

SCHOOL DRESS CODES & UNIFORMS



Can my school make a dress code policy?

YES.ⁱ But your school's dress code policy cannot be used to disfavor a specific message or single out one particular group of students. Please note charter schools may be subject to different rules than those below.

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

NO. For example, a dress code that prohibits “gang-related” clothing but is only enforced against Black students would be race discrimination and against the law.

Can my school have different dress code policies based on gender?

NO. Gender-based dress code policies are outdated, and put schools at significant legal risk. California law explicitly prohibits discrimination based on gender expression,ⁱⁱ and gender-specific dress codes exclude nonbinary or gender non-confirming students.ⁱⁱⁱ To be legally enforceable, dress codes should focus on the items all students are allowed to wear rather than set different standards for different genders.

This also applies to school-sponsored events. While schools can impose a gender-neutral requirement, like requiring formal attire for everyone at an event like prom, they cannot require boys to wear only tuxedos and girls to wear only dresses. If you can't be yourself at school because of a gendered school dress code policy—for example, if you are a boy getting in trouble for wearing your hair long—you can contact us at [ACLU of Northern California](#), [ACLU of Southern California](#) or [ACLU of San Diego & Imperial Counties](#).

Can I dress in a way that aligns with my gender identity at school?

YES. Schools cannot discriminate against you based on your gender identity.^{iv} If you are a gender non-conforming or nonbinary student, you have the right to dress and wear hairstyles in a gender non-conforming manner. Even if your school has an outdated, “gendered dress code” policy, you should still be able to wear the clothing and hairstyle that align with your gender identity. For example, if you are a transgender boy and your school allows boys to wear tuxedos to prom, you have the right to wear a tuxedo to prom.

Can my school ban clothing or hairstyles based on my race or ethnicity?

NO. Dress codes cannot explicitly discriminate based on a student's race or ethnicity and are very unlikely to do so. However, dress codes should also not be written or enforced in a way that clearly discriminates based on race or ethnicity. For example, a dress code that prohibits hairstyles predominantly worn by Black girls, such as braids, twists, or locks, would likely be illegal race discrimination under state and federal law. As of 2019, the [CROWN Act](#) explicitly bans discrimination based on natural hairstyles.

Can I 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 an eagle feather that holds cultural and spiritual meaning to your tribe.

Can my school ban clothing because it does not like the message or slogan?

USUALLY NOT. 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”

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messages or clothing that causes a “substantial disruption” in school or school-related activities. It can also prohibit clothing that promotes drug use.

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

INDECENT, OBSCENE, and LEWD MESSAGES ARE ones that are sexually explicit, have nudity, or use profane and offensive 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. Interference caused by the school administration or staff themselves, rumors, gossip, or excitement amongst students does not count as a “substantial disruption.”

Can my school prohibit “gang-related” clothing?

YES.^v But your school must clearly 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.^{vi}

Can my school adopt a school uniform policy?

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

Can my school help me if I cannot afford to buy a required school uniform?

YES. Your school district must offer resources to assist low-income students who may not be able to meet school uniform requirements.^{viii} Your school cannot require you to purchase a uniform to get an education.

RESOURCES FOR MORE INFORMATION ON DRESS CODES AND UNIFORMS

- [ACLU OF CALIFORNIA LGBTQ STUDENT RIGHTS](#)



Published August 2019 by the ACLU Foundations of California
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ⁱ California Education Code section 35183(b).

ⁱⁱ California Education Code sections 220, 210.7.

ⁱⁱⁱ Health & Safety Code section 103425(a); 2017 Cal. Legis. Serv. Ch. 853 (S.B. 179), Section 2(d).

^{iv} California Education Code section 220.

^v California Education Code section 35183(b).

^{vi} California Education Code section 35183(b).

^{vii} California Education Code section 35183(a)(5), (b), (d).

^{viii} California Education Code section 35183(d).