

Student Dress Code

1.0 Objective

The Purpose of the Student Dress Code procedure is to implement the Board's policy.

School-level dress codes (a "Student Dress Code") informed by parents, guardians, staff, and students, promotes a safe, equitable, welcoming, respectful and inclusive environment for teaching and learning that supports student well-being and is free from discrimination. The Durham District School Board (DDSB) respects the diverse needs and identities of our communities and values their contribution to the student dress code. This procedure is informed by and compliant with the Canadian Charter of Rights and Freedoms, the Ontario Human Rights Code, the Ontario Education Act and the Durham District School Board's Guidelines and Procedures for the Accommodating Creed in Schools: An Inclusive Approach.

The DDSB is committed to ensuring that school-level student dress codes:

- consider and address the disproportionate and negative impacts that dress code policies may have on specific groups of students based their identities
- are progressive and honour the diverse needs and identities and safety of all students and staff
- consider and address any safety issues related to the dress code

The Student Dress Code must also comply with legislative requirements and support the District's commitment to human rights, equity, anti-oppression, anti-racism, non-discrimination, and equitable and inclusive education.

Therefore, each school shall establish a Student Dress Code in compliance with this Board's Dress Code Policy and this procedure. The Student Dress Code shall respect the diverse rights, needs and identities of the students and shall comply with the Canadian Charter of Rights and Freedoms, the Ontario Human Rights Code, the Ontario Education Act and the Durham District School Board's Guidelines and Procedures for the Accommodation Creed in Schools, An Inclusive Approach. The Dress Code shall reflect student voice, including individuals and groups with diverse identities and needs and shall promote, protect and respect the rights and the safety and the well-being of self and others. Once established, all students shall comply with the Student Dress Code.

2.0 Definitions

In this procedure,

- 2.1 Board within this policy document refers to the Board of Trustees for the DDSB.
- 2.2 District refers to the corporate entity of the Durham District School Board.
- 2.3 Staff refers to any individual who is employed by the DDSB.

- 2.4 Administration refers to any individual or group constituted under the Education Act and in a position of authority by the DDSB to implement, administer, or manage policies and procedures of the Ontario Ministry of Education and the DDSB.
- 2.5 Health and Safety Standards refers to the core responsibility of the DDSB as outlined in the Positive School Climate policies and procedures and the Code of Conduct, and Discipline for Students.
- 2.6 School Community Council (SCC) is an advisory body that makes recommendations to the Principal and school board to further student achievement and well-being. Every school in the DDSB shall have a School Community Council (SCC). The Principal shall solicit the views of the SCC with respect to appropriate dress for pupils in schools (Ont. Reg. 612/00 under the Education Act).
- 2.7 Student Dress Code is a school-level standard of dress for all students in accord with the terms of the Student Dress Code and this procedure.
- 2.8 Inappropriate dress refers to attire that is not compliant to the principles found within this procedure and that impacts the rights, health and safety of the individuals or others.
- 2.9 School uniform is a type of dress code that defines specific dress to be worn by the students and has been implemented through the requirements of this procedure

3.0 Responsibilities

- 3.1 **Director of Education:** The operations of the District are the responsibility of the Director of Education (and designates) and include measures to implement and ensure compliance with Board policy by adapting and implementing appropriate procedures and by providing professional learning and training to staff to support implementation. A focus on enhancing understanding of human rights obligations and addressing discriminatory assumptions, stereotypes and unconscious bias is required.
- 3.2 **Administration:** Principals (and designates) are responsible to collaborate with students, staff and parents in establishing and implementing the Student Dress Code. Administration is also responsible for teaching and communicating with all stakeholders the expectations of the Student Dress Code. Administrators share a responsibility in modelling and monitoring the Student Dress Code and are responsible for appropriate interventions and/or progressive discipline with students when infractions occur. Dress Code interventions should focus on a restorative and educational approach
- 3.3 **School Staff:** Have a responsibility in positively modelling and monitoring the Student Dress Code policy. Attention to health and safety considerations and an environment that is free from hate and discrimination will guide staff in their interactions. They also work in collaboration with administration to support the successful implementation and maintenance of the Student Dress Code policy.
- 3.4 **Students and Parents:** The primary responsibility for attire resides with the student and their parent(s) or guardian(s). Students have the right to express themselves, to feel comfortable and make dress choices. They have an equal responsibility to respect the rights of others, treat others with dignity and respect and support a positive, inclusive and safe shared environment that complies with the Student Dress Code, the School Code of Conduct and the Ontario Human Rights Code.

- 3.5 **School Community Council:** School Community Council (SCC) is an advisory body that makes recommendations to the Principal and school board to further student achievement and well-being (Ont. Reg. 612/00 under the Education Act).

4.0 Guidelines and Considerations

Human Rights and Accommodation

The District is committed to providing services and workplaces that are safe, welcoming, respectful, inclusive, equitable and accessible, and that are free from discrimination and harassment under the Ontario Human Rights Code.

This means:

- 4.1 Considering a student's Human Rights Code related needs on an individual basis and providing accommodation when required to the point of undue hardship. Note: undue hardship is a very high legal standard. If a principal is concerned that an accommodation could amount to undue hardship, the principal shall contact their superintendent before making a decision regarding the accommodation.
- 4.2 No student shall be treated differently because of biases, assumptions or stereotypes associated with Human Rights Code related characteristics or combination of characteristics (e.g. ancestry, race, disability, gender identity/expression, sexual orientation, etc.)

5.0 Procedures

- 5.1 School-level student dress codes shall be in compliance with this procedure and shall uphold the strategic direction, principles and objectives of the Student Dress Code Policy.
- 5.2 The Student Dress Code will be reviewed annually by the SCC. Wider consultations will occur at least every 4 years and may occur more frequently based on the principal's discretion and/or the recommendation of the SCC.
- 5.3 Student voice and engagement in establishing and reviewing the Student Dress Code will reflect the diversity of the students within the school.
- 5.4 A school's Student Dress Code will support a safe welcoming and inclusive school environment that recognizes the shared responsibilities to promote and protect individual rights and freedoms and to maintain respectful, safe and positive school climates.
- 5.5 The creation and enforcement of the school-level Student Dress Code shall comply with the Ontario Human Rights Code and shall not reinforce nor lead to discrimination, marginalization or oppression of any individual or group as outlined in the Ontario Human Rights Code.
- 5.6 School-level Student Dress Codes shall include the following content:

A) Appropriate Dress

Students must wear;

- Clothing which includes both a top and bottom layer
- Footwear

Students may wear;

- Any clothing that supports a human rights related need or accommodation

- Clothing (tops) that expose arms, shoulders, stomach, midriff, neckline, cleavage, and straps but will cover nipples
- Clothing (bottoms) that expose legs, knees, thighs, hips and expose waistbands but will cover groin and buttocks
- Any headwear that does not obscure the face, subject to human rights related needs and accommodations

B) Inappropriate Dress

Students may not wear;

- Clothing that promotes /symbolizes illegal activity (including gang activity) or drugs or alcohol or their use
- Clothing that promotes, symbolizes or incites hate, discrimination, bias, prejudice, profanity, pornography, incites harassment or bullying, threatens harm to the safety of self or others or that includes offensive (e.g. sexist, racist, homophobic, anti-indigenous, anti-Black, anti-Semitic, Islamophobic, etc.) images or language
- Clothing (tops) that exposes nipples
- Clothing (bottoms) that expose groin and/or buttocks
- Clothing (mask/scarf) that obscures the face (unless required to meet human rights related needs or accommodations)
- Undergarments as outerwear
- Transparent clothing that fully exposes undergarments
- Swimwear unless required for curricular or co-curricular approved activities

C) Health and Safety Dress Code Requirements

Students must comply with Health and Safety requirements for specific courses and/or co-curricular programs. Specialized dress requirements including personal protective/safety equipment occur in many classes/programs including science, physical education, technology and cooperative education.

Parents, guardians, and students must be informed well in advance, and individual needs will be accommodated by the school short of undue hardship.

In some special circumstances students may be required (or choose) to wear personal safety clothing (e.g. surgical mask) for medical reasons. Communication between the student, parents, and guardians and administration must occur for these situations.

For some special events, the school may allow students to wear a costume. The costume must not promote racial, gender, cultural or other negative stereotypes based on Human Rights Code grounds. Students still need to comply with the dress code requirements (refer to 4.2 and 5.6 A and B).

6.0 Student Dress Code and Progressive Discipline

- 6.1 The establishment, implementation and management of the Student Dress Code is assigned to the school Principal (or designate). All staff have a responsibility to follow the Student Dress Code policy and work in collaboration with administration to support the successful implementation and maintenance of the policy.
- 6.2 Administrators and staff must be consistent in their approach and take individual needs and circumstances into consideration to ensure effective and equitable enforcement of the Student Dress Code and shall base decisions on objective and verifiable factors.
- 6.3 Student Dress Code violations that threaten the health and safety of the students or other members of the school community and/or promote violence, illegal activity (including gang

activity), bullying, harassment, hate, prejudice against others are considered serious and are to be dealt with accordingly using District's guidelines for progressive discipline (refer to 5.6 B).

- 6.4 Principals will consider other dress code infractions on the continuum of school conduct violations and respond accordingly using progressive discipline, focusing on education and future conduct.
- 6.5 Principals will ensure no student is negatively impacted by Student Dress Code enforcement because of sex, race gender identity/expression, sexual orientation, ethnicity, cultural identity/beliefs, religious identity/beliefs, disability, socio-economic status, body type/size or body maturity or any other grounds covered by the Ontario Human Rights Code

7.0 Review Process

- 7.1 The Principal shall review the "Student Dress Code" annually with the SCC.
- 7.2 The Principal will also use the latest School Climate and Well-Being Survey data, Student Identity Survey data to support the review process.
- 7.3 The Principal (or designate) will undertake a wider consultation at least every 4 years but may do so more frequently based on their discretion or the recommendation of the SCC. Such consultation will solicit the views of students (wide and diverse representation), staff, School Community Council, parents and community partners. The Principal will inform the School Community Council and school community on how the recommendations have been taken into account.
- 7.4 Input and consultation meetings should be well advertised and communicated with all stakeholders and follow the DDSB Policy Consultations. Consultations may involve surveys, focus group meetings and or formal meetings.

- 7.5 Information gathered through the consultation process should be shared with all stakeholders

8.0 Communications and Information Accessibility

- 8.1 The Student Dress Code shall be included in the School Code of Conduct.
- 8.2 The Student Dress Code shall be communicated to the school community. Strategies, such as the School Handbook, Code of Conduct, agendas, newsletters, reports and/or meetings and school website, are examples of appropriate communication tools.

9.0 Procedure for Adopting a School Uniform Dress Code

- 9.1 The SCC must inform the principal by October for possible implementation the following September.
- 9.2 The principal and staff will initiate a consultation process compliant with Board Policy on Consultation. The Key components of the consultation for a uniform dress code will be:
 - a) engaging various groups with diverse identities and needs (e.g., ethnocultural, religious, LGBTQ, etc.) within the school community.
 - b) facilitation of multiple modes of engagement including, but not limited to surveys, discussions, and focus groups.

- c) specific engagement of the SCC, The Safe and Accepting School Team, The Student Council, Students, Parents and Guardians, and Staff.
- d) the Education Officer for Equity and Inclusive Education and the Human Rights and Equity Advisor must be consulted.

9.3 **School Community Council Approval**

- a) The principal shall present the final draft of the Uniform Dress Code or School Uniform Dress Code to the School Community Council for approval to proceed to a family vote.
- b) 80% of the elected School Community Council members in attendance must vote in favour of proceeding to a family vote on the proposed draft for Uniform Dress Code or School Uniform Dress Code.
- c) If the School Community Council votes in favour of proceeding to a family vote on a Uniform Dress Code or School Uniform Dress Code, they shall organize a family vote in consultation with the principal.

9.4 **Family Vote for Uniform Dress or School Uniform**

- a) Each family shall be entitled to one family vote. The vote may be exercised by the parent/guardian or the student, if the student is 18 years of age or older.
- b) The Uniform Dress Code, including a full description of the requirements and relevant costs, shall be clearly communicated to families in the school before the family vote. This information shall also be included on the voting ballot. If a school uniform is being considered, parents should be given the opportunity to view the proposed uniform.
- c) Timelines for the voting process, return of ballots and communication of the results shall be established by the School Community Council.
- d) The Family Vote shall be an accept or reject vote. To gain approval, **80% of the families in the school** must submit their ballot in favour of the proposed Uniform Dress or School Uniform Dress Code. Unreturned ballots will be considered a negative vote.
- e) The result of the vote shall be communicated to the school community.
- f) The implementation of the Uniform Dress or School Uniform Dress Code shall be the first day of the following school year.

9.5 **Special Considerations**

- a) If individual families have difficulty meeting the requirements of the Uniform Dress code the school principal shall address these needs.
- b) Families, who chose not to attend their Home School due to a uniform requirement, may apply for permission to enroll at another school. Transportation is the responsibility of the parent/guardian.

9.6 **Purchasing of School Uniforms**

- a) Principals should ensure that all school uniforms purchased are through Durham District School Board approved vendors.

10.0 **Reference Documents**

10.1 **Policies**

Consultative Process
Policy Formation and Review
Code of Conduct
SCC Procedures

10.2 **Procedures**

Durham District School Board's Guidelines and Procedures for the Accommodation Creed in Schools: An Inclusive Approach

10.3 **Other Documents**

Canadian Charter of Rights and Freedoms
The Ontario Human Rights Code
The Ontario Education Act

Appendix:

DDSB Progressive Discipline Guidelines

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