



# SUSPENDING SELF-EXPRESSION

## Punishing Girls of Color in New York City Schools Through School Dress Code Enforcement

**“Oversized earrings”**

**“Hairstyles that are disruptive”**

**“Excessive makeup”**

**“Headscarves”**

**“Provocative clothing”**

Girls for Gender Equity (GGE) examined the public-facing dress codes of 50 middle schools and 50 high schools across New York City, finding many prohibitions on gendered ways of dress ranging from bans on “lipstick” to bans on “platform shoes.” While the restrictiveness and severity of dress codes varied across the 100 schools, prohibitions on feminized dress were pervasive – often including sanctions that conflict with Department of Education (DOE) guidelines.

### ISSUE I: GENDER RESTRICTIVE RULES

In 2016, GGE released our *School Girls Deserve* report where students called for the elimination of gender biased dress codes, challenging teachers and administrators to undo sexist and heteronormative ideas of gender. Now, in 2020, we are uplifting this demand as respect for gender expression remains largely absent from school dress codes.

*“School administration calls us “unclassy” and “ghetto” when we wear what we want”*

Shri, 11th grader from Queens

*“[People perceived as girls] Wearing baggy clothes was considered a distraction”*

Eshani, 9th grader from Queens

### POLICY

According to the DOE’s Guidelines on Gender Inclusion:

*Dress codes must be written, enforced, and applied equally to all students regardless of gender and must be free of gender stereotypes. For example, **where a school seeks to prohibit revealing clothing, the school should use gender-neutral language** such as ‘clothing that does not provide coverage of torso, undergarments and private parts, including see-through clothing’ as opposed to prohibiting ‘distracting’ clothing or certain types of clothing which are stereotypically associated with one gender (e.g., a mini skirt).*

### PRACTICE

Despite these guidelines, prohibitions on gendered dress show up across codes:

**55** Codes Banned  
“Crop Tops”



**38** Codes Banned  
“Halter Tops”



**33** Codes Banned  
“Short Shorts”



**28** Codes Banned  
“Tube Tops”



**27** Codes Banned  
“Mini Skirts”



**27** Codes Banned  
“Distracting” Dress



# ISSUE II: HOSTILE ENFORCEMENT

## POLICY

Currently, it is up to the principal of each school to determine dress codes. This comes with some restrictions; for example, Chancellor’s Regulation A-415 states that **disciplinary action for not following a uniform policy cannot exceed the sanctions specified in the Discipline Code.** A-415 also stipulates that students shall not be suspended or removed from class, sent home to retrieve a uniform, receive any academic punishment, or be prohibited from participating in a school activity as a result of not complying with the uniform policy.

The maximum consequence in the Discipline Code for not wearing a uniform is a parent conference, while the maximum for “wearing unsafe or disruptive attire” is an “in-school response” such as a restorative conference. The Discipline Code also codifies:

*Students have the right to determine their own dress within the parameters of the NYCDOE policy on school uniforms and consistent with religious expression, except where such dress is dangerous or interferes with the learning and teaching process.*

## Example School Dress Code:

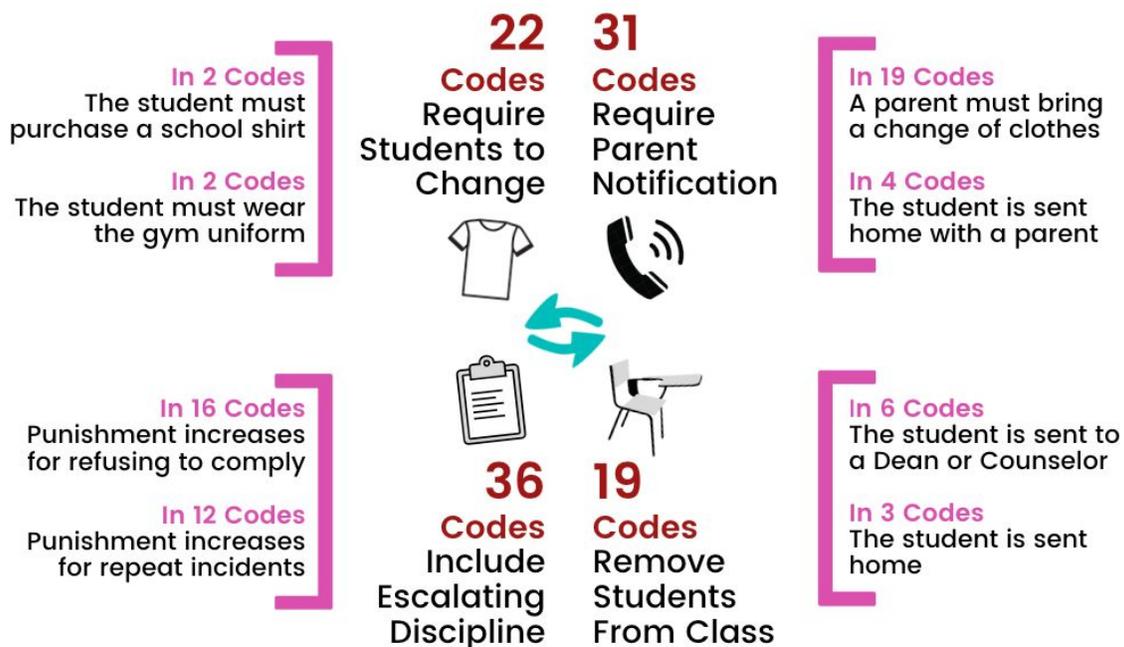


“Violations of our dress code are not accidental and the administration and staff will view these occurrences as purposeful and willful breaking of school rules. Any class time missed or in person conferences required are due to student choice.”

## PRACTICE

Of the 100 reviewed dress codes, a total of 53 incorporated written consequences for dress code violations, including calling parents, requiring that students change clothes, and removing students from class. Most (68%) of these codes detailed escalating threats of punishment for repeated violations or refusing to comply.

**In one code, students are required to wear a “dress code violation tag” for the day.** In eight dress codes, there is an explicit threat of a suspension, and **overall, the written consequences are far more punitive than the guidance offered by the DOE.**



## ISSUE III: SUBJECTIVE LANGUAGE

Young people report that school staff tell students what to wear, specifically targeting girls to blame them for the sexual harassment they experience. Any city commitment to end gender-based violence in school must consider the impact of these codes on student wellbeing.

By positioning school staff as determiners of what is and is not appropriate on a case by case basis, staff are empowered by dress codes to surveil and regulate student identity and expression. In many cases, the codes make clear that the administration reserves the right to prohibit any clothing it perceives to be inappropriate. For example, one high school dress code states, “Anything that is deemed inappropriate by the staff is inappropriate.”

These rules on what to wear reflect dominant perspectives of how to present, particularly when codes demand students dress in a way that is “conducive to learning” – sending the message that learning looks a singular way. Rules to “dress for success” and dress “professional” or “serious” further limit where young people are encouraged to set their imagination, while stigmatizing those who do not conform.

### Example School Dress Code:

“Students must come to school wearing appropriate clothing, which will enable them to work in their classes. Although we support individual personal expression, clothing which is distracting, provocative... and not suitable for a school/work environment is not allowed. Mini skirts... low-cut tops, exposed midriffs, tank tops... are all distracting and do not present a professional image.”



### Subjective Language on Hair:

- “Hairstyles that are disruptive to the educational process are prohibited.”
- “Students may not wear any objects that cover their foreheads or hair.”
- “Hair shall be groomed so that it is clean and safe for participation in school activity.”
- **“Wigs that will impair a staff member or safety agent’s ability to identify that student may not be worn in the building.”**

### Subjective Language on Jewelry:

Jewelry cannot be...

“Dangerous”

“Inappropriate”

“Disruptive”

“Large”

**“Excessive”**

“Obscene”

“Expensive”

“Ornamental”

“Fancy”

**“Oversized”**

### Subjective Language on Fit:

- “Clothing which is revealing, form fitting and considered sexually provocative is prohibited.”
- “Tank top shirts, excessively short skirts or shorts, tight or revealing clothing that can be deemed ‘offensive’ will not be allowed.”
- “Student attire should not distract anyone from learning.”
- “No extremely tight or revealing garments. These are not school appropriate.”

## RECOMMENDATIONS

Girls and gender non-conforming and nonbinary (GNC/NB) youth of color are resisting these gender restrictive and racialized dress codes and demanding equal access to education. Overwhelmingly, the codes we reviewed tell girls and GNC/NB youth that they are not in control of their bodies and effectively create different expectations across gender identity and expression.

**With great urgency, we call on the Department of Education to:**

### TEND TO THE ROOTS

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**Our review of 100 dress codes revealed only one school with an intentional, gender inclusive code.** Whatever the intent, dress codes will never prevent sexual harassment; instead, policing student attire to “prevent” sexual violence perpetuates rape culture.

Rather than attending to rules about what young people wear, the DOE must focus on investing in cultures of consent where all students feel safe and affirmed.

### END ENFORCEMENT

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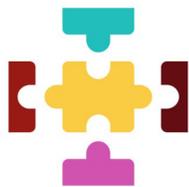


Many dress codes rely on a broad interpretation of the Discipline Code to justify a harsh punishment, like calling dress code violations “defiance” or “disrupting the educational process” in order to remove students from class.

The DOE must end the use of exclusions and removals to respond to how students present in school.

### CENTER YOUNG PEOPLE

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School dress codes are not required to be responsive to or constructed in collaboration with the young people they govern. Further, DOE-led remediation for inappropriate dress codes supposedly only happens when complaints escalate, meaning students cannot access tangible relief.

The DOE must equip students with tools and knowledge of their rights. This also means centering student participation in conflict and harm prevention efforts and reform. Youth-driven restorative practices offer a way forward.

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## ABOUT GIRLS FOR GENDER EQUITY

Girls for Gender Equity (GGE) is a Brooklyn-based intergenerational advocacy organization, engaging cisgender and transgender girls of color and gender non-conforming youth of color. GGE centers Black girls in the movement to achieve gender and racial equity. Since 2001, GGE has committed to the optimal development of our communities through a combination of direct service, policy change, community organizing, and culture change work.

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