

SCHOOL DRESS CODES & UNIFORMS



Can my school make a dress code policy?

YES.ⁱ But your school does not have the right to use the policy to disfavor a specific message or single out one particular group of students.

Can my school enforce its dress code policy against only some students?

USUALLY NOT. For example, a dress code that prohibits “gang-related” apparel but is only enforced against Black students would be race discrimination and against the law.

Can my school have different dress code policies for boys and girls?

YES. Many schools do have different dress code policies for boys and girls. But some differences in dress codes may not be okay. Such policies could include ones that prohibit girls from wearing yoga pants and leg warmers or boys from having long hair.

If you can't be yourself at school because of a gendered school dress code policy—for example, if you are a boy and you need to have long hair for religious reasons—please contact us.

Do I have the right to be gender non-conforming at school?

YES. Schools cannot discriminate against you based on your sexual orientation, gender identity, or gender expression.ⁱⁱ

Even if your school has a gendered dress code policy, you should still be able to wear the clothing and hairstyle allowed any student. For example, if your school allows boys to wear tuxedos to prom, then it must also allow a girl to wear a tuxedo as an expression of your gender or gender identity or your political or social views.

Do I have the right to wear clothing that communicates a political or religious message?

YES. For example, you have the right to wear a t-shirt protesting U.S. involvement in a war, endorsing or criticizing a particular politician, or in support or opposition of a social issue.

Do I have the right to wear clothing in observance of my religion?

YES. For example, you have the right to wear a headscarf or hijab if you are Muslim or a feather that holds cultural and spiritual meaning to your tribe.

Does my school have the right to stop me from wearing something because it does not approve of the message or slogan?

As a general rule, **NO.** Your school cannot stop you simply because it does not like the message your clothing conveys.

But your school can prohibit you from wearing clothing with “indecent, obscene, or lewd” messages or clothing that causes a “substantial disruption” in school or school-related activities. It can also prohibit clothing that promotes drug use.

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What counts as “indecent, obscene and lewd” messages?

“Indecent, obscene, or lewd” messages include ones that are sexually explicit, have nudity, or use profane and offense words. But if these kinds of messages have political value or content, you may have more freedom to wear them.

What counts as a “substantial disruption” to school or school activities?

A “substantial disruption” occurs when school administrators or teachers are unable to proceed with regular school activities due to the interference caused by a student’s clothing. Rumors, gossip, or excitement amongst students does not count as a “substantial disruption.”

Can my school prohibit “gang-related” clothing?

YES.ⁱⁱⁱ But your school must define what counts as “gang-related” clothing.

Are there rules my school must follow before it enforces a dress code policy?

YES. Your school or district must get approval for its dress code policy from the school board.^{iv}

Can my school adopt a school uniform policy?

YES.^v But your school must notify you of the policy and wait six months before enforcing it.^{vi} Your parent or guardian has the right to opt you out for any reason and your school cannot decide whether the reason is justified.

What if I cannot afford to buy the clothes necessary for my school uniform?

Your school district must offer resources to assist low-income students who may not be able to meet the requirements of a school uniform.^{vii} Your school cannot make purchasing a school uniform a requirement for getting an education.



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ⁱ California Education Code § 35183(b)

ⁱⁱ California Education Code § 220

ⁱⁱⁱ California Education Code § 35183(b)

^{iv} California Education Code 35183(b)

^v California Education Code §§ 35183(a)(5),(b)

^{vi} California Education Code § 35183(d)

^{vii} California Education Code § 35183(d)