



**Frederick County Public Schools**  
**Board of Education**  
**STUDENT DRESS CODE**  
**Policy 439**

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**A. Policy Purpose**

To outline standards for student dress that support creating a positive and non-disruptive learning environment and respect students' rights to express themselves through their choice of personal attire.

**B. Definitions**

1. "Attire" is defined to mean articles or aspects of personal appearance including, but not limited to, clothing, footwear, headwear, face mask/face covering, jewelry, bookbags, or sunglasses.
2. "Gang" or "Criminal Gang" or "Criminal Organization" is defined to mean a group or association of three (3) or more persons whose members:
  - a. Individually or collectively engage in a pattern of criminal gang activity;
  - b. Have as one of their primary objectives or activities the commission of one (1) or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and
  - c. Have in common an overt or covert organizational or command structure, which may include, but is not limited to:
    - i. A name that separates the group from others;
    - ii. Identifiable marks and/or common symbols such as clothing of one color, hand signs, and graffiti;
    - iii. A claim to a specific geographic location inside or outside of a school; or
    - iv. Socialization with known gang members.
3. "Face Mask" or "Face Covering" is defined to mean a covering that a student may elect to wear that fully covers a student's nose and mouth and is secured to the student's head.
4. "Health" is defined to mean a state of physical, mental, and social well-being.
5. "Religion" is defined to mean 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.
6. "Safety" is defined to mean the condition of being protected against physical and/or emotional harm.
7. "School Property" or "School Grounds" is defined to mean any school or other FCPS facility, including grounds owned or operated by FCPS, FCPS buses and other FCPS

vehicles, chartered vehicles, and the facility and/or grounds of any FCPS-sponsored activity involving students.

8. “School-Related Activity” or “School-Sponsored Activity” is defined to mean any school system activity, on or off school property, in which a student directly participates (e.g., school field trip, athletic event, or class/graduation activity), or an activity in which the student does not directly participate but represents the school or student body simply by being present (e.g., spectator at a school event).

### **C. Policy Statement**

1. The Board of Education (Board) is committed to providing a safe, productive, and positive educational environment, one which reinforces the mission of the school system while respecting students’ First Amendment rights.
2. The Board’s expectation is that the student dress code will be enforced consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, or body type/size.

### **D. Implementation**

1. The student dress code shall apply to all students during the school day, while participating in school-sponsored activities and events, and while being transported to and from school or school-sponsored activities and events.
2. The student dress code will be implemented equitably regardless of a student’s race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, or body type/size.
3. Students may wear a face mask, headscarf, or face covering for personal or health-related reasons.
4. **Headwear Guidelines by School Level**
  - a. School administration, at all school levels, may permit approved headwear for school spirit celebrations.
  - b. **Elementary and Middle School Students.** Elementary and middle school students are not permitted to wear headwear unless it is for religious reasons.
  - c. **High School Students.** High school students are permitted to wear headwear as long as it does not actively impede their ability to engage in learning.
5. **Prohibited Attire.** Students cannot wear attire that impacts their ability to actively engage in learning, disrupts the school environment, promotes illegal or harmful activities, or could endanger the health or safety of that student or others during the school day and school-related activities safety of themselves or others. This includes, but is not limited to:

- a. Visible undergarments, including fabric that is not opaque, meaning it should not be see-through.
  - b. Attire that obscures the identity of an individual (*e.g.*, ski masks, balaclavas, other hooded garments that are pulled up, etc.).
  - c. Attire that depicts, advertises, or advocates for the use of alcohol, tobacco, marijuana, or other controlled substances.
  - d. Attire that depicts pornography, nudity, and sexual acts.
  - e. Attire that contains sexually suggestive messages.
  - f. Attire that depicts gang affiliation.
  - g. Attire that contains rude, disrespectful or discourteous expressions inconsistent with civil discourse and behavior.
  - h. Attire that contains language and/or displays images, symbols, materials, or other items that promote hatred, racial or ethnic violence, intimidation, or harassment.
  - i. Attire that causes or is likely to cause a material disruption, a substantial disorder to the orderly and safe operation of the school or at school-sponsored activities, or an invasion of the rights of others.
6. Athletic gear is regulated by the Maryland Public Secondary Schools Athletic Association (MPSSAA).

7. **Uniforms**

- a. **Voluntary Uniform Policy.** A school may adopt a voluntary uniform policy, without further approval from the Board, in accordance with the following provisions:
  - i. The school improvement team has determined there is sufficient stakeholder agreement with the proposed school uniform policy. Stakeholders include staff, parents, and students.
  - ii. The uniforms comply in all respects with standards of this policy concerning appropriate attire.
  - iii. The wearing of uniforms is not mandatory.
  - iv. Students will not be disciplined nor otherwise discriminated against for failing to wear uniforms.
  - v. At least one free uniform is provided to any student when the family is unable to pay.
  - vi. Nothing in this section denies parents the exclusive right to determine whether their children will wear school uniforms.
  - vii. The school participates as requested in any district evaluation of the school uniform program.
- b. **Mandatory Uniform Policy.** A school may adopt a mandatory uniform policy, without further approval from the Board, in accordance with the following provisions:
  - i. The school improvement team has determined there is sufficient stakeholder agreement with the proposed school uniform policy. Stakeholders include staff, parents, and students.
  - ii. The school-selected uniforms comply with this policy concerning standards for appropriate attire and include gender neutral options.
  - iii. The school makes provisions for those students who, by reason of financial hardship, cannot comply with the mandatory uniform policy.

- iv. Exceptions to wearing the uniform are permitted when:
  - 1. Uniforms of a nationally recognized youth organization such as the boy scouts or girl scouts are worn on regular meeting days.
  - 2. The wearing of a school uniform violates a student's sincerely held religious belief.
  - 3. A student's parent(s) or guardian has secured an exemption from the mandatory uniform policy by following the procedures set forth below.
- v. Parents or guardians are permitted to exempt their children from the mandatory uniform program by the following procedure:
  - 1. A request is made by mail or in person by the parent or guardian for an application for exemption from the uniform program ("application"). The parent(s) or guardian may obtain an application at the student's school site.
  - 2. The application is completed in full and submitted to the school principal.
  - 3. The school principal or other designated administrator meets with the parents to discuss the uniform policy and the nature of the objections to the policy. The purposes of this meeting include:
    - a. Ensuring that the parent(s) or guardian understand the reasons for and goals of the uniform policy.
    - b. Verifying the accuracy of the information on the application.
    - c. Preventing fraud or misrepresentation.
  - 4. For the purposes of consistent administration and evaluation of the uniform policy, the parent(s) or guardian must meet with a designated district administrator to discuss the nature of their objection to the policy.
- vi. The school, having duly instituted a mandatory uniform policy, implements compliance measures as indicated below:
  - 1. Each school shall develop incentives and positive reinforcement measures to encourage full compliance with the uniform policy. Each school should strive to achieve full compliance through the use of incentives and positive reinforcement measures, and should resort to disciplinary action only when positive measures fail to ensure compliance. In addition, the school shall communicate with parents so that expectations, rationale, and benefits are fully understood by the student and his or her family.
  - 2. If necessary, disciplinary action may be taken to encourage compliance with the policy. Since the intent of the policy is not to inhibit or prohibit any student who is not in uniform from receiving the education to which he/she is entitled, no student shall be suspended from class or from school, expelled from school, or receive a lowered academic grade as a result of not complying with the policy. Disciplinary action should be initiated only after all other means to secure support and cooperation as mentioned above have not succeeded.
  - 3. Prior to initiating any disciplinary action against a student not complying with the policy, a school administrator or counselor should hold a conference with the parent(s) or guardian to solicit cooperation and support.
- vii. The school participates as requested in any district evaluation of the mandatory school uniform program.

8. **Charter Schools.** Mandatory uniform requirements may also be identified and approved for charter schools, as agreed upon by the Board and the public charter school in its charter agreement.
9. **Review.** The Board will review this policy every two years and seek input from student and school administrator representatives to determine if revisions are warranted.

**E. Related Information**

1. **Board Policy**
  - a. [Policy 117](#), *Anti-Racism*
  - b. [Policy 403](#), *Student Discipline*
  - c. [Policy 404](#), *Student Rights and Responsibilities*
  - d. [Policy 423](#), *Gangs, Gang Activity and Similar Destructive or Illegal Group Behavior*
  - e. [Policy 427](#), *Religious Expression*
  - f. [Policy 443](#), *Creating Welcoming and Affirming Schools for Transgender and Gender Nonconforming Students*
  - g. [Policy 444](#), *Educational Equity and Excellence*
2. **FCPS Regulations**
  - a. [Regulation 117-01](#), *Anti-Racism*
  - b. [Regulation 400-87](#), *Gang Activity*
  - c. [Regulation 403-01](#), *Student Discipline*
  - d. [Regulation 408-01](#), *Suspension and Expulsion*
  - e. [Regulation 444-01](#), *Educational Equity and Excellence*
3. **FCPS Resources**
  - a. [FCPS Student Code of Conduct](#)
  - b. [Application for Exemption from the Uniform Program Form](#)
4. **Federal Law**
  - a. Title IX of the Education Amendments Act of 1972
  - b. U.S. Const., First Amendment

**F. Policy History** (Maintained by Legal Services)

<i>Responsible Office</i>	System Accountability and School Administration Department
Adoption Dates	12/04/96
Review Dates	
Revision Dates	10/13/04; 07/11/18; 02/10/21; 05/04/22; 02/12/25