

ADMINISTRATIVE PROCEDURE 352	
SECTION: STUDENTS	
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Contact	System Principal of Equity & Anti-Racism

STUDENT DRESS

1.0 RATIONALE

The Student Dress Administrative Procedure (AP) has been developed to provide students with learning environments that are safe, equitable, welcoming, and inclusive and recognizes that decisions about dress reflect individual expression of identity, socio-cultural norms, and economic factors, and are personal and important factors to a person's health and well-being.

Historically, school dress codes have been written and enforced in ways that disproportionately and negatively impact: female-identified students, racialized students, gender diverse, transgender, and non-binary students, students with disabilities, socioeconomically marginalized students and Indigenous, First Nation, Métis, and Inuit students. Focused, explicit, persistent, and determined action is required to challenge and overcome this history. The Student Dress AP draws on the principles of equity, anti-oppression, anti-racism, non-discrimination, equitable, and inclusive education.

This AP operates within the legislative environment of the *Education Act* and the *Ontario Human Rights Code* (OHRC), and is consistent with the RCDSB Equity & Inclusive Education AP (452) and the Human Rights AP (450).

2.0 OBJECTIVE

- To establish fair and equitable standards and practices for student dress in all schools.
- To ensure that these standards and practices centre student engagement and student voice.
- To recognize that students have both the right to express themselves and the shared responsibility to maintain respectful, safe and positive school climates.
- To recognize that students primarily experience school as a learning environment and a social environment.
- To recognize that dress plays a fundamental role in how students build healthy relationships and explore self-identity.
- To ensure that the design, application and enforcement of the student dress code does not reinforce or increase marginalization or oppression of any individual or group based on race, colour, creed, culture, ethnicity, linguistic origin, disability, socio-economic status, age, ancestry, nationality, place of origin, sex, gender identity, gender expression, sexual orientation, citizenship, immigration status, family status, and marital status or body type/size or another factor as defined and covered under the OHRC.

3.0 DEFINITIONS

District refers to the Renfrew County District School Board, which is also referred to as RCDSB.

Cisnormative refers to the socially constructed and biased assumptions that all human beings are cisgender (only male or female) and have only a male or female gender identity which matches the biological sex they were assigned at birth and therefore a congruent male or female (binary) gender expression to match.

Differential Treatment refers to a type of discrimination where in an individual, because of one or more of the prohibited grounds under the OHRC, is treated differently and or excluded from consideration by seemingly standard policies or practices, resulting in substantive unequal treatment, distinction, exclusion or preference that imposes a burden upon, limits, and or withholds equal access or benefits (e.g., rules specifically targeting female identified bodies).

Heteronormative refers to the belief that people fall into only two distinct and complementary gender identities (male and female) with natural roles in life based entirely upon the biological sex assigned at birth. It assumes that heterosexuality is the norm or default sexual orientation, and that sexual and marital relations are most (or only) fitting between people of opposite sex. A "heteronormative" view therefore involves alignment of biological sex, sexuality, gender identity and gender expression and roles. This socially constructed and dominant idea is biased, prejudicial and discriminatory to all non-cis gender identities and non-hetero sexual orientations and is the foundation of heterosexism, transphobia and homophobia.

Parent/Guardian refers to an individual who is on record with the school as a parent or legal guardian of a student at the school.

Sizist or size discrimination refers to prejudice or discrimination on the grounds of a person's size. Size discrimination usually refers to extremes in physical size, such as very tall or short; extremely thin or obese.

Shaming in this instance refers to any judgmental behavior that reinforces discriminatory cultural rules/ expectations related to dress, body, gender identity, gender expression, and or sexuality. This includes acts of 'slut shaming and body shaming' as well as behaviours that negatively impact a person's dignity and self worth.

4.0 RESPONSIBILITY

The Director of Education holds primary responsibility for this AP. Within the Director's Office, the responsibility for the implementation, coordination, and day-to-day management of the AP is assigned to the Superintendent of Equity & Anti-Racism.

5.0 APPLICATION AND SCOPE

This AP applies to all students and employees of the District.

6.0 POLICY

This AP establishes the student dress code for all schools.

6.1 Shared Rights and Responsibilities for Student Dress

Students

- a. The primary responsibility for a student's attire resides with the student and their parent(s) or guardian(s).
- b. Students have the right to express themselves, feel comfortable in what they wear, and the freedom to make dress choices (e.g., clothing, hairstyle, makeup, jewelry, fashion, style, etc.).
- c. Students have the responsibility to respect the rights of others, support a positive, safe and shared environment, and to comply with the Student Dress AP.

Staff

- a. Staff are responsible for ensuring that student dress does not interfere with student and staff health or safety requirements and/or promote offensive, harassing, hostile or intimidating environments.
- b. Staff have the additional responsibility to balance student health, well-being, and safety and foster positive school climates while affirming and respecting student choices and freedom of expression.

6.2 Student Dress Code

- a. Students may attend school and school-related functions in dress of their choice that conforms to following system standards.
- b. Student dress must:
 - Be worn in such a way that all bottom layers cover groin and buttocks and top layers cover nipples, both with opaque material.
 - Tops may expose shoulders, abdomen, midriff, neck lines and cleavage.
 - Bottoms may expose legs, thighs, and hips.
 - Undergarments may not be substituted as outerwear and, if worn, should be worn beneath a layer of outer wear.

- Straps and waistbands may be exposed however.
 - Any headwear that does not obscure the face may be worn.
- Conform with established health and safety requirements for the intended activity (e.g., health and physical education classes, science and chemistry classes, sporting events, technical education, drama/dance classes, etc.).
 - Respect the District’s intent to sustain a community that is positive, anti-oppressive, equitable, accepting and inclusive of a diverse range of social and cultural identities.
 - Not promote offensive, lewd, vulgar, or obscene images or language, including profanity, hate and pornography.
 - Not promote, nor, could not be construed as or include content that is discriminatory (e.g., racist, anti-Black, anti-Indigenous, anti-Semitic, Islamophobic, sexist, transphobic, homophobic, classist, ableist, sizist, etc.), or that reasonably could be construed as defamatory, threatening, harassing or promoting bias, prejudice or hate.
 - Not symbolize or display: tobacco, cannabis, alcohol, drugs or related paraphernalia, promotion or incitement of violence or any illegal conduct or criminal activities.
 - Not interfere with the safe operation of the school, limit or restrict the rights of others, or create a reasonably foreseeable risk of such interference or invasion of rights (e.g., except for creed accommodations and safety requirements, no head wear may obscure the face, all other head wear may be worn).
 - Conform with any established standard school uniform.

6.3 Discretionary Restrictions

- a. Any restrictions to the way a student dresses must conform to the student dress code and will be necessary to support the overall educational goals and activities of the school (e.g., bathing suits/ swim wear are restricted for pool/ swimming activities.)
- b. Any discretionary exceptions to the student dress code must be authorized by the Principal or delegate and must be consistent with the *Canadian Charter of Rights and Freedoms*, the OHRC, and the Equity and Inclusive Education AP 452 (e.g., OHRC accommodation requests, sports equipment, etc.).

6.4 Human Rights Accommodations

The student dress code must be implemented with every student in mind and result in barrier free access to the fullest extent possible (e.g., no zero tolerance head wear, rigid gender stereotypes, rules of dress, etc.). The District is committed to provide individual human rights based accommodations (e.g., creed dress restrictions, gender expression, etc.) short of undue hardship. However, the standard design and application of the student dress code must be flexible enough to account for the diversity, accessibility, safety and dignity of all students up front, thus minimizing the need for individual accommodation requests to ensure inclusivity.

6.5 Professional Development and Student Education

- a. The District will provide opportunities for staff to enhance knowledge and awareness of discriminatory impact of unfair application of the student dress code (e.g., assumptions or stereotypes about diverse racial heritage, creed beliefs, rigid gender roles, gender identities and expressions, socioeconomic status, disabilities, sexuality or perceived sexual behaviour related to hair, clothing colours, fashion choices, etc., that are based on or reinforce bias, prejudice and discrimination.).
- b. Students will receive regular anti-oppression education on topics of: boundaries, consent, healthy relationships, sexual harassment and bullying and violence prevention, to enhance the knowledge, skills, attitudes and behaviours that ensure diverse student dress choices are fostered in a respectful, inclusive, safe and positive school climate.

6.6 Enforcement

- a. To ensure effective and equitable enforcement, staff must be consistent and fair in application of the student dress code and base decisions on objective, verifiable evidence of impact.
- b. Staff will not use subjective discretion to vary the requirements in any ways that lead to discriminatory outcomes, differential treatment or reinforce and/or increase marginalization or oppression.
- c. Student dress code violations that threaten health and safety, and/ or promote violence, illegal activity, bullying, harassment, and/or are motivated by the bias, prejudice or hate against any individual or identifiable groups, are serious violations of the Student Conduct AP 350 as well as *Policy/Program Memorandum 119*.
- d. Staff will respond to all other student dress code violations in a manner that:
 - Treats the violation as minor on the continuum of school rule violations.

- Ensures no student is negatively affected by dress code enforcement because of racial identity, sex assigned at birth, gender identity or expression, sexual orientation, ethnicity, creed beliefs, cultural or religious identity, disability, household income, body size/type, or body maturity or any other grounds covered under the OHRC.
- Ensures consistent and fair application of the student dress code rules that never results in differential treatment.
- Ensures students are not shamed or required to display their body in front of others (students, parents/guardians, or staff) in school.
- Does not require the removal of students from a classroom or a loss of class time as a disciplinary consequence.
- Offers a continuum of choices to remedy any violation of dress code:
 1. Ask the student to wear additional clothing of their own to obscure the choice of dress.
 2. Allows the student to seek out and borrow additional clothing from another peer.
 3. Allows the student to contact a parent/guardian to bring extra clothes.
 4. Allows the student to wear clothing provided by the school.
- e. Students who refuse to comply with choices provided to remedy inappropriate dress and/or who repeatedly violate the student dress code may be subject to progressive discipline under AP 350.

6.7 Concern or Complaint Protocol

- a. For concerns or complaints related to student dress code, students and parents/guardians are encouraged to put their concerns/complaints in writing that are unable to be resolved by discussions with staff. Written concerns/complaints from students and parents/guardians must be reviewed and responded to by the school Principal and or the Superintendent in a timely manner.

6.8 School Uniforms (e.g., Secondary Phys Ed Uniforms)

- a. Any uniform standard must conform to the student dress code (as outlined in 6.2).
- b. The discussion about school uniforms must examine any equity impacts of adopting a uniform including (but not limited to) financial burden and socioeconomic disparity and sexist or heteronormative/cisnormative designs.

- c. Equity criteria must be used to determine and mitigate any barriers to access or participation imposed by uniform fees/costs and a transparent, socio-economic equity plan created to defray any costs for any families who may require accommodation. No students may be denied program access because of inability to afford uniforms.

7.0 EVALUATION

This AP is to be reviewed and updated as required but at a minimum every four (4) years.

8.0 APPENDICES

Appendix A: Student Dress Examples

LEGAL REFERENCES

Canadian Charter of Rights and Freedoms

Education Act, R.R.O. 1990, Regulation 298, Operation of Schools General Section 11 (19.1.ii)

Ontario Human Rights Code

Ministry of Education Policy/Program Memorandum 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools

RCDSB REFERENCES

[Administrative Procedure 340 Bullying, Harassment Prevention & Intervention](#)

[Administrative Procedure 343 Gender Identity & Expression](#)

[Administrative Procedure 350 Student Conduct & Progressive Discipline](#)

[Administrative Procedure 450 Human Rights](#)

[Administrative Procedure 452 Equity & Inclusive Education](#)

Procedure History

Approved:	2004; October 2010; November 2011; December 2016; May 2022
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STUDENT DRESS EXAMPLES

All students must wear a top and bottom layer of clothing of opaque material. Bottom layers must cover groin and buttocks and top layers must cover nipples.

Tops may expose shoulders, abdomen, midriff, neck lines and cleavage. Bottoms may expose legs, thighs and hips. Undergarments may not be substituted as outerwear and if worn, should be worn beneath a layer of outer wear. Straps and waist bands may be exposed however. Any headwear that does not obscure the face may be worn.

Students may wear tops and bottoms that conform with the student dress code including the following examples.

Students may wear:

- Tops: shirt/ T-shirts/ sweater / vest / midriff baring shirts / tank tops, including spaghetti straps, halter tops, and “tube” (strapless) tops, backless tops, V-neck, plunging necklines, etc.
- Bottom: pants / jeans/ sweatpants / shorts / skirt / dress / leggings/ fitted pants, including leggings, yoga pants, ripped jeans and “skinny jeans”, etc.
- Clothing that conforms to established health and safety requirements in classes where protective or supportive clothing is needed, such as chemistry / biology (eye or body protection), dance (bare feet), or health and physical education (athletic attire / specific footwear/ protective gear/ sports equipment/ shower flip-flops).
- Headwear: hats, du-rags, bandanas, hoodies, creed-based headwear, etc.
- Pyjamas/ onesies
- Attire that leaves waistbands or straps on undergarments visible
- Athletic attire

Students may not wear:

- Violent language or images or messages that promote, threaten or incite violent behaviours.
- Images or language promoting or depicting drugs, illegal items, activity, promotion or incitement of criminal behaviours.
- Images or language promoting or depicting discrimination, hate, profanity or pornography.
- Images or language motivated by bias, prejudice or hate or that promote or incite harassment, bullying, hostile or intimidating environments for any individual or group based their race, colour, creed, culture, ethnicity, linguistic origin, disability, socio-economic status, age, ancestry, nationality, place of origin, sex, gender Identity, gender expression, sexual orientation, citizenship, immigration status, family status, and marital status or body type/size or another factor as defined and covered under the OHRC.
- Any clothing that threatens health and safety or presents a foreseeable risk to the school, the wearer or others based on objective, verifiable evidence.
- Underwear as the only layer of clothing.

Students may seek permission to wear:

- Bathing suits/ swim wear for pool/ swimming activities
- Halloween costumes/ sports helmets that obscure a face
- Sports bras as outer wear for athletic activities
- Dress requirements to support a creed practices and similar human rights accommodations