

Student Dress Code Policy Recommendations

5.28.19

Teaching and Learning, Educational Services

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Background: Rationale for Policy Review

Students and staff from Lincoln Middle School, following work at their own school site to revise dress code policy, advocated to the Board that a district-level review/revision be conducted.

The working goals stated by the Lincoln Middle School group to their school community:

- Students should be able to dress comfortably for school and engage in the educational process without fear of or actual unnecessary discipline or body shaming
- Specific groups of people should not be singled out – everyone belongs here!
- Minimize barriers to student success and maximize learning time

Background: Previous Policy Language

Elements of the policy previously in place were identified as problematic:

Students' clothing must not present a health or safety hazard or a ***distraction*** which would interfere with the educational process.

Hats, caps, and other ***head coverings*** shall not be worn indoors.

Clothes sufficient to conceal undergarments – no see-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs, and skirts or shorts shorter than mid-thigh.

No hair spray/coloring that would drip when wet. Hair shall be clean and neatly groomed.

Background: Timeline of Process

| | |
|----------------|--------------------------------------|
| 2017-18 | Student/staff advocacy at LMS, BOE |
| Spring 2018 | Workgroup process and pilot proposal |
| June 2018 | Pilot approval |
| August 2018 | Implementation |
| November 2018 | Fall Survey |
| December 2018 | Report to BOE |
| April-May 2019 | Spring Survey |
| May 2019 | BOE Report and Policy Recommendation |

Background: Foundational Work

The workgroup, in reviewing the work of other schools and districts in this area, was led to model policy language developed by the Oregon chapter of the National Organization for Women (NOW). Developed in February 2016, this model language was created with the following goals in mind:

- 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.

Background: Foundational Work

Oregon NOW's stated values in the model policy document include:

- 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.

Data Review: Past Surveys

The survey conducted in fall 2018 yielded the following trends:

A significant percentage of respondents across all three stakeholder groups indicated that the new (pilot) policy had positively impacted or had no impact on the educational experience of students.

| How has the NEW dress code policy impacted the educational experience of students? | Students (%) | Staff (%) | Family (%) |
|--|--------------|-----------|------------|
| Positively | 36 | 23 | 21 |
| Neutral/No Impact | 60 | 42 | 60 |
| Negatively | 4 | 35 | 12 |
| Don't Know | N/A | N/A | 7 |

Of students who report having been (a) negatively impacted by the old policy and (b) positively impacted by the new policy, the majority identified as female.

Data Review: Past Surveys

The survey conducted in fall 2018 yielded the following trends:

- Students, staff, and family reported that the new dress code had resulted in fewer instances of students being publicly called out in class/on campus or removed from class for dress code violations.
- For students that had previously been called out publicly or removed from class under the old dress code, the majority identified as female.
- The majority of students responding reported that the new dress code had not changed the way they dress for school. Family members agreed while staff did not agree.

Data Review: Past Surveys

The survey conducted in fall 2018 yielded the following trends:

- The majority of students strongly agreed or agreed that it is important they have the ability to wear hats and hooded shirts/jackets in class. The majority of staff disagreed or strongly disagreed.
- The majority of students did not find hats or hooded shirts/jackets disruptive to the classroom environment. The majority of families found both disruptive to the class, while staff report hooded shirts/jackets more disruptive than hats.
- For staff that report finding hats and/or hooded shirts/jackets disruptive to the classroom environment, the majority report that student earbud/headphone use plays a significant role or is the sole reason for their belief.

Data Review: Dress-related Discipline

Discipline for dress-related violations has reduced since implementation of the new policy:

| School | 2015-16* | 2016-17 | 2017-18 | 2018-19 to date |
|--------|----------|---------|---------|-----------------|
| AHS | 10 | 2 | 0 | 0 |
| EJSHS | 11** | 10** | 1** | 4** |
| LMS | 21 | 23 | 3 | 0 |
| WMS | 4 | 1 | 0 | 0 |

*Beginning in 2016-17 all dress code-related violations were classified under 'inappropriate dress.' Prior to this there were several sub-categories in addition including: exposure, hat, bad message, shoes, gang attire, and sunglasses. Also included was the code 'Uniform Violation' which has been used by both Physical Education instructors as well as Encinal Junior Jets for their standard uniform policy.

**All incidents except for one (in 2016-17) were related to school uniform.

Data Review: Spring Survey

A set of survey questions was developed to assess the perceptions of stakeholders on the overall impact of the pilot policy and, more specifically, the impact of students wearing hats and/or hoods in the classroom.

Survey versions were developed for students, staff, and parents/guardians. They were sent out the week of April 29th. Details regarding participants are below. Data below reflects responses as of 12:30 PM on 5.15.19.

| Group | Total | TK-2 | 3-5 | 6-12 | Other |
|-----------------------|-------|------|-----|------|-------|
| Staff | 155 | 30 | 28 | 95 | 2 |
| Students | 104 | 7 | 17 | 79 | 0 |
| Parents/ Guardians | 297 | 96 | 72 | 126 | 1 |

Data Review: Spring Survey

Overall, how would you rate the impact of the pilot student dress code on the *student* experience?

| Response | Staff | Students | Parents/ Guardians |
|-----------------------------|-------|----------|-----------------------|
| Significant Positive Impact | 6.1% | 24% | 8.3% |
| Positive Impact | 16.9% | 24% | 15.7% |
| Neutral | 58.8% | 48% | 70.1% |
| Negative Impact | 11.5% | 1% | 4.3% |
| Significant Negative Impact | 6.8% | 3% | 1.1% |

Overall, how would you rate the impact of the pilot student dress code on the *staff* experience?

| Response | Staff | Students | Parents/ Guardians |
|-----------------------------|-------|----------|-----------------------|
| Significant Positive Impact | 5.4% | 14.7% | N/A |
| Positive Impact | 12.8% | 22.1% | N/A |
| Neutral | 52% | 58.9% | N/A |
| Negative Impact | 19.6% | 4.2% | N/A |
| Significant Negative Impact | 10.1% | 0% | N/A |

Data Review: Spring Survey

Overall, how would you rate the impact of the pilot student dress code on the school culture as a whole?

| Response | Staff | Students | Parents/ Guardians |
|------------------------------------|-------|----------|-----------------------|
| Significant Positive Impact | 6.7% | 36% | 11% |
| Positive Impact | 11.4% | 28.1% | 19.1% |
| Neutral | 54.4% | 40.6% | 60.1% |
| Negative Impact | 21.5% | 3.1% | 6.7% |
| Significant Negative Impact | 6% | 2.1% | 3.2% |

Summary of Data

- The majority of all respondents indicated a neutral perception with regard to the impact of the new dress code on student experience, staff experience, and overall school culture. A significant number of students report positive impacts, with few reporting negative impacts. The group with the most reports of negative impact is staff.
- Results for perceptions of the impact of hat wearing in the classroom are similar.
- Results for the perceptions of the impact of hood wearing do not have the majority of respondents in the 'neutral' response category. Greater percentages of all three groups report negative impact, with the majority of staff reporting negative impacts.

Summary of Data

- Significant percentages of students and staff report that discussions in class have taken place in which teachers have expressed preferences that hats and/or hoods be removed. For hoods, a larger percentage of this was attributed to concerns regarding electronic devices, though there was not majority cause identified. Results are similar for instances in which students were required to remove their hat/hood.
- The majority of students and staff both report a frequency of hood/hat wearing in the classroom from 1-6 students per class/course period.
- The vast majority of students and staff report that discipline has not been used to enforce removal of hats/hoods when it was required.
- 60.4% of student respondents report having worn a hood in class this year, while only 34.3% of student respondents report having worn a hat in class this year.

Proposed Policy: Overview

The pilot policy was developed using the Oregon NOW model policy language as a basis. This policy includes beliefs/values, purposes, and other overarching language in the Board Policy while specific guidance including what students ‘Must,’ ‘May,’ and ‘CANNOT’ wear are in the administrative regulation.

Policy language has been revised to reflect the ongoing input from stakeholders and discussions of the workgroup. Major areas of revision include:

1. Removal of specific language from the ‘May Wear’ section (no policy impact)
2. Modification of language regarding the wearing of hoods in the classroom

Proposed Policy Element: Core Beliefs

The Board of Education believes that:

- All students should be able to dress comfortably for school without fear of or actual unnecessary discipline or body shaming.
- An individual student's clothing/self-expression should not be regulated based upon another student or staff member's personal perspective or discomfort.
- Staff can focus on their jobs 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.

Proposed Policy Element: Purposes

The most important purposes of a dress code include:

- 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 offensive 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.

Proposed Policy Element: Roles

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 and parents/guardians shall be informed about the dress code at the beginning of the school year and whenever these standards are revised. The dress code should be clearly communicated, not just in the student handbook, but in other ways including, but not limited to, annual instruction, posters, and newsletters.

Proposed Policy Element: Basic Principles

Basic Principles:

- All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.
- Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.
- The student dress code should serve to support all students to develop a body-positive self-image.

Proposed Policy Element: MUST

Students MUST Wear:

- Top
- Bottom
- Shoes
- Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material

Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (examples include but are not limited to physical education and shop class).

Proposed Policy Element: MAY

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

*Teachers may direct students to remove/adjust the position of hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Proposed Policy Element: CANNOT

Students CANNOT Wear:

- Clothing that includes violent language or images.
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same.
- Clothing that includes hate speech, profanity, and/or pornography.
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class.
- Visible underwear or bathing suits of similar design - visible waistbands or straps on undergarments worn under other clothing are not a violation.
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance). A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat.

Proposed Policy Element: Training

- All staff 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.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.

Proposed Policy Element: Enforcement

- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- 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 should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.

Proposed Policy Element: Enforcement

- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- 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/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Proposed Implementation Plan

(If approved)

| | |
|-------------|---|
| June 2019 | Communication to community |
| Summer 2019 | Development of training materials including 'user manual' |
| August 2019 | Implementation of Revised Policy |
| 2019-20 | Gather additional data to assess implementation success |
| Spring 2020 | (As needed) Provide update to BOE |

Board Action Requested

The Action presented for the Board's consideration is approval of proposed policy language for Board Policy and Administrative Regulation 5132 (Student Dress Code) effective July 1, 2019.

If approved, the policy would be implemented at the start of the 2019-20 school year.

Questions?

Data Review: Spring Survey

Overall, how would you rate the impact of students wearing *hats* in the classroom?

| Response | Staff | Students | Parents/ Guardians |
|-----------------------------|-------|----------|--------------------|
| Significant Positive Impact | 2% | 14.3% | 5.4% |
| Positive Impact | 4.7% | 18.4% | 5.4% |
| Neutral | 61.1% | 59.2% | 70.7% |
| Negative Impact | 18.1% | 5.1% | 12.9% |
| Significant Negative Impact | 14.1% | 3.1% | 5.7% |
| I Don't Know | N/A | N/A | N/A |

Overall, how would you rate the impact of students wearing *hoods* in the classroom?

| Response | Staff | Students | Parents/ Guardians |
|-----------------------------|-------|----------|--------------------|
| Significant Positive Impact | 1.3% | 20% | 2.1% |
| Positive Impact | 4% | 15.8% | 2.8% |
| Neutral | 34.9% | 49.5% | 43% |
| Negative Impact | 32.3% | 11.6% | 11.2% |
| Significant Negative Impact | 27.5% | 3.2% | 9.4% |
| I Don't Know | N/A | N/A | 31.5% |

Data Review: Spring Survey

Has there been discussion in class this year regarding a teacher's preference that students not wear **hats** in the classroom?

| Response | Staff | Students | Parents/ Guardians |
|------------|-------|----------|-----------------------|
| Yes | 55% | 39.8% | 4.2% |
| No | 45% | 60.2% | 68.1% |
| Don't Know | N/A | N/A | 27.8% |

If 'yes,' what was the primary rationale?

| Response | Staff | Students | Parents/ Guardians |
|--|-------|----------|-----------------------|
| Sign of Respect/Cultural Norm | 28.1% | 30.4% | 14% |
| Concerns related to use of electronic devices | 12.5% | 15.2% | 1.8% |
| Lack of visibility of student's face for identification purposes | 26.6% | 15.2% | N/A |
| No Reason Given | N/A | 30.4% | 3.5% |
| Other | 32.8% | 8.7% | 7% |
| I Don't Know | N/A | N/A | 73.7% |

Data Review: Spring Survey

Has there been discussion in class this year regarding a teacher's preference that students not wear **hoods** in the classroom?

| Response | Staff | Students | Parents/ Guardians |
|--------------|-------|----------|-----------------------|
| Yes | 55% | 40.9% | 7% |
| No | 45% | 59.1% | 28.2% |
| I Don't Know | N/A | N/A | 64.8% |

If 'yes,' what was the primary rationale?

| Response | Staff | Students | Parents/ Guardians |
|--|-------|----------|-----------------------|
| Sign of Respect/Cultural Norm | 9.7% | 30.2% | 11.9% |
| Concerns related to use of electronic devices | 38.7% | 30.2% | 10.4% |
| Lack of visibility of student's face for identification purposes | 21.5% | 16.3% | 3% |
| No Reason Given | N/A | 18.6% | 3% |
| Other | 30.1% | 4.7% | 6% |
| I Don't Know | N/A | N/A | 65.7% |

Data Review: Spring Survey

Have students been required at any point this year to remove their *hats* during class?

| Response | Staff | Students | Parents/ Guardians |
|--------------|-------|----------|-----------------------|
| Yes | 34.7% | 50% | 7.3% |
| No | 65.3% | 50% | 14.3% |
| I Don't Know | N/A | N/A | 78.3% |

If 'yes,' what was the primary rationale?

| Response | Staff | Students | Parents/ Guardians |
|--|-------|----------|-----------------------|
| Sign of Respect/Cultural Norm | 25% | 34.6% | 16.4% |
| Concerns related to use of electronic devices | 15.6% | 15.4% | 0% |
| Lack of visibility of student's face for identification purposes | 9% | 15.4% | 1.6% |
| Other | 45.3% | 13.5% | 8.2% |
| No Reason Given | N/A | 21.2% | 8.2% |
| I Don't Know | N/A | N/A | 65.6% |

Data Review: Spring Survey

Have students been required at any point this year to remove their *hoods* during class?

| Response | Staff | Students | Parents/ Guardians |
|--------------|-------|----------|-----------------------|
| Yes | 55% | 58% | 9.4% |
| No | 45% | 42% | 6.5% |
| I Don't Know | N/A | N/A | 84.1% |

If 'yes,' what was the primary rationale?

| Response | Staff | Students | Parents/ Guardians |
|--|-------|----------|-----------------------|
| Sign of Respect/Cultural Norm | 10.1% | 22.8% | 12% |
| Concerns related to use of electronic devices | 32.6% | 35.1% | 6.7% |
| Lack of visibility of student's face for identification purposes | 20.2% | 14% | 2.7% |
| Other | 37.1% | 12.3% | 6.7% |
| No Reason Given | N/A | 15.8% | 5.3% |
| I Don't Know | N/A | N/A | 66.7% |

Data Review: Spring Survey

On an average day, how many students in a classroom/course period wear a *hat*?

| Response | Staff | Students | Parents/ Guardians |
|-----------|-------|----------|-----------------------|
| 0 | 14.8% | 12.1% | N/A |
| 1-3 | 61.7% | 67% | N/A |
| 4-6 | 18.1% | 15.4% | N/A |
| 7 or more | 5.4% | 5.5% | N/A |

On an average day, how many students in a classroom/course period wear a *hood*?

| Response | Staff | Students | Parents/ Guardians |
|-----------|-------|----------|-----------------------|
| 0 | 15.5% | 9.1% | N/A |
| 1-3 | 50% | 38.6% | N/A |
| 4-6 | 26.4% | 40.9% | N/A |
| 7 or more | 8.1% | 11.4% | N/A |

Data Review: Spring Survey

If removal of hats/hoods has been required, has any form of discipline been used to enforce compliance?

| Response | Staff | Students | Parents/ Guardians |
|--------------|-------|----------|-----------------------|
| Yes | 3% | 12% | 1.2% |
| No | 97% | 88% | 13.7% |
| I Don't Know | N/A | N/A | 85.1% |

Data Review: Spring Survey

Have you/your student worn a **hat** in class this year?

| Response | Staff | Students | Parents/ Guardians |
|--------------|-------|----------|-----------------------|
| Yes | N/A | 34.3% | 17.5% |
| No | N/A | 65.7% | 73.3% |
| I Don't Know | N/A | N/A | 9.1% |

Have you/your student worn a **hood** in class this year?

| Response | Staff | Students | Parents/ Guardians |
|--------------|-------|----------|-----------------------|
| Yes | N/A | 60.4% | 26.1% |
| No | N/A | 39.6% | 47.2% |
| I Don't Know | N/A | N/A | 26.8% |