

Policy Statement #3170 (Student) of the Board of Education Regarding Dress

I. Purpose

- A. The purpose of this policy is to provide guidelines, standards, and implementation procedures for student dress during the school day and during other school-related activities.

II. Definitions

Within the context of this policy, the following definitions apply:

- A. Attire – Articles or aspects of personal appearance including, but not limited to: clothing, footwear, headwear, jewelry or accessories, wearable technology, book bags, body art, tattoos, or sunglasses.
- B. Gang – Refers to a criminal gang which is a group or association of three or more persons whose members:
1. Individually or collectively engage in a pattern of criminal activity;
 2. Have as one of their primary objectives or activities the commission of one or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and
 3. Have in common an overt or covert organizational or command structure.
- C. Headwear – Any article worn on the head including, but not limited to, hats, scarves, bandanas, hoods, or visors.
- D. Gender – The attitudes, feelings, and behaviors that a given culture associates with a person's biological sex.
- E. Gender Expression – The external manifestation of one's gender identity, usually expressed through behavior, clothing, haircut, voice, or body characteristics.
- F. Gender Identity – One's internal, personal sense of his/her/their own gender.
- G. Health – A state of positive physical, mental, emotional, and social well-being.
- H. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
1. Biological Parent – A natural parent whose parental rights have not been terminated.
 2. Adoptive Parent – A person who has legally adopted the student and whose parental rights have not been terminated.

3. Custodian – A person or an agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.
 4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
 5. Caregiver – An adult resident of Calvert County who exercises care, custody or control over the student, but who is neither the biological parent nor legal guardian, as long as the person satisfies the requirements of the Education Article, §7-101 (c)
 6. Informal Kinship Care or has been issued a U.S. Department of Health and Human Service’s Office of Refugee Resettlement (ORR) Verification of Release form entering into a custodial arrangement with the federal government.
 7. Foster Parent – An adult approved to care for a child who has been placed in their home by a state agency or a licensed child placement agency as provided by the Family Law Article, §5-507.
- I. Religion – A recognized system of belief or worship encompassing the nature of a deity and/or reality and the relationship of human beings to that deity and/or reality.
 - J. Religious Holiday – Significant traditional and customary day of religious observance, excluding regular weekly prayer, services, or practices.
 - K. Religious Obligation – Traditional and customary practice required of adherents to a religion.
 - L. Safety – The condition of being protected against physical and/or emotional harm.
 - M. School-Related Activity – Any school system activity, on or off school property, in which a student directly participates (e.g., school field trip, athletic event, class/graduation activity, homecoming, prom, etc.) or an activity in which the student does not directly participate but represents the school or student body by being present (e.g., spectator at a school event).

III. Policy Statement

- A. The Board of Education is committed to providing a safe, inclusive, and nurturing educational environment conducive to student learning. The Board recognizes the right of students to express themselves through their choice of personal attire and affirms that the primary responsibility for a student’s attire resides with the student and parents.
- B. The Board is committed to equitable educational access for all students, and this student dress code does not differentiate based on students’ race, color, religion, sex, age, ancestry or national origin, familial status, marital status, physical or mental disability, sexual orientation, gender identity and expression, genetic information or age, body type, body size, or personal style.
- C. The Board’s values for the student dress code are:

1. All students should be able to dress comfortably for school without fear of or actual unnecessary discipline or body shaming.
 2. Teachers can focus on teaching without the additional and often uncomfortable burden of dress code enforcement.
 3. Students should not face unnecessary barriers to school attendance.
 4. Reasons for conflict and inconsistent identification of possible infractions should be minimized whenever possible.
- D. While student dress and appearance are the responsibility of students and their parents, the Board believes that dress and appearance should not disrupt or interfere with any aspect of the educational process and expects that dress and appearance are consistent with all Board policies.

IV. Guidelines

- A. The student dress code will be implemented equitably regardless of students' race, color, religion, sex, age, ancestry or national origin, familial status, marital status, physical or mental disability, sexual orientation, gender identity and expression, genetic information or age, body type, body size, or personal style.
- B. Student attire may not disrupt the learning environment, interfere with the health or safety of any student, nor contribute to a hostile or intimidating atmosphere for any student.
- C. Students may wear attire of their choice that is otherwise not prohibited (See Section H below) and that aligns with their gender, gender expression, or gender identity.
- D. Students may wear religious attire without fear of discipline, discrimination, or bullying.
- E. Students must wear:
 1. Shirt or top (all shirts and tops must at least cover the student's navel)
 2. Bottom (for example, pants, sweatpants, shorts, skirt, dress, and leggings)
 3. Shoes (curricular or activity-specific shoes may be required)
- F. Certain body parts must be covered for each student. Clothes must be worn in a way such that the chest, navel, pelvic/groin area and buttocks are covered with material that is not transparent.
- G. Students are permitted to wear:
 1. Hats, hoods, or headwear, as long as the student's face and ears are visible and are not obscured, and the student's identity is not concealed.
 2. Tank tops (including ones with spaghetti straps), halter tops, and strapless tops.
 3. Ripped jeans that do not expose undergarments.
 4. Athletic attire.
- H. Students are not permitted to wear:

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Adopted: 7/13/23

Revised:

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1. Attire that depicts profanity, hate speech, obscenity, or violence, including by the use of weapons.
2. Attire that promotes use of tobacco, drugs, alcohol, or other illegal or harmful products.
3. Attire that promotes, implies, or contains sexually suggestive messages
4. Visible underwear or bathing suits.
5. Headwear that obscures the face, except as a religious obligation, observation of a religious holiday, or for a school-related activity.
6. Attire that depicts gang affiliation.
7. Attire that causes or is likely to cause a material disruption, a substantial disorder to school activities or the orderly operation of the school, or an invasion of the rights of others.
8. Attire that contains language or symbols that demean an identifiable person or group or otherwise infringes on the rights of others.
9. Attire that may be used as a weapon (e.g., chains, dog collars, hats with spikes) or that may cause damage to school property.
10. Sunglasses may not be worn inside of the school building unless prescribed by a physician. If sunglasses are prescribed, a medical form must be completed and submitted to the main office.
11. Wearable technology (i.e., earbuds, headphones) when it interferes with instruction or student safety.

V. Delegation of Authority

- A. The Superintendent is directed to develop administrative procedures to implement this policy in accordance with all local, state, and federal laws and regulations. The Superintendent is further directed to communicate this policy and accompanying procedures to all students, parents, and school-based staff via an annual notice of these provisions.

VI. Exceptions

- A. There are no exceptions to this policy. However, the Board, by majority vote, may temporarily suspend all or part of this policy. Suspension of all or part of this policy, however, in no way relieves the Board of its obligation to comply with the pertinent local, state, and federal laws and regulations or the rules and regulations of the Maryland State Board of Education and the Maryland State Department of Education.

VII. Review

- A. This policy will be reviewed at the end of four years, or sooner, if approved by a majority vote of the Board of Education in public session.

VIII. Effective Date

A. This policy is effective July 13, 2023.

Citations:

State Law:

State Reg:

Federal Law: