

Student Dress Codes

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Indiana law requires a school board to establish written discipline rules for students. The law states such rules may include “appropriate dress codes.” See, [IC 20-33-8-12\(a\)\(1\)](#).

While the law allows for school boards to adopt students dress codes, it is not required, and nearly all if not all school boards or school principals have student dress codes as part of their student discipline rules. This is one area schools have broader authority to address and are confined by only a few constitutional issues when drafting a student dress code.

Free Speech

The constitutional issues a school board must be aware of in drafting a dress code policy are free speech and non-discrimination. Free speech entails expression by a student through specific attire or wording on clothing items. A school board may prohibit certain topics but must be viewpoint neutral with respect to the topics allowed. It cannot allow one viewpoint and prohibit others.

Non Discrimination

With respect to discrimination, a student dress code cannot prohibit clothing or other items based upon sex, race, color, national origin, or disability or that favors a specific group over other groups of students. This also applies to the implementation or enforcement of the dress code by school officials. School boards when considering a student dress code should keep in mind the purpose of the dress code along with its other discipline rules is to be necessary to conduct or prevent interference with an educational function or school purposes and it must be reasonable in its purpose.

Over the years many trends have caused schools to review student dress codes and to address the trends as needed. Recently, the trend is students wanting to dress like animals to various degrees. People who do this are referred to as Furrries.

Generally speaking, Furrries are focused on the culture of a love of anthropomorphic characters, which are generally cartoon characters who are animals but also have human characteristics such as walking on two feet, talking, and thinking. Some Furrries create their own anthropomorphic character and like to dress up as their character whether by wearing a full outfit or just makeup and other items representing their character. Other Furrries fully identify with their animal character and carrying out this identity wearing their full Furry outfit on a regular basis.

So the question becomes can a dress code prohibit a student who is a Furry or may not be from wearing attire representing any part of their animal character at school. Currently, given the constitutional issues mentioned above, the answer is probably yes. Furrries are not protected by federal or state discrimination laws, and it may be argued the wearing of the animal character is not protected speech as it is not a universally understood message.