

# From Gender-Based to Gender-Neutral Dress Codes: How Rethinking the Concepts of Gender and Gender Identity Can Help in Creating an Inclusive Environment at Higher Education Institutions

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**Abstract:** Inequality is a mindset. When schools, colleges, and universities start practicing inequalities, inclusiveness fades away. But most of the school administrations that belong to the old school of thought are still lingering in the haze. They believe that dress code rules should only apply to girls rather than to both boys and girls. In their opinion, freedom in the dress code for girls at schools could be distracting for boys and lower their efficiency. Instead of following the rule of a "neutral dress code" they tend to follow a "girl-focused dress code". The implementation of this sort of thinking comes with several consequences such as lower confidence in girls, the promotion of a culture of male hegemony, the prevalence of prejudice and suppression, the promotion of discriminatory behaviors, declined inclusiveness, suffocated freedom of speech and limited productivity. Unfortunately, this category of prejudice and intolerance is universal with only few exceptions.

The independent personalities of men and women, and girls and boys cannot be circumscribed by dress code rules based on discrimination. A dress code must be designed equally for all students regardless of age, community, region, state, color, and creed. Instead of seeing girls as distracting forces, there is a dire need to accept girls and LGBTQIA+ communities as autonomous souls who must be given the right to wear whatever they want. However, it is also essential to impose a few justified gender-neutral dress code restrictions. The examples of schools that have successfully implemented gender-neutral dress code rules could be followed in this regard. Such practices would lead to a more inclusive and prejudice-free school environment.

**Keywords:** LGBTQIA+, Gender Neutrality, Dress Codes, Conformativity.

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## I. INTRODUCTION

The introduction of paper contains the nature of research work, purpose of work, and the contribution of this paper. Equity and inclusion are important factors when it comes to creating a gender-neutral educational environment. Often, institutions fall short in inducting gender-neutral thinking into their establishments, and thus lay down expectations separately for girls and boys. The girls and women are to follow stricter rules and regulations, while the situation becomes more liberal in the case of boys and men. While men and women may be biologically different from one another, their gender, in ascribing segregated roles to them, does nothing less than injustice by placing a four-sided box around their potential and expecting them to perform within the limits imposed. Seeping into the academic rules are conventional ideas of the male hegemony or patriarchy. "At a glance, the problem of gender stratification in the modern educational system does not exist; girls and boys have equal opportunities for the education" [1]. But, beneath the superficial image of equality lies "certain stereotypes with gender content and expectations in the educational system that still influence the pupils' and students' academic performances" [1].

Multiple instances of disproportionate treatment of students can be observed in educational institutions. Instructors tend to devote more attention to the boys on the pretext of them being more aggressive and prone to disobeying the norms of the institution or the class. Further, the pattern in which students sit in class is also dependent on gender. Almost everyone, intricately bound to the arena of education, is burdened by unfair expectations that others, stemming from their own beliefs regarding gender, have of the students. Among the most prominent aspects of school or university life where gender norms and expectations come into play is the dress code. While boys do not have many restraints placed on them, girls are expected to dress in a less 'provocative' manner, not revealing what is to be kept veiled. Matters become even more complicated in the case of those belonging to the LGBTQIA+ community. Alienated from the general working of the institution because of such regressive restrictions, the students evidently feel that inclusivity (which is supposed to be prominent in schools and colleges) fails to make an appearance anywhere. Inclusive education is important and so are inclusive environments in educational institutions. "Inclusive systems provide a better-quality education for all children and are instrumental in changing discriminatory attitudes" [2]. A truly inclusive environment makes sure that every student feels a sense of belonging and knows that he or she is not bound by any unfair restriction to curb their identity from being displayed. "Schools provide the context for a child's first relationship with the world outside their families, enabling the development of social relationships and interactions" [2]. For this reason, prejudices have to be eliminated in the exchanges between students.

## II. GENDER NONCONFORMITTY AND DRESS CODES

### A. Discriminatory Dress Codes

Dress codes are intended to make an educational environment helpful for learning. But most often the contrary happens. "At East Longmeadow High School, Massachusetts, six out of the nine dress code regulations targeted female students" [3]. By using gendered language when it comes to school or college dress codes, the authorities justify their decisions as something that prevents male students from being distracted. "A growing concern with student dress codes is that they're not always applied equally to boys and girls, with dress codes often being stricter for girls on the basis that what they wear can be 'distracting' to boys" [3]. There have been vociferous protests against the dim-witted measures of school authorities such as measuring the length of girls' skirts, forcing them to cover the rips in their jeans with duct tape, or barring them from wearing clothes that reveal their collarbones. "By sending girls home or out of class because of an article of clothing can send the message that a boy's education is more important than education for girls" [4]. The sexist codes that are set for the students to follow hold females responsible for the actions that men carry out. Such codes go to the extent of attaching negativity to the female body. One can notice that when regulations like these are constructed, the very nature of a place at which people are supposed to acquire knowledge gets deconstructed or rather diminished into one of inequality. Dress code rules like the 'fingertip policy' should not exist in an inclusive environment. Female students are asked to "wear skirts or shorts that go past their fingertips" [3]. Both the students and their parents have pointed out that finding clothing that complies with this rule is impossible. Catherine Pearson took to social media to express this difficulty in getting her daughter clothes for school. "In 17-year-old Maddie Reeser's Baltimore City public school, it's the black girls at her school who are the most frequently dress coded—a double discrimination" [3]. The black girls are often called to the office for 'not complying' with the rules, but the white girls are not. Another commonly noticed discriminatory rule is one that may be referred to as the white male default [3]. The boys are to dress as a standard white male would. In these instances, one may note the intermingling of racist and patriarchal thoughts in putting together codes for the students. The knowledge that one is being targeted over and over for reasons that are more meager than trivial will settle into one's brain and pull the students down in all academic matters. So, a dress code affects students in multitudinous ways. Discriminatory experiences tend to strip students of their confidence and drive them to see themselves in the wrong light. Even mature adults cannot easily overcome the effects of prejudiced actions that they've been subjected to.

The logic that is applied when forming dress codes is similar to that which makes breastfeeding an 'awkward' or 'unnatural' act to be witnessed in public. It is also highly erroneous to "base the rationale for a dress-code policy" on the authority's "desire that women act more 'feminine' and men act more 'masculine'" [5]. Dress codes for women go beyond the walls of the school and can be found in all fields of work and engagements. Alize Cornet was penalized during her US Open match in 2018 when she took off her shirt to wear it correctly (having noticed that she had been wearing it backwards). While male players like Djokovic have the liberty to change their shirts on court, owing to the heat, women are criticized, shamed, and punished for something as normal as what Cornet did. Nations like Saudi Arabia have strict

dress codes that require women to wear *abayas* that are loose-fitting, for they do not want their female populace to be portrayed wrongly. A major part of the panel that makes decisions regarding what everyone has to wear is composed of men. It is from this hegemony of the male that policies arise aimed at tying a particular gender down in the name of sanctity or keeping the men concentrated on their work and studies. Far more frivolous are the explanations which try to state the importance of restrictive dress codes for the 'protection of women' from 'unfortunate' events. Gathering nonsensical ideas together, the men decide on codes and policies by cloaking themselves as saviors.

Many are of the opinion that rules are to be followed regardless of the students' likes and dislikes. Compromises are, according to these people, necessary for a peaceful setting at school or college. But the issue here is not with the idea of dress codes; it is with the nature of these dress codes. If these are altered to a gender-neutral code, students will definitely feel more like themselves while going to school. Catherine Pearlman says, "she's a fairly strict parent and disciplinarian who teaches her kids to obey rules, but when the rules aren't working, you need to speak up" [6]. Pearlman goes on to say that "the dress code is outdated and out of touch with the clothing that is being marketed and sold to girls" [6].

### ***B. LGBTQIA+ Students and Dress Codes***

Dress codes do not victimize women alone. Those belonging to the LGBTQIA+ community are forced to stand at an unusual fork with rules that ask them to articulate an identity that is not theirs. In recent years, as a part of becoming more confident in oneself and urging others to accept them as they are, LGBTQIA+ students have been wearing clothes that define their identity. If they identify themselves as feminine, they will wear clothes that females wear. If their sexual orientation makes them identify themselves as masculine, they will choose to wear the shirts and trousers that males do. But with strict policies regarding dresses existing in schools and universities, the freedom of choice is belittled and pushed to the periphery. Schools, despite the widespread acceptance of the LGBTQIA+ community and their preferences, continue to draft policies that do not logically fit the educational situations:

In January 2016, the Clovis Unified School District (Clovis Unified) in California upheld a dress code with gender-specific policies that violated California law by discriminating against LGBTQIA+ students. The dress code provided that only girls could wear skirts, dresses, and culottes, and that boys could not grow their hair past their ear lobes or wear earrings. In a four-to-three vote, the school board rejected a proposal to adopt gender-neutral language. As a result, Clovis Unified continued to suspend high school students for not adhering to the dress code, denying these students an education [7].

This is only one among the numerous examples that can be provided to support the fact that discriminatory policies are still strong throughout the world. The imposition of dress codes is an act that is highly political, particularly in an era that is vociferously advocating for freedom from meaningless restraints. "Schools have been less supportive of blurring traditional gender expectations for dress, citing the potential for distraction for other students and worries of violence toward the cross-dressing student as reasons to prohibit cross-gender dressing" [8]. Male students who wear wigs or make-up are sent home and are not allowed to dress according to their gender identity to pose for yearbook photographs. "With over 4,000 gay-straight alliance clubs currently in place at high schools throughout the country, we can only expect that student requests for exceptions to school dress codes will increase as students become more aware of these issues" [8]. Gender stereotypes are to be avoided at all costs to remove the stigma attached to a certain community alone. The existing codes are noninclusive to LGBTQIA+ students.

Twenty-one-year-old Marisol, a transgendered woman from Manila in the Philippines, says, "in high school if you had long hair, the instructor would call you up to the front of the class and cut your hair in front of everyone" [9]. Every time this happened to her, she'd feel terrible and have an emotional breakdown. "This kind of public humiliation is all too common for lesbian, gay, bisexual and transgender (LGBT) students in the Philippines, where many secondary schools and even universities impose rigidly gendered uniform and hair-length restrictions on students according to the sex they were assigned at birth, nominally for school discipline or pride" [9]. The authorities do not have a response to questions raised pertaining to how cutting one's hair would affect his or her performance in school. The policy is solely based on what is traditionally considered to be sane. Bitter experiences that the students are subjected to in their period of schooling will remain indelibly etched onto their minds and will haunt them whenever they decide to do something independently. Constant questions will surface in their conscience telling them that they are not good enough or are not 'normal' because they do not abide by the conventional thoughts of rights and wrongs. The mind, which is no different from a sculptor's clay at the time, will be shaped into thinking of one's own frame as unworthy. This is not the experience that a school or a university should be providing for their pupils. In doing so, they are debilitating many.

### ***C. What is to be Done?***

Before constructing dress codes, instructors and others in charge of the task must acknowledge the fact that these codes must be fair and consistent. Revisions must be undertaken whenever the need arises. A rigid structure will only destabilize the student community. "All students must be held to the same dress-code standards. Rules against sexually provocative clothing, for example, must be equally enforced for transgendered students as well as for the straight, gender-conforming students; permitting a straight female student to wear a shorter skirt than a transgendered student is impermissible" [8]. Gender-based dress codes must be substituted with gender-neutral codes. One of the ideas that has been adopted as a part of gender-neutral codes is the rule to 'cover the core'. "It takes away the problem of a dress code being centered around female body parts, and although it could still use some work, it's a big step in the right direction" [4]. Gender stereotypes should not be reinforced through dress codes. "Avoid gender-specific policies altogether and instead allow all students the same clothing choices regardless of gender" [10]. The students must be allowed to clothe themselves according to their comfort and gender identity. At the same time, the apparel should be conducive to the student's learning.

"In June 2015, some brave and articulate seventh grade girls, and one boy, testified before the PPS School Board about the ways their school disproportionately enforced the dress code against girls, resulting in middle school girls being forced to wait in the office, miss class time, and experience humiliation because their shorts did not pass the "fingertip test" or their tank top straps were too narrow" [11]. Following this, the school district decided to appoint a committee comprised of parents, students, administrators, and instructors which had the responsibility of drafting a new dress code. They were to come up with ideas which would not have any inherent prejudices and which could be enforced without any hurdles in schools that housed diverse students. The result was to be a non-sexist policy for dress codes. The easiest part of the whole process was retaining the rules that prohibited students from wearing clothes that had profanities printed on them. But, updating the other aspects of the codes was not as easy as expected. "The biggest challenge the committee faced was drafting objective, specific language" [11]. The committee started with a draft policy from the Oregon chapter that the National Organization for Women came up with:

The parents on the PPS dress code committee had also been involved in drafting the NOW policy. That policy states, "Clothes must be worn in a way such that genitals, buttocks, and nipples are covered with opaque material." This language is designed to avoid girls getting penalized for wearing running tights or leggings, or having their tank tops and shorts measured by "finger-tip tests" or "three finger tests" or worse. It takes out the assumption that showing the belly or back is inherently sexual. It also avoids having instructors scrutinize cleavage to determine how much is too much (something a male instructor reported being expected to do, which made him intensely uncomfortable) [11].

As long as the dress codes do not heavily burden one particular gender and are neutral by nature, it will not hamper the process of learning. Over 21 states in the US prohibit discrimination based on one's sexual orientation or gender identity.

### ***D. Examples to Follow***

California's Alameda Unified School District has come up with a novel approach by altering the conventional aspects of the dress code: "According to the revised policies, students must still wear 'bottoms, tops, shoes, and clothing that covers genitals, buttocks, and areolae/nipples with opaque material'". Clothes with violent or profane images, drugs, or hate speech on them are not allowed. "But changes to the dress code allow students complete freedom to wear what they want and feel comfortable in" [12]. The Portland Public School lays down a dress code that simply states which body parts should be covered and what is to be worn: "Students must wear clothing including both a shirt with pants or skirt or the equivalent and shoes" [13]. In addition to this, they require students to not wear transparent fabric to cover their private parts. Hats and headgear are allowed provided these do not interfere with the line of sight for other students and staff. In California, students have the "right to dress in accordance with their gender identity, within the constraints of the dress codes adopted by the school", and the "school staff" are not allowed to "enforce a school's dress code more strictly against transgender and gender nonconforming students than other students" [13]. Schools in Hawaii have adopted gender-neutral dress codes and allow their students to dress according to their choice, even if it goes against the traditional gender stereotypes. In Iowa, the schools are to "allow the student to dress in accordance with the student's identified gender for school or other extracurricular activities including prom, graduation, yearbook, or other activities" [13].

### III. CONCLUSION

The bodies of females and those who do not conform to the conventional ideas of gender are repeatedly subjected to policing which their male counterparts do not face. They are expected to take more measures than men are to make sure that they do not disrupt the environment at educational institutions. The stimulus in all cases of disruption are women and their bodies, according to the general notion. However, this idea adversely affects women and those who belong to the LGBTQIA+ community. The finger often points at them for faults that are not theirs. To strip society of the unfair treatment to which certain people are subjected, a gender-neutral environment must come into being. Disproportionate approaches should be dismantled, and, in their place, an inclusive attitude must be fostered in the instructors, staff, and other administrators of academic establishments. By uprooting the prejudices attached to how one must dress, constructive changes can be implemented which help to elevate the social situation to a positive mark of true integration.

### REFERENCES

- [1] Guledani, K. (2011, February 8). Gender influence on educational process. Retrieved from <https://www.gwi-boell.de/en/2011/02/08/gender-influence-educational-process>
- [2] The Value of Inclusive Education. (2019, May). Retrieved from <https://www.opensocietyfoundations.org/explainers/value-inclusive-education>
- [3] Tingley, S. Z. (n.d.). How to enforce the student dress code in a fair way. Retrieved from <https://www.wgu.edu/heyteach/article/how-to-enforce-the-student-dress-code-in-a-fair-way1709.html>
- [4] Gottfried, M. (2018, September 26). Why gender neutral dress codes are great. Retrieved from <https://medium.com/periodmovement/why-gender-neutral-dress-codes-are-great-16a5fab7df66>
- [5] Wilkie, D. (2019, March 18). When Do Dress Codes That Perpetuate Gender Stereotypes Cross the Line? Retrieved from <https://www.shrm.org/resourcesandtools/hr-topics/employee-relations/pages/gender-discrimination-in-dress-codes.aspx>
- [6] Wallace, K. (2017, May 30). Do school dress codes end up body shaming girls? Retrieved from <https://edition.cnn.com/2017/05/30/health/school-dress-codes-body-shaming-girls-parenting/index.html>
- [7] Conner, A. (2018, February 12). LGBTQIA+ Students and dress code policies. Retrieved from [https://www.americanbar.org/groups/young\\_lawyers/publications/tyl/topics/professional-development/LGBTQIA+-students-dress-code-policies/](https://www.americanbar.org/groups/young_lawyers/publications/tyl/topics/professional-development/LGBTQIA+-students-dress-code-policies/)
- [8] Phillips, F. (2010, January 1). Should your school's dress code address transgender students? Retrieved from <https://www.lexology.com/library/detail.aspx?g=7168ee9a-d251-44f2-80cc-7b83da45e9a3>
- [9] Lee, D. (2017, June 23). End gendered uniform restrictions for LGBT students in Philippine schools. Retrieved from <https://www.hrw.org/news/2017/06/23/end-gendered-uniform-restrictions-lgbt-students-philippine-schools>
- [10] Fink, K. (2017, January 30). The importance of inclusive school dress codes. Retrieved from <https://www.hrc.org/blog/the-importance-of-inclusive-school-dress-codes>
- [11] Chin, E. (n.d.). How can you make a non-sexist public school dress code? Retrieved from <https://bust.com/style/17208-non-sexist-public-dress-code.html>
- [12] Suresh, S. (2018, November 10). How should society view a woman's body? Retrieved from [https://www.faiobserver.com/region/north\\_america/womens-dress-code-sexism-sexual-harassment-feminism-news-54131/](https://www.faiobserver.com/region/north_america/womens-dress-code-sexism-sexual-harassment-feminism-news-54131/)
- [13] School Dress Code. (n.d.). Retrieved from <https://www.pps.net/Page/5888>