

2022

TVDSB GUIDELINES FOR **STUDENT DRESS**



EQUITY

Thames Valley students come from diverse backgrounds and have diverse identities and experiences. Decisions about dress are personal and reflect individual expression of identity and socio-cultural norms and are therefore important to student well-being.

Dress codes in schools often create and maintain ideas about dress that is 'normal' or 'appropriate' that do not reflect students' identities – including their gender identity, cultural identity, race and creed. As a result, dress codes can reinforce harmful stereotypes and treat certain groups of students differently than others, resulting in discrimination. They may also devalue students' ability to exercise control over their own bodies by choosing how they dress.

Thames Valley learning and working environments must be free from discrimination. All staff must ensure students feel safe and included and are treated fairly at school. This means affirming students' identities in everyday practice, and supporting interactions between staff and students that are based on individual dignity and mutual respect.



Using the Guidelines



Thames Valley's Guidelines for Student Dress:

- Set **expectations** for student dress **in all Thames Valley schools** that are equitable and non-discriminatory.
- Ensure **consistent practices** across the district in communicating with students, families and staff about dress that is suitable for a K-12 learning environment, and in having conversations with students about dress that are supportive and inclusive.
- Prioritize safety, while affirming and respecting students' identities, choices, and freedom of expression.
- Help to maintain school environments that are positive, anti-oppressive, and inclusive of diverse identities.

These Guidelines apply to all Thames Valley students and employees. The Guidelines describe dress expectations for students, AND the responsibilities of staff for implementing, applying, and educating about these expectations. Employee dress should be guided by collective agreements, health and safety regulations, professional association codes of ethics and professional job requirements.

Language

Bias-aware

Bias-aware refers to being aware or acknowledging the existence of attitudes, reactions, stereotypes and categories, both conscious and unconscious, that affect behaviour and understanding.

Cisnormative

Cisnormative refers to the socially constructed and biased assumptions that all human beings are cisgender (only male or female), have only a male or female gender identity which matches the biological sex they were assigned at birth and, therefore, a congruent male or female (binary) gender expression to match.

Cultural Appropriation

Cultural Appropriation refers to taking intellectual property, traditional knowledge, cultural expressions, or artifacts from someone else's culture without permission. This can include unauthorized use of another culture's dance, dress, music, language, folklore, cuisine, traditional medicine, religious symbols, etc. It's most likely to be harmful when the source community is a minority group that has been oppressed or exploited in other ways or when the object of appropriation is particularly sensitive, (e.g., sacred objects).¹

Differential Treatment

Differential Treatment refers to a type of discrimination wherein an individual, because of one or more of the prohibited grounds under Ontario's Human Rights Code, is treated differently and or excluded from consideration by seemingly standard policies or practices, resulting in substantive unequal treatment, distinction, exclusion or preference that imposes a burden upon, limits and or withholds equal access or benefits.

Headwear

Headwear refers to coverings or accessories for the head, such as hats, caps and scarves or other fabric.

Heteronormative

Heteronormative refers to the belief that people fall into only two distinct and complementary gender identities (male and female) with natural roles in life based entirely upon the biological sex assigned at birth. It assumes that heterosexuality is the norm or default sexual orientation, and that sexual and marital relations are most (or only) fitting between people of opposite sex. A "heteronormative" view therefore involves alignment of biological sex, sexuality, gender identity and gender expression and roles. This socially constructed and dominant idea is biased, prejudicial and discriminatory to all non-cis gender identities and non-heterosexual orientations and is the

foundation of heterosexism, transphobia and homophobia.

Parent/ Guardian

Parent/ Guardian refers to an individual who is on record with the school as a parent or legal guardian of a student at the school.

Shaming

Shaming in this instance refers to any judgmental behavior that reinforces discriminatory cultural rules/ expectations related to dress, body, gender identity, gender expression and or sexuality. This includes acts of "slut shaming" and "body shaming" (humiliating, expressing mockery or criticism about a person's shape or size), as well as behaviours that negatively impact a person's dignity and self worth.

Sizist

A Sizist refers to prejudice based on the grounds of a person's size. Sizist usually refers to extremes in physical size, such as very tall or short, extremely thin or obese.

Student Dress

Student Dress refers to the ways in which students express themselves through clothing, headwear, footwear and other accessories, hairstyles, jewelry and makeup.

¹Susan Scafidi (2005)

Rights and Responsibilities

A **student and their parent(s)/guardian(s)** are responsible for the student's attire at school.

Students

Students have a right to express themselves, including through dress, as part of their personal style. They have a right to make choices about their dress and to feel comfortable in what they wear. In doing so, students exercise autonomy over their own bodies and are affirmed in their ability to make choices that impact their bodies.

Students *are responsible* for respecting the rights of other students to express themselves, make choices, and feel comfortable. Students are responsible for following the Student Dress Guidelines and for supporting a school environment that is safe, positive and inclusive.

All Thames Valley staff

All Thames Valley staff *are responsible* for following the Guidelines and working in collaboration with

administration to support the successful implementation of the Guidelines.

Principals and Vice-Principals

Principals and Vice-Principals *are responsible* for ensuring consistent and fair application of the Guidelines. Specifically, Principals and Vice-Principals are responsible for ensuring student dress does not interfere with student or staff health and safety requirements, and that the application of the Guidelines does not lead to discriminatory outcomes, differential treatment, or increased marginalization or oppression. Principals and Vice-Principals are responsible for balancing the need to ensure student health, safety and well-being with both the obligation to foster a positive and inclusive school climate and the requirement to respect student choices and freedom of expression.

Principals *are responsible* for communicating with school councils, parents/guardians, caregivers and families about

the Guidelines and their effective implementation. Principals are also responsible for supporting staff in their understanding of the Guidelines and for ongoing dialogue with staff about their application in the school.

Principals *are responsible* for determining, in collaboration with parents/guardians, accommodations related to student dress expectations as required under Ontario's Human Rights Code, and for communicating a student's accommodation(s) to Vice-Principals and staff as needed.

Superintendents of Student Achievement

Superintendents of Student Achievement are responsible for facilitating access to professional learning for Principals and Vice-Principals regarding the Guidelines, for overseeing their application of the Guidelines, and for supporting them to resolve the concerns of students, parents/guardians and staff that may arise with respect to the Guidelines.

Student Dress Expectations

The following will apply in all Thames Valley schools with respect to student dress:



Decisions about dress are recognized as personal and reflective of **individual expression of identity** and socio-cultural norms, and therefore as important to student well-being.



Students come from diverse backgrounds, identities and experiences. Thames Valley's Student Dress Guidelines communicate expectations to students and families regarding dress that is suitable for a learning environment, acknowledging that ultimately **the right to make decisions about dress lies with the student's family**, or with the student if the student is 18 years old.



Specific courses, classes or activities may indicate the need for student dress that complies with specific **health and safety protocols or considerations**.



Student dress that could reasonably be construed to symbolize, suggest, display, promotes or incite recreational drug or alcohol use, illegal or criminal activity; profanity; pornography; violence; the promotion of racial, creed-based, or other identity-based hatred; or that otherwise threatens health and safety, **is not consistent with ensuring a safe and inclusive learning environment** for all students and is therefore not permitted.



Footwear must be worn, with consideration for health and safety.



Dress that is suitable for a K-12 education environment will include **a top and bottom layer made from opaque (not see-through or transparent) material**. Bottom layers of clothing will cover the groin and buttocks; top layers will cover the nipples.

Student dress will not interfere with a student's **functional comfort** in the classroom and school environment or with their **learning**.

Students may wear clothing **that exposes their shoulders, abdomens, cleavage, legs, thighs and hips**.

Undergarments (e.g., boxers, briefs, bras or any form of lingerie) worn as the only layer of clothing, and **swimwear** worn other than as required for an activity with the permission of a Principal, are not suitable for a K-12 education environment. Students may wear clothing that exposes straps and waistbands of undergarments.



Headwear that fully obscures a student's face, except as an accommodation under the Human Rights Code, may not be worn. **All other headwear may be worn.**

All students must have a **choice** of athletic wear. Choices must afford different levels of coverage, including short and long-sleeved tops and short and full-length bottoms. All students must be given the same choices regardless of gender identity. Choices of athletic dress must be easy to change into, taking into consideration students of all sizes and abilities, and include a top layer that can be easily pulled over the head and any headwear that is not to be removed at school (i.e., that has a wide or zippered neck).



Students' dress must not appropriate a culture that is not their own. This includes Halloween costumes and special dress for theme days or days of significance that may be permitted at the Principal's discretion. Understanding and identifying dress that constitutes cultural appropriation is an important area of learning for students, parents/guardians, and all TVDSB employees. Dialogue with students will focus on the impact of dress choices on other students.

Where these Guidelines are not inclusive of all dress choices connected to aspects of a student's identity protected by the Ontario *Human Rights Code*, the student has a **right to accommodation** to the point of undue hardship and consistent with all other applicable human rights law principles.



Implementation

Commitment to ongoing learning

Principals, Vice-Principals and staff will have access to ongoing opportunities for professional learning related to the Guidelines and their application in schools. It is important that all Thames Valley employees with responsibilities under the Guidelines have the tools, training, and opportunities to explore fact-specific issues or questions related to their application.

Students and families also need to understand the student dress expectations in the Guidelines. The Guidelines will be provided to each student and parent/guardian and to new students and their parents/guardians upon registration. Students and families will receive education on harassment and discrimination, diversity, and the need to ensure a safe and inclusive school environment as these concepts relate specifically to student dress.

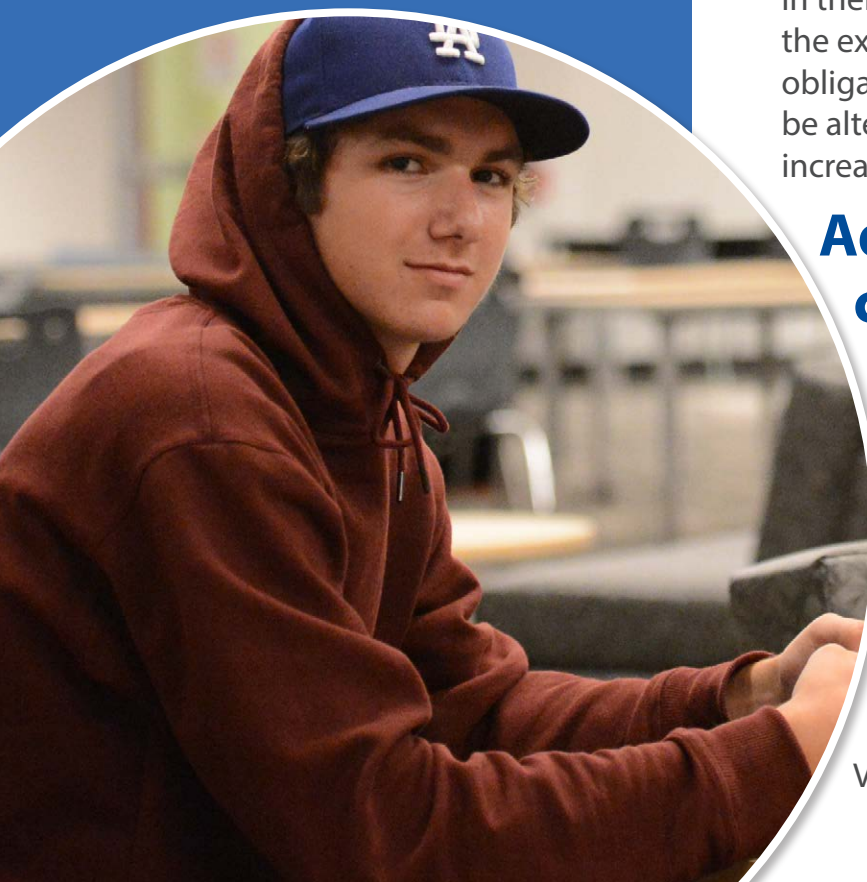
Input from School Councils

Principals will ask for input from school councils on the expectations for student dress provided by the Guidelines and the implementation of the Guidelines in their schools. These expectations, however, to the extent that they are based on Thames Valley's obligations under the Human Rights Code, may not be altered in any way that results in discrimination or increased marginalization or oppression of students.

Addressing dress-related concerns through education and dialogue

Implementation of the Guidelines by Principals, Vice-Principals and staff will consider students' individual needs and circumstances to ensure they are applied equitably and effectively.

Principals and Vice-Principals are responsible for identifying and responding to potential violations of these Guidelines. Principals and Vice-Principals will engage in dialogue with



the individual student involved and the student's family (unless the student is 18 years old) and will approach this dialogue in a manner that is bias-aware, affirms the student's identity and protects privacy. Under no circumstances will dialogue with a student about their dress have the effect of shaming the student.

Determinations by Principals and Vice-Principals that a student's dress does not align with the Guidelines will also be bias-aware and will be evidence based. Student dress that does not align with the Guidelines and that threatens health and safety or promotes violence or hatred will be treated as a serious violation of Thames Valley's Safe Schools Policy and Procedure; all other student dress conversations will focus on education and awareness. Corrective action on a continuum, according to the principles of progressive discipline as described in the Safe Schools Procedure, will be considered to address persistent or blatant non-compliance with student dress expectations in the Guidelines.

To address student dress that does not meet the expectations in the Guidelines, Principals and Vice-Principals may ask the student to change, remove or cover the aspect of dress that is of concern.

Superintendent support

Principals' questions or concerns regarding application of these Guidelines are to be addressed to the responsible Superintendent of Student Achievement, who will support their resolution.



NOTES on:

1. DISCRETIONARY DECISIONS

These Guidelines must be interpreted and applied in a manner that is consistent with their rationale and objective. Student dress exceptions to the Guidelines (e.g., Human Rights Code accommodations, activity-specific athletic wear or sports equipment, Halloween costumes and special dress, etc.) are the responsibility of Principals, and must be consistent with the Human Rights Code, and the Canadian Charter of Rights and Freedoms.

Principals, Vice-Principals and staff may not use subjective discretion in applying the Guidelines to individual student situations in a way that results in discriminatory outcomes or that reinforces or increases marginalization or oppression.

2. HUMAN RIGHTS AND FREEDOM OF EXPRESSION

Thames Valley acknowledges the importance of freedom of thought, belief, opinion and expression under the Canadian Charter of Rights and Freedoms. Ensuring all students have equitable opportunities to have their identities affirmed, including through various forms of expression, is critically important for student well-being.

Thames Valley recognizes, however, that rights and freedoms may be limited where they interfere with the rights of others, and/or with the school board's responsibility and legal obligation under the Code to provide learning and working environments free from discrimination, including acts of hate or hate speech. Conversations with students and parents/guardians regarding balancing of rights or addressing situations in which rights appear to conflict with one another, must focus on education and awareness.

Best Practices for Staff

The following tips and suggestions for staff dealing with matters of dress were shared by students.

1. NEED FOR DIGNITY, RESPECT AND PRIVACY WHEN DISCUSSING DRESS WITH STUDENTS.

Students shared that staff should approach dress-related conversations in a way that respects the dignity and privacy of the students involved. Conversations about what students are wearing can be embarrassing if conducted in front of others. Special consideration should be given to not make dress code decisions based on biased opinions related to: race, sex, gender identity, class, religion/creed, body type and size and other grounds protected by the Ontario Human Rights Code.

2. CONNECTION TO CULTURALLY RELEVANT AND RESPONSIVE PEDAGOGY

What students wear/don't wear can have important connections to their identity and culture. Staff should be sensitive to this when having conversations about dress with students. Staff should also be aware that not all students from a particular background experience their identity in a similar way. It is presumptive to assume that students from a particular identity will want to embody their culture and/or identity in the same way. Staff are invited to engage in dress discussions with students in a way that upholds their rights to individual self expression in ways protected by the Ontario Human Rights Code and Thames Valley's commitment to equity, inclusion and pedagogy that is culturally relevant and responsive.



Furthermore, students have shared the following examples of times when schools must consider student identity when having conversations about dress:

Students with enhanced modesty needs: some students may require extra support in regards to modesty. Specifically, some students from various faith/creed backgrounds may require head coverings and clothing that covers arms and legs. Students indicated these needs are challenging during certain times of the school day, especially during Health and Physical Education classes. Students recommended that staff discreetly speak with students ahead of time to determine appropriate supports. A choice of full pants and long sleeve shirts and shirts that can easily be put on over head wear were identified by students as something schools should consider.

Need for double layering with sports uniforms: some students may require two or more layers for sports uniforms. Transgender and non-binary students may want to wear binding or a extra layers under their sports uniform. Staff should discreetly speak with students about what uniform options would support them the best.

Importance of head and hair coverings/wear: head and hair coverings/wear can be very significant for students of several backgrounds and identities. Staff are reminded that students from similar backgrounds may experience/express their identity differently from their peers. Staff should be responsive to student's individual cultural backgrounds when discussing head and hair coverings.

Dress codes need to apply to students equally regardless of sex, gender, race, religion/creed and body size: Dress codes need to be the same for all students, regardless of the student's sex, gender and body size. Dress codes cannot treat students differently because of aspects of their identity.

AUTHORITY and REFERENCES

[Ontario's Human Rights Code](#)

[Canadian Charter of Rights and Freedoms](#)

[Ontario College of Teachers Act and Professional Misconduct Regulation, O.Reg. 437/97](#)

[TVDSB Employee Code of Conduct](#)

[TVDSB Equity and Inclusive Education Policy](#)

[TVDSB Safe Schools Policy and Procedure](#)

[Policy/Program Memorandum \(PPM\) 119, Developing and implementing equity and inclusive education policies in Ontario schools](#)

[Policy/Program Memorandum \(PPM\) 128, The provincial code of conduct and school board codes of conduct](#)

[Ontario's Education Equity Action Plan, 2017](#)



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