, obscenity, the use of weapons, or violence
2. Attire that promotes use of tobacco, drugs, alcohol, or other illegal or harmful products
3. Attire that promotes, implies or contains sexually suggestive messages
4. Attire that exposes or reveals the chest, midriff, pelvic/groin area, and buttocks
5. Visible underwear or bathing suits (Visible waistbands or straps on undergarments worn under other clothing are not a violation.)
6. Helmets or headgear that obscure the face, except as a religious obligation, observation of a religious holiday, or for a school-related activity
7. Attire that depicts gang affiliation
8. Attire that contains language or symbols that demean an identifiable person or group or otherwise infringes on the rights of others
9. Attire that causes or is likely to cause a material disruption, a substantial disorder to school activities or the orderly operation of the school, or an invasion of the rights of others
10. May damage school property

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<sup>1</sup> Per Standard IV.E, students may wear religious attire without fear of discipline or discrimination.

11. Wearable technology and other attire when it interferes with instruction or student safety.
- H. If a parent or student believes that the student, for religious obligations or medical reasons, must wear attire prohibited by this policy, the parent or student will consult with the principal. The principal may consult with the Office of School Management and Instructional Leadership in rendering a final decision.
- I. Athletic gear is regulated by the Maryland Public Secondary Schools Athletic Association (MPSSAA).

## **V. Responsibilities**

The Superintendent/designee will implement this policy and ensure that students, parents, and school-based staff are provided annual notice of these provisions.

## **VI. Delegation of Authority**

The Superintendent is authorized to develop appropriate procedures to implement this policy.

## **VII. References**

- A. Legal
  - Family Law Article §5-507
- B. Other Board Policies
  - Policy 1000 Civility
  - Policy 1010 Anti-Discrimination
  - Policy 1040 Safe and Supportive Schools
  - Policy 1060 Bullying, Cyberbullying, Harassment, or Intimidation
  - Policy 3000 Religious Observances
  - Policy 8080 Responsible Use of Technology and Social Media
  - Policy 9020 Students' Rights and Responsibilities
  - Policy 9200 Student Discipline
  - Policy 9290 Gangs, Gang Activity, and Similar Destructive or Delinquent Group Behavior
- C. Relevant Data Sources
- D. Other
  - HCPSS Student Code of Conduct
  - Maryland Public Secondary Schools Athletic Association Religious (MPSSAA) Exception to National Federation of State High School Associations (NFHS) Uniform Standard
  - Oregon NOW Model Student Dress Code

**VIII. History**

ADOPTED: June 1, 1971

REVIEWED:

MODIFIED:

REVISED: January 25, 1990

September 9, 1999

March 10, 2011

May 9, 2019

EFFECTIVE: July 1, 2019

**STUDENT DRESS CODE**

Effective: July 1, 2019

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- I.** The student dress code will be implemented equitably and consistently regardless of students' race, color, creed, national origin, immigration status, religion, physical, mental, or educational disability, pregnancy, age, gender, gender expression, gender identity, genetic information, sexual orientation, marital status, veteran status, socioeconomic status, body type, body size, or personal style.
- II.** The principal is directed to inform all students, parents, and school-based staff members of the student dress code policy at the beginning of each school year and whenever appropriate. Principals may at any time advise students of the requirements of the dress code policy. Communication methods may include, but are not limited to:
  - A. Making announcements via the public address system
  - B. Publishing the information in school newsletters
  - C. Publishing the information in agenda books, student handbooks, etc.
  - D. Posting the information on a bulletin board, email, or electronic news
  - E. Making the information available for new students through the registration process
  - F. Professional development for staff members.
- III.** Policy implementation should minimize interruption to instruction. If a student is in violation of this student dress code policy, a staff member will discretely and respectfully request that the student rectify their attire to align with the policy. This communication should avoid drawing undue attention to the student. In the event that the student is unable to rectify their attire immediately, and the attire is not disruptive, the student should be permitted to remain in the instructional setting and address their attire at a time that will have minimal impact on their learning.
- IV.** In the event that the student refuses to rectify their attire, that staff member will refer the student to an administrator who will follow disciplinary action in accordance with the provisions of Policy 9200 Student Discipline and the HCPSS Code of Conduct.
- V.** In the event that a student's violation of this student dress code policy simultaneously violates any other Board policy, the administrator will follow the implementation procedures of both policies.

**VI.** To better understand the policy implementation status, discipline referral data related to dress code violations will be examined during Policy 9210 review periods.

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