

2011

School uniforms

Nicole Waytenick Reuter
University of Northern Iowa

Let us know how access to this document benefits you

Copyright ©2011 Nicole Waytenick Reuter

Follow this and additional works at: <https://scholarworks.uni.edu/grp>



Part of the [Curriculum and Instruction Commons](#), and the [School Psychology Commons](#)

Recommended Citation

Reuter, Nicole Waytenick, "School uniforms" (2011). *Graduate Research Papers*. 1392.
<https://scholarworks.uni.edu/grp/1392>

This Open Access Graduate Research Paper is brought to you for free and open access by the Student Work at UNI ScholarWorks. It has been accepted for inclusion in Graduate Research Papers by an authorized administrator of UNI ScholarWorks. For more information, please contact scholarworks@uni.edu.

Offensive Materials Statement: Materials located in UNI ScholarWorks come from a broad range of sources and time periods. Some of these materials may contain offensive stereotypes, ideas, visuals, or language.

School uniforms

Abstract

The need for education reform is evident in public schools across the nation. Researchers, school officials, parents, and teachers have been looking at different ways to promote a better learning environment that will allow students to feel safe, equal, and free to express themselves in different ways within the classroom. In recent years, many of these same people have contended that implementing school uniform policies within schools is the way to create that kind of learning environment.

Within this paper, a closer look at the issues surrounding school uniform policies will be examined. Both sides of the issues will be weighed to see if school uniform policies are what public school systems need in order to meet the changing needs of the education world. Additionally, research based conclusions on how to successfully implement a uniform policy within a school district are presented.

SCHOOL UNIFORMS

A Graduate Review

Submitted to the

Department of Curriculum and Instruction

In Partial Fulfillment

Of the Requirements for the Degree

Master of Arts

UNIVERSITY OF NORTHERN IOWA

by

Nicole Waytenick Reuter

July 2011

This Review by: Nicole Waytenick Reuter

Titled: School Uniforms

has been approved as meeting the research requirement for the
Degree of Master of Arts.

July 27, 2011
Date Approved

Sarah E. Montgomery,

Graduate Faculty Reader

July 28, 2011
Date Approved

Lynn E. Nielsen

Graduate Faculty Reader

7-27-11
Date Approved

Jill M. Uhlenberg

Head, Department of Curriculum and Instruction

Table of Contents

Introduction.....5

 Definitions of School Dress Codes and Uniform Policies.....5

 Significance of the Review.....6

Methodology.....6

Literature Review.....7

 First Amendment.....7

 School Violence and Disciplinary Infractions.....9

 Safety.....13

 Academic Achievement.....14

 Student Identity/Socioeconomic Status.....16

 Teacher Perspective.....18

 Dress Violations.....19

 Dress Codes and Case Laws.....20

 Tinker v. Des Moines Independent School District.....20

 Bethel School District No. 403 v. Fraser.....21

 Hazelwood School District v. Kuhlmeier.....22

 Canady v. Bossier Parish School.....22

Conclusion and Recommendations.....23

References.....27

Appendices.....29

Abstract

The need for education reform is evident in public schools across the nation. Researchers, school officials, parents, and teachers have been looking at different ways to promote a better learning environment that will allow students to feel safe, equal, and free to express themselves in different ways within the classroom. In recent years, many of these same people have contended that implementing school uniform policies within schools is the way to create that kind of learning environment. Within this paper, a closer look at the issues surrounding school uniform policies will be examined. Both sides of the issues will be weighed to see if school uniform policies are what public school systems need in order to meet the changing needs of the education world. Additionally, research based conclusions on how to successfully implement a uniform policy within a school district are presented.

Introduction

School uniform policies are not a new trend. Many private schools have been using these policies within their schools for decades. These same schools have even accredited school uniforms with creating a better school environment. Public school districts started to implement these same uniform policies starting in the 1990's in hopes of attaining a better learning atmosphere for their students. Proponents of school uniforms have said they help to lead to improved classroom behavior, more focused students, higher levels of achievement, the ability for students to express themselves in academic ways instead of their clothing, and a safer environment for all students. School uniform policies appear to be the best solution for many school districts. There have been many people who have opposed school uniform policies, however. They argue uniform policies violate First Amendment rights, stifle students' abilities to properly express themselves, do not create a safer environment, and do not promote higher levels of achievement.

Neither side is willing to concede to the other. As more school districts turn to school uniform policies in hopes of making their schools better, the school uniform debate continues. A closer look at the issues surrounding school uniforms will be explored in order to see if school uniforms positively affect student's learning environments and if they promote higher levels of achievement.

Definition of School Dress Codes and Uniform Policies

School dress code and uniform policies are often used interchangeably; however, they are very different terms. Gereluk (2007) describe the differences as, "...schools have minimum dress codes in place: rules about what cannot be worn at school. Uniform policies state explicitly what *must* be worn in schools" (¶1). The difference between the two terms is quite stark. School's that

have a dress code in place give students and parents a list of clothing that cannot be worn. By using a dress code, schools are able to restrict outfits that are deemed inappropriate, might cause a distraction to other students, or have a gang affiliation. Uniform policies tell students what they must wear in order to be allowed to come to that school. For many years, private schools were the only ones that used to dictate uniform policies on their students. Starting in 1987 private schools were no longer the only ones wearing uniforms (Brunsma, 2006, p. xi). Numerous public schools started to adopt their own school uniform policy for their students. Ever since 1987, the number of public schools that have adopted a uniform policy has been on the rise.

Significance of the Review

With the education system constantly changing and evolving, it becomes very important for educators to understand their students' learning and social needs in order to ensure they are receiving an education that best fits these needs. Educators and administrators need to take a closer look at these needs, the issues and problems that occur within and outside of the school day, and what research has shown about school uniform policies in order to see if implementing such a policy is the right thing for their students and school. This review will familiarize teachers and administrators with the research surrounding school uniform policies. More specifically, the review will focus on, "the effects of uniforms such as academic achievement, school climate, violence, discipline, attendance, safety, self-esteem, and delinquency" (Brunsma, 2002, p. 2). All of these characteristics will help to answer the bigger question of how school uniforms may or may not affect the school environment and student learning.

Methodology

The school uniform debate has been gaining momentum with numerous school districts in recent years. Therefore, finding information that is pertinent to this topic was quite easy. The

Rod Library provided several books that related to this issue. After finding the books, they were analyzed according to their publication date, relevancy to topic, and value of information. A few of these books provided examples of specific research that had been done in order to gather information on the topic. The use of AEA1's access to the EBSCOhost database provided additional resources relevant to the school uniform debate. Articles found by using the EBSCOhost database were searched by limiting results to all peer-reviewed journals. These articles were then analyzed according to publication, relevance to topic, and the value of information provided. Both the books and the articles provided a wealth of information in regards to the hot topic of school uniforms within schools and school districts.

Literature Review

There were several common issues found throughout the articles and books on the school uniform debate. These issues were the first amendment, school violence and disciplinary infractions, safety, teacher perspective, school uniform violations, academic achievement, and student identity. As with every issue, there are two sides to the debate about school uniforms. Within each of these issues, a more in-depth look will show both sides.

First Amendment

Those heavily engrossed within the school uniform debate often bring up the First Amendment as their first statement as to why public schools should not be allowed to mandate school uniform policies. Those against school uniforms claim that it goes against students' rights, more specifically the First Amendment. Brown (1998) states the opposition often, "...cite the often quoted court assertion that students do not 'shed their constitutional rights to freedom of speech or expression at the school house gate'" (p. 4). Freedom of speech is a right that is heavily protected in our society and often tied to what it means to be a citizen within this country

(Brunsma, 2004, p. 52). By not allowing students to wear what they want, school districts are not allowing them the right to exercise this Amendment. Freedom of speech in this manner is students being able to wear what they want and what they feel best expresses themselves to their peers and teachers.

In addition to it violating the students' First Amendment rights, some also believe that it violates, "the right of parents to control the upbringing and education of their children" (Lumsden & Miller, 2002, p. 4). They feel it should be their job to tell their child(ren) what they can or cannot wear to school each day. A school should not be mandating these rules to force both the parent and the student to do something they do not wish to do. By taking away these rights as students and parents, school districts are not allowing students to grow in their own ways and knowledge. They are hindering their growth as creative individuals within society by suppressing these rights.

Many students feel their clothing expresses their personality, mood, or what they are feeling about different things. Someone who is happy might wear a bright color whereas someone that might be feeling down or angry might wear a dark color (Carroll, 2008, p. 124). Students are just beginning to learn how to express who they are as people, and they feel the easiest way for them to do so is by being allowed to pick out what they want to wear. By imposing school uniforms on them, students feel like they have lost their ability to adequately express who they are as people (Carroll, 2008, p. 124).

Although those against school uniforms within public schools seem to make a valid point about it interfering with students' First Amendment rights, this is actually not the case. Students rights of speech and expression are in fact limited (Brunsma, 2004, p. 53). "Public school children enjoy some measure of freedom of speech within the schoolhouse gate, but the freedom

is ‘balanced against the need to foster an educational atmosphere free from undue disruptions to appropriate discipline’” (Brunnsma, 2004, p. 53). In order for schools to run efficiently and effectively, students’ rights have to be balanced. This means they do not have the same rights as adults outside of the schoolhouse. This is to ensure schools are set up with the best interests at hand; the students’ learning environment.

School uniforms do not oppress students’ rights to grow as individuals. Instead, it helps to prepare them for the working world. Many work places have dress codes or uniform policies in place. By teaching students at an early age what a school uniform looks like, they will be better equipped to be successful bodies of the workplace (Boutelle, 2008, p. 37). As Boutelle writes, “We hope to see students’ creativity [expressed] academically and artistically” (Boutelle, 2008, p. 37). By making each student wear the same thing, students will not need to express themselves by their clothes they are wearing. They instead will be able to focus on other areas in which they can express themselves. By allowing them to express themselves in different ways, they may just find an area of school in which they were talented and start to excel in that area. Boutelle (2008) goes on to say, “Uniforms allow children the right to distinguish themselves by the deeds they’ve done, not the duds they wear” (p. 37). A school uniform allows each student to be on the same footing as his/her peers. Thus dress codes allowing them the right to express themselves by something other than what they are wearing.

School Violence and Disciplinary Infractions

As school violence has increased within schools over the years, schools have tried many different interventions to try to reduce school violence. One intervention that schools have started to adopt is the implementation of school uniform policies (Wilson, 1999, p. 2-3). School violence is defined as an intentional act that is taken while on school property to harm people

physically or threaten them (Wilson, 1999, p. 3). There is a gray line on whether non-physical acts such as bullying and stalking fall under the term school violence; however, often these acts lead to physical acts. This is why many people put these characteristics under school violence as well. Disciplinary infractions are actions that principals, other administrators, teachers, and school board members take against students that do something against school policy. These infractions can be as simple as coming to school not in the proper school uniform to more serious offences of truancy. The proponents and the oppositional sides will be explored to further examine this characteristic that may or may not be affected by school uniform policies.

Proponents think that making students wear the same clothing will help to ease the gang tensions and disputes that turn violent over the latest fashions. “Proponents suggest that school uniforms can reduce violence in schools by diminishing gang influence and easing competition over clothing” (Konheim-Kalkstein, 2006, p. 25). There have even been a few studies conducted that show that uniform policies helped to reduce violent activities and disciplinary infractions at the elementary and middle school level. One such study came from a school district that became the first public school district to implement a school uniform for all students in grades K-8 in 1994 (Viadero, 2005, p. 2). After two years, they found, “a 28 percent drop in suspension rates at the elementary level, a 36 percent decline in middle school suspensions, a 51 percent decrease in fights in grades K-8, and a 34 percent drop in assault and battery in elementary and middle schools” (Viadero, 2005, p. 2). Proponents of school uniforms often site this research as evidence that school uniforms do have a positive effect on the school atmosphere; thus allowing schools to not be distracted by these conflicts during the school day. This allows students to focus on the important aspect of school; their education.

Although this study does appear to be a good representation of the positive effects on school uniforms to student learning, the opposition has found some flaws with it. One flaw is the study only looked at one district. It did not gather data from other schools that also implemented school uniforms. Nor did they gather data to compare it to a school district that did not implement school uniforms. The second flaw with this study is the fact that it did not account for demographic changes that could alter and change the results into making it look like there was a significant relation between school uniforms and the drop in violence and school infractions (Viadero, 2005, p. 2). “More adults than students including teachers and principals, perceived the school environments to be safer” (Wilson, 1999, p. 6). Just because adults perceive that school environments are safer because of school uniforms does not necessarily make them safer for students. Students are the ones that are heavily engrossed in the gang tensions, clothing tensions, the bullying, and threats. A lot of times these conflicts, tensions, and sometimes violent acts can go unnoticed by adults because the perpetrators are often sneaky in order to ensure they are not caught. Things are not always as they seem.

The opposition has suggested that just because students are wearing the same thing does not mean they will not still feel gang related tensions. Most students who are involved in gang activities are able to pick out members of other gangs regardless of their attire. This could continue to cause tension and conflict on school grounds. Also, “Without clothing to focus on, they say, students pick on one another for other reasons” (Viadero, 2005, p. 4). This can extend to physical features, what they drive (or do not drive) to school, their backpacks, coats, etc. The list of things that students can find to pick apart even though they are wearing the same thing is vast. These bully acts can eventually escalate and turn into violent conflicts between students.

Therefore, the opposition does not feel school uniforms create the happy, safe environment that proponents seem to think it creates.

To take a deeper look at this issue one needs to look at studies and research that has been done in relation to school uniforms and violence. Another school district that has provided data on this topic was Mount Carmel Area School District (MCASD) in Mount Carmel, Pennsylvania. This school district implemented a uniform policy in 2000 (Brunsma, 2006, p. 13). Within this study, data was analyzed starting as far back as six years prior to mandating of school uniforms. By comparing this data with area schools, it was found that all of these schools were beginning to see increasing signs of violent activity on their school grounds in the years leading up to 2000 (Brunsma, 2006, p. 37). The first year MCASD implemented school uniforms they saw a drop in school violence. However, similar schools also saw a drop in violent activity. The second year of school uniforms they saw an increase of violent activities on their school grounds. (See Appendix A for the diagram that depicts the number of incidents between 1994-2002). This trend of MCASD seeing a decrease the first year and then an increase the second year can also be seen with disciplinary infractions (Brunsma, 2006, p. 37-41). (See Appendices B and C for diagrams that depict information on the number of suspensions between 1999-2002).

This second study shows that although there appears to be a decrease the first year of implementation of school uniforms, the following year shows an increase in both violence and disciplinary infractions. This leads the opposition to conclude that school uniforms do not promote an overall continuous goal of a safer, less violent learning environment. Instead, it is seen that area schools are overall similar in these regards.

Safety

As addressed in the previous section about school violence, students who feel safe are more likely to thrive in academics. Safety is an important aspect to the school climate. Not only do students need to feel safe from their peers, but they also need to feel safe from people that do not go to their school. School uniforms, “Makes it easier to identify strangers in schools” (Anderson, 2002, p. 5). Strangers do not always pose a threat to the school environment, but sometimes they can be an unnecessary disruption to the activities that are occurring in the classroom. Also, there have been cases in which strangers have come to schools to harm students. By being able to easily identify these people from the students, teachers and other school officials will be able to keep students safer.

In addition to being safe from strangers, school uniform policies keep students safe from harming themselves while at school. Gereluk (2007) provides an example of how a student could harm him/herself while not wearing a uniform, “Loose or baggy clothing may be a hazard during science experiments, particularly if the science class uses Bunsen burners” (p. 654). Not only could this type of clothing pose a risk in science class, it could also pose a risk in shop class, P.E., and array of other classes. If every student was wearing the same outfit, teachers would not have to fear students clothing hindering their ability to adequately participate in class activities. Nor would they have to worry about student’s safety during these activities.

Those opposed to school uniforms feel school uniforms do not make students any safer than they would be if they were wearing regular clothes. Being able to recognize a stranger from students does not necessarily mean teachers and school officials will be able to keep students safe from these people (Anderson, 2002). If the stranger is entering the school building to harm a student in any way, most likely they have planned this event and will not let anything get in their

way of carrying out what they want to accomplish. Also, just because this stranger was recognized as a stranger, does not necessarily mean school officials or students will see this person as a risk and take action to remove this person from the school grounds. School uniforms will not keep students any safer from strangers than regular attire (Anderson, 2002).

Just because a student is wearing a uniform does not mean they will be any safer from the hazards that could occur during classes, especially during a science class. Accidents, mishaps, and other hazards are bound to occur during certain subject areas. This is why it is important for the teacher to educate students in how to stay safe during these classes. By giving students the tools to using equipment properly, they will avoid accidents or mishaps that could potentially harm them. Safety comes from teachers educating students in how to use these tools, not from a school uniform (Anderson, 2002).

Academic Achievement

When people see students with uniforms on the street, they immediately get a picture in their head as to what their learning environment looks like. Anderson (2002) describes this picture, “Uniforms conjure up visions of parochial schools, which are perceived as safe, secure, and orderly learning environments” (p. 3). When environments are safe and secure, students are more likely to thrive as learners and excel in different academic areas. School uniforms could be the academic reform that is needed within the United States in order to create better schools and better products from these schools; students.

In addition to safety and secure environment, “Uniforms set the tone for a proper attitude toward work. Uniforms remind students that they are in school to learn, not to make a fashion statement” (Anderson, 2002, p. 6). Since fashion is continuously changing, it is easy for students to get caught up in making sure they are wearing the “right” outfit to school. Then when they get

to school they spend more time making sure their peers are wearing the “right” outfits as well. If a student is not wearing the latest trend, their peers could very well start to bully or make fun of them. The emphasis of academics and excelling are put on the back burner to the fashion trends that are occurring within the classrooms. In order to create a more academic classroom, it is important for students’ focus to be back on academics not on fashions. Uniforms are the perfect way to eliminate these distractions. Service academies, such as the military, air force, etc., have strict uniform policies in place within their academies and this is evident by the successfulness of the students that come from these schools. They are not focused on what they have to wear or what their peers are wearing. Instead, they are focused on getting a good education that will take them even farther than they have already come in life.

There is a paucity of research on uniform policies impeding student learning. With all of the positive elements that may come from students wearing school uniforms, it makes sense for school districts to adopt uniform policies. Those students that are distracted by what others are wearing will be able to focus on their academics. Those students who normally are not distracted by their peers’ fashions statements will not lose anything by having to wear a uniform (Vairo, Marcus, & Weiner, 2007, p. 150).

Vairo, Marcus, & Weiner (2007) state, “In New York City, some Catholic schools require uniforms, and many students attend single-sex schools. Test results demonstrate that children attending these schools score higher on achievement tests than do students in public schools where neither uniforms nor single-sex schools and classes exist” (p. 151). These schools are performing better academically than non-uniformed schools because they have eliminated the distraction and tension of street clothes. In addition to these students wearing school uniforms, it could possibly be that these students excelled academically because they were in classrooms of

their own gender. They did not have to worry about competing or being distracted by the opposite gender.

Is standardized testing a good measurement for student achievement? Could it be that some students, those same students who are at schools that wear uniforms, are better performers on standardized testing? These are just a few questions the opposition brings up in against those in favor of uniforms. Those who oppose school uniforms want to take a closer look at the measurements that are being used to decide if a student is achieving more than another student. Some students do not do as well on standardized testing due to many factors such as socioeconomic factors, language barriers, testing bias, and other distractions occurring with their home lives. Other means should also be taken into account before declaring school uniforms have a great influence on academic success (Vairo, Marcus, & Weiner, 2007, p. 151).

Student Identity/Socioeconomic Status

Socioeconomic statuses are a part of every school community. There are the students who come to school each day who live in a household that has an overabundance of money and things. Then there are students who come to school each day who live in a household that is barely making ends meet. “These issues, as well as a desire to minimize socioeconomic tensions between the ‘haves’ and the ‘have nots,’ have spurred some schools to adopt more stringent dress codes or to require students to wear uniforms” (Lumsden & Miller, 2002, p. 2). Proponents to the uniform policies believe this is the best way to create a feeling of equality between the different socioeconomic status groups. By requiring students to wear the same thing, they will have a harder time picking out students within the different socioeconomic statuses that are found throughout the school building. This in turn will allow students to not worry about what their home life, but instead focus on their academics.

No matter what socioeconomic group students come from, they feel what they are wearing is a direct correlation to their self-identity. Clothing is an important source of information about the people who come into contact with us each day (Pate, 1999, p. 4). This is why students who have a lot of money tend to wear the latest fashion trends in order to show other students that their identity is directly related to what they are able to purchase. Those students that do not have a lot of money may feel ashamed of their identity next to the students who have it all. This is why school uniforms would allow students of every socioeconomic status to feel good about their self-identity.

Those opposed to school uniforms do not see uniform policies as successful means to create an equal environment for students of different socioeconomic statuses. Students are not naïve. Just because every student is wearing the same outfit to school does not mean they come from the same background. Students are very perceptive at picking out who has a lot of monetary things and who is lacking. School uniforms just provide a front for those on the outside of the school grounds. They are not successful at masking students' perceptions of each other.

Furthermore, school uniforms tend to cost more money than other clothes. "Families who buy school uniforms spend more on clothing than families who are not required to do so" (Konheim-Kalkstein, 2006, p. 27). These additional costs and fees could make it even harder for the families that are barely making ends meet to purchase school uniforms. This could cause additional stress on not only the money making family members, but also the student who is going to school. They do not want their identity to be known as the student who only has a couple school uniform outfits to wear each school week. This could directly affect their learning and academic success.

Advocates of school uniform policies believe families that have students in school uniforms will actually save them money (Konheim-Kalkstein, 2006, p. 27). They feel families will save money in the long run because they will not have to try and keep up with the latest fashions and trends that change every school season. Some cities are required to subsidize the cost of uniforms for low-income students thus saving families money (Konheim-Kalkstein, 2006, p. 27). By having the same outfit on as their peers, these lower income students will feel like they belong to the school community and feel good about their own identity. In other cities where these subsidize are not possible, there are other options for the families who cannot afford the school uniform. There are programs which collect gently used uniforms that are then sold at a reduced price. Also, families have the options of buying from thrift stores and even hand-me-downs from other family members. These options allow people that may otherwise feel a financial burden by purchasing school uniforms are able to without the stress of finding additional funds to purchase them.

School uniforms may not provide students a chance to express their own individuality, but they do give students an opportunity to identify directly with their school (Brunsma, 2006, p. 90). This school identity helps to strengthen students' sense of belonging. This in turn has a direct effect on how they feel about themselves and their own identity as a person. Since they are required to wear a uniform that is similar to their peers, they feel a sense of belonging and pride to the school in which they attend. This feeling will help them strive to be better students, better learners, and better people.

Teacher Perspective

Just as the school uniform debate battles on, so do teachers' perspective on school uniforms and their classroom atmosphere. One teacher sees the difference between when his

students are in school uniform and when they have out of uniform days. Viadero (2005) describes, "It's like night and day...the kid's behavior is just completely different on those days" (p. 1). On a normal day, the classroom is full of uniformed students that are ready to learn. They are active and engaged in the learning content. Few discipline problems exist on these days. Then there are days in which the students are allowed to come to school without wearing their uniform. This is when the teacher sees a difference in his classroom. Students are acting out, not paying attention, not on task, and more time is spent disciplining than on normal school uniform days (Viadero, 2005).

The opposition says there are two sides to every issue. Taking a look into another classroom shows a different side. There are no differences with student behavior on uniform and non-uniform days. Students act in the same manner whether they are in uniforms or not (Viadero, 2005). There are going to be days when students behave better than other days. This is not out of the norm regardless of what the students are wearing. The change in attitude and behavior of students between uniform and non-uniform days are going to be different with each group of students a teacher has in their classroom. A uniform alone will not change all of the behavior issues that occur within the classroom.

Dress Violations

Whether a student is coming to school in a uniform or adhering to a specific dress code, time will have to be spent patrolling what students are wearing to school. Having to make sure students are adhering to these specific rules and regulations can be very time consuming for administrators and teachers (Viadero, 2005). This is precious teacher time that could be better spent with the students in the classroom working on skills that they need extra support with. If teachers and administrators are not on the same page, a student may get in trouble one day and

not the next for not following the uniform policy. This causes great confusion among the student and his/her parent.

Uniform enforcement will take some time out of the teachers' and administrator's day, but as the students and parents become more familiar with the school's policy it will be easier for the students to adhere to the policies. "Though enforcing the policy takes up Principal Saunders' time, it's more clear cut and less time-consuming than trying to decide whether students are complying with the district's standard dress code" (Viadero, 2005, p. 5). There are always going to be those few students who want to push the limit to see what he/she can get away with, but a teacher or administrator will be able to easily deal with those instances in no time at all. Uniforms may actually save teachers' and administrators' time because they will not have to worry about making sure what the students are wearing is appropriate or not (Viadero, 2005). Also, a uniform policy makes it easy for a teacher or administrator to easily pick out those students who are not following the rules.

Dress Codes and Case Laws

As the uniform debate has raged on for some time now, many unhappy parents and students have turned to the court system for some help in overturning uniform policies within public school districts. Brunsma (2004) describes how successful these parents and students have been:

Thus far students have been more successful in challenging dress codes than mandatory school uniform policies. The paradox is that students have had some success contesting the lesser restrictions of a dress code and no success in contesting the more restrictive mandatory school uniform policies, either through a free speech analysis or a substantive due process analysis. (p.73)

Although students and parents have not had much luck in overturning school uniform policies, they often use four important former court decisions in attempts to get the school uniform

overturned within their school district. These four cases are *Tinker v. Des Moines Independent School District*, *Bethel School District No. 403 v. Fraser*, *Hazel School District v. Kuhlmeier*, and *Canady v. Bossier Parish School Board* (Brunsma, 2004, Anderson, 2002).

Tinker v. Des Moines Independent School District. This case came about from students' denial of being allowed to wear a black armband to school in protest of United State's policy in Vietnam. "The court clearly proclaimed that students do not 'shed their constitutional rights to freedom of speech or expression at the schoolhouse gate'" (Anderson, 2002, p.11). This court decision was very influential for cases that would follow. This asserted that students do have First Amendment rights within school property. However, "The court concluded that student expression is protected unless it could be shown that a particular behavior would 'materially and substantially interfere with the requirements of appropriate discipline in the operation of the school' or 'collide with the rights of others'" (Anderson, 2002, p. 11). This further ruling gave school administrators the right to set rules and establish behavior guidelines for students. One aspect that the justices did explicitly comment on is the fact that this case pertained only to "pure speech" and not the issue of student dress of appearance (Anderson, 2002).

Bethel School District No. 403 v. Fraser. This came from a 1986 U.S. Supreme Court decision that had a large impact on students' rights of expression in the school setting (Anderson, 2002, p. 12). It was during this case that the Supreme Court reversed a lower court ruling giving school officials the right to punish a student for using inappropriate or offensive language at political speeches held during school assemblies (Anderson, 2002, p. 12). This gave school administrators the proper authority to take back their schools to resume a civil, peaceful learning experience. "The court stated 'the undoubted freedom to advocate unpopular and controversial views in schools and classrooms must be balanced against the society's countervailing interest in

teaching students the boundaries of socially appropriate behavior” (Anderson, 2002, p. 12). This case was significant from *Tinker* because it gave the school board the authority and school officials the power in determining whether a student’s speech is inappropriate or not. Although this case, like *Tinker*, was not a direct ruling on what students could or could not wear to school, it is significant to uniform and dress code cases because of the power it gave school officials in ruling on their students’ First Amendment rights (Anderson, 2002, p. 12).

Hazelwood School District v. Kuhlmeier. This case was about a principal who removed two articles written by students from the school newspaper. He deemed these two articles objectionable for a school newspaper to be reporting on them (Anderson, 2002, p. 12). Initially the U.S. District Court in Missouri ruled that students’ First Amendment Rights were not violated. The students, unsatisfied with this ruling, appealed. It was overruled in Appeals Court, relying on *Tinker v. Des Moines*’ decision that students do have First Amendment Rights within the schoolhouse gates. This case was then appealed again. The Supreme Court reversed the Court of Appeals decision. They contented school officials, “had the right to exercise reasonable control of the school-sponsored newspaper as part of a class” (Anderson, 2002, p. 12). This case yet again maintained the right of school official’s decision in deciding whether a student’s speech is appropriate or not for the schoolhouse.

Canady v. Bossier Parish School Board. This case was a direct ruling on whether or not school uniform policies were seen as constitutional or unconstitutional. The Bossier Parish School Board implemented school uniform policies on a trial basis in about half of their schools. In these schools, “test scores improved and disciplinary problems such as fights declined following the implementation of the trial uniform policy” (Anderson, 2002, p. 12). Due to these results, the school board implemented a mandatory uniform policy for all the schools within this

district. Some parents within this school district felt the mandatory uniform policy did not improve the learning environment, was too expensive, did not allow students' to express themselves, and violated religious rights (Anderson, 2002).

These parents took their case to court. Both the district court and the appeals court found the policy did not violate students' free-speech rights (Anderson, 2002, p. 13). The judge in charge of the case, concluded, "...the right to free speech is not absolute" and "...in many cases that sometimes school boards' regulation of student behavior outweighs individual students' rights to free speech" (Anderson, 2002, p. 13). This is monumental for school board officials because it gives them the rights to implement school uniform policies if it will provide a better learning environment for the students.

Within this decision, the court came up with a test that has four steps to determine whether school uniform policies are constitutional or not.

Under that test, a uniform policy passes constitutional muster if: The school board has the power to make such a policy. The policy promotes substantial interest of the board. The board does not adopt the policy to censor student expression. The policy's "incidental" restrictions on student expression are not greater than necessary to promote the board's interest. (Anderson, 2002, p. 13)

These steps can prove useful for school districts that are thinking about implementing a uniform policy within their schools. In addition to the steps, the four case laws help support school districts as they weigh this controversial topic.

Conclusion and Recommendations

As the education world continues to change, there becomes a great need for schools to change to meet these needs. Schools need to provide an atmosphere that will allow students to be safe and comfortable; thus allowing them to gain knowledge. One person who saw the need for this change was Former President Bill Clinton. He challenged public schools across the nation by

saying, “I challenge all of our schools to teach character education: to teach good values and good citizenship. And if it means that teenagers will stop killing each other over designer jackets, then our public schools should be able to require the students to wear school uniforms”

(Brunsma, 2006, p. 51).

School uniforms provide an opportunity for schools and students to be less distracted with what they are wearing and more in tune with the real purpose of schools; gaining an education. By eliminating the distractions, schools will turn into places that will allow students to excel in areas they never knew they could. Schools will also provide students with the necessary knowledge in order to go out into the “real world” and be successful at whatever trade they decide to explore.

When school districts decide they are ready for a change within their district and decide to implement school uniforms, there are a few steps they should follow in order to successfully implement them within their schools. Lumsden (2001) outlines these steps as:

1. Get parents involved from the beginning.
2. Protect students’ religious expression.
3. Protect students’ other rights of expression.
4. Determine whether to have a voluntary or mandatory school-uniform policy.
5. When a mandatory policy is adopted, determine whether to have an opt-out provision.
6. Do not require students to wear a message.
7. Assist families that need financial help.
8. Treat school uniforms as a part of an overall safety program (p. 4).

Looking more closely at each of these steps, it can be seen how important it is for school districts to follow these steps in order to successfully implement school uniform policies throughout their school districts.

Lumsden’s first step details the importance of getting parents involved from the beginning. School districts who decided not to get the parents onboard from the beginning of their implementation ran into numerous problems. Most of these problems resulted in school

districts having to discontinue uniform policies within their schools (Viadero, 2005). With parent support, school districts could be successful at implementing a school uniform policy. Parental support means school districts will not have to face law suits and opposition to enforcing the school uniform policies. Also, positive parental support will help the students see that they will not be able to get away with not following the school uniform policy; thus making sure students wear what they are supposed to each day to school.

Lumsden's second and third steps detail the importance of creating a uniform policy that still promotes students' rights to express themselves. School uniforms create an equal atmosphere for students of all socioeconomic statuses. By creating a school uniform policy, students will have the opportunity to express themselves through their academics instead of what they are wearing. Also, they will be able to work collaboratively with their peers without fearing that their clothing expresses themselves too differently from their peers. It is important for schools to teach students that they can express themselves through means other than their clothing. This will allow them to focus on subject areas that would best express who they are as people.

Lumsden's fourth and fifth steps describe the importance of school officials deciding whether the uniform policy should be voluntary or mandatory. This decision can be made with the help of parental advice, support, or even parental opposition. If a school district does not get unanimous support from their parents, they should choose not to go with a mandatory school uniform policy. Instead, they could try implementing an opt-out option or making the uniform policy a voluntary program. If school officials thoroughly research what the parents feel about the policy, they will be able to come up with a clear idea of what will and will not be successful with their uniform policy. Like previously stated, parental support makes or breaks a school

uniform policy. This is why it is so important to see what they parents in regards to mandatory or voluntary school uniforms prior to implementation.

The sixth step outlined by Lumsden describes the importance of not making students wear a particular message on their school uniform. Since students are already feeling they are incapable of truly expressing themselves through their clothes, they will resist the implementation of school uniforms if they are forced to promote a message they would not otherwise wear or promote on their own. This in turn could harm their ability to channel their expression through their academic studies.

Lumsden's seventh step reminds school officials how important it is for families who feel financial burdens to receive assistance with uniform costs. This assistance can come in many different forms. One way these families could be assisted is through programs that take in gently used school uniforms and then sold at a percentage of the cost. Also, families could shop at thrift stores or rely on hand-me downs from other family members and friends. Lastly, school districts and even cities could subsidize families in order to give lower income families the financial means to purchase the necessary pieces of clothing.

Lastly, Lumsden's eighth step draws school officials and the public to the most important piece of school uniform policies; safety. School uniform policies promote safety in a variety of ways. It allows students to stay safe during school from experiments, classroom activities, and physical education class activities that could pose harm if students were allowed to wear their own clothing. Also, it keeps students safe from the dangers of unidentified people coming into their schools. Lastly, school uniform policies help promote safety between students. School uniforms promote safety through erasing gang tensions, bullying, and harassment due to what a student is wearing.

By following these eight steps, Lumsden (2001) contends that school districts will be successful at implementing a school uniform policy that will allow students to learn, thrive, and excel in an atmosphere that allows students to feel safe and able to express themselves through their academics. A school uniform policy is the necessary change needed in today's public school districts across the nation.

References

- Anderson, W., & ERIC Clearinghouse on Educational Management, E. R. (2002). *School Dress Codes and Uniform Policies*. Policy Report. Retrieved from EBSCOhost.
- Boutelle, M. (2008). Uniforms: Are they a good fit?. *Education Digest*, 73(6), 34. Retrieved from <http://web.ebscohost.com/ehost/pdfviewer/pdfviewer?sid=7d412a82-c1f6-41d3-b3f9-d91b7cee35dd%40sessionmgr104&vid=8&hid=127>
- Brown, T. J. (1998). *Legal issues and the trend towards school uniforms*. Retrieved from <http://www.eric.ed.gov/PDFS/ED447588.pdf>
- Brunsma, D. L. (Ed.). (2006). *In public schools: A decade of research and debate*. Lanham, Maryland: Rowman & Littlefield Education.
- Brunsma, D.L. (2002). *School uniforms: A critical review of the literature*. Indiana: Phi Delta Kappa International.
- Brunsma, D. L. (2004). *The school uniform movement and what it tells us about American education: A symbolic crusade*. Lanham, Maryland: Scarecrow Education.
- Carroll, J. (Ed.). (2008). *Opposing viewpoints: School policies*. Detroit: Greenhaven Press.
- Gereluk, D. (2007). What not to wear: Dress codes and uniform policies in the common school. *Journal of Philosophy of Education*, 41(4), 643-657. doi:10.1111/j.1467-9752.2007.00576.x
- Konheim-Kalkstein, Y. L. (2006). A uniform look. *American School Board Journal*, 193(8), 25. Retrieved from <http://web.ebscohost.com/ehost/pdfviewer/pdfviewer?sid=7d412a82-c1f6-41d3-b3f9-d91b7cee35dd%40sessionmgr104&vid=12&hid=127>
- Lumsden, L. (2001). *Uniforms and dress-code policies*. *ERIC Digest Number 148*. Retrieved from EBSCOhost.

Lumsden, L., Miller, G., & National Association of Elementary School Principals, A. A. (2002).

Dress codes and uniforms. Research Roundup. Retrieved from EBSCOhost.

Pate, S. (1999). The influence of a mandatory school uniform policy. Retrieved from

<http://www.eric.ed.gov/PDFS/ED458695.pdf>

Vairo, P., Marcus, S., & Weiner, M. (2007). *Hot-button issues for teachers: What every educator*

needs to know about leadership, testing, textbooks, vouchers, and more. Lanham,

Maryland: Rowman & Littlefield Education.

Viadero, D. (2005). Uniform effects?. *Education Week*, 24(18), 27. Retrieved from

<http://web.ebscohost.com/ehost/detail?sid=7d412a82-c1f6-41d3-b3f9->

[d91b7cee35dd%40sessionmgr104&vid=15&hid=127&bdata=JnNpdGU9ZWZWhvc3QtbGl2](http://web.ebscohost.com/ehost/detail?sid=7d412a82-c1f6-41d3-b3f9-d91b7cee35dd%40sessionmgr104&vid=15&hid=127&bdata=JnNpdGU9ZWZWhvc3QtbGl2)

[ZQ%3d%3d#db=tfh&AN=15768986](http://web.ebscohost.com/ehost/detail?sid=7d412a82-c1f6-41d3-b3f9-d91b7cee35dd%40sessionmgr104&vid=15&hid=127&bdata=JnNpdGU9ZWZWhvc3QtbGl2ZQ%3d%3d#db=tfh&AN=15768986)

Appendix A

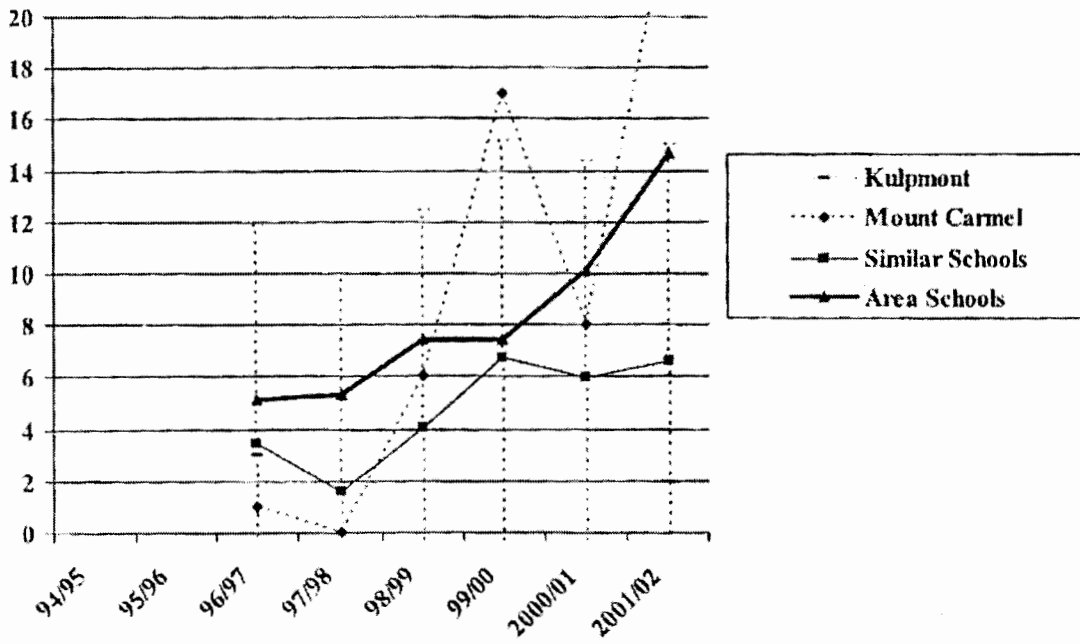


Figure 2.14 Number of Incidents 1994–2002

From Brunsmma, D. L. (Ed.). (2006). In public schools: A decade of research and debate (p. 37).

Lanham, Maryland: Rowman & Littlefield Education.

Appendix B

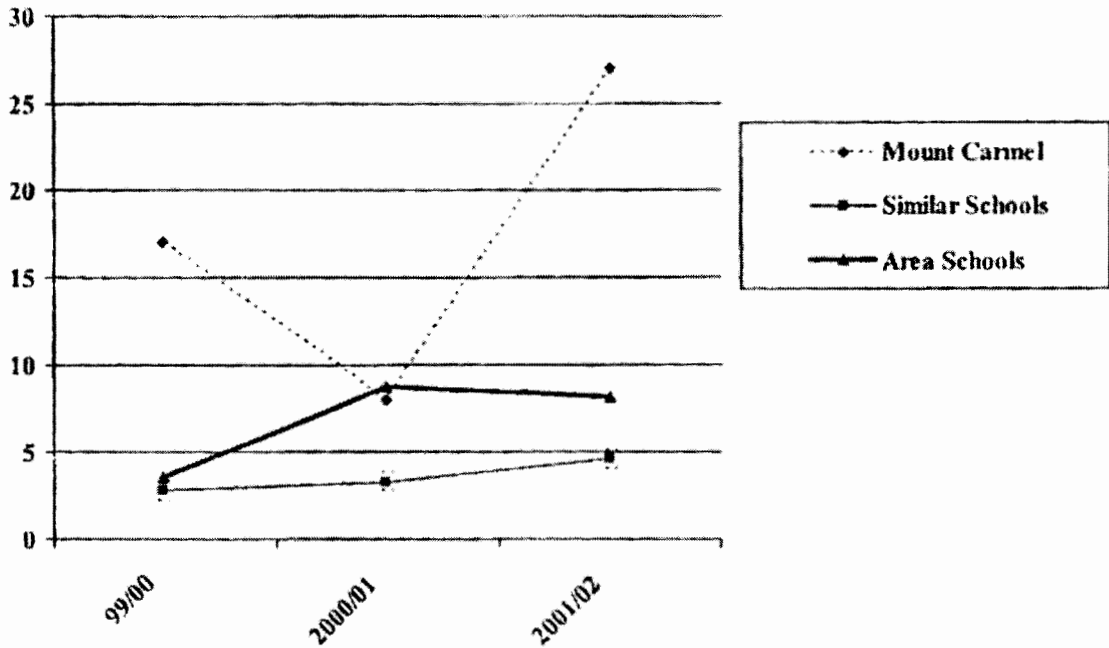


Figure 2.18 Number of Suspensions 1999–2002

From Brunsmma, D. L. (Ed.). (2006). In public schools: A decade of research and debate (p. 40).

Lanham, Maryland: Rowman & Littlefield Education.

Appendix C

42

Chapter 2

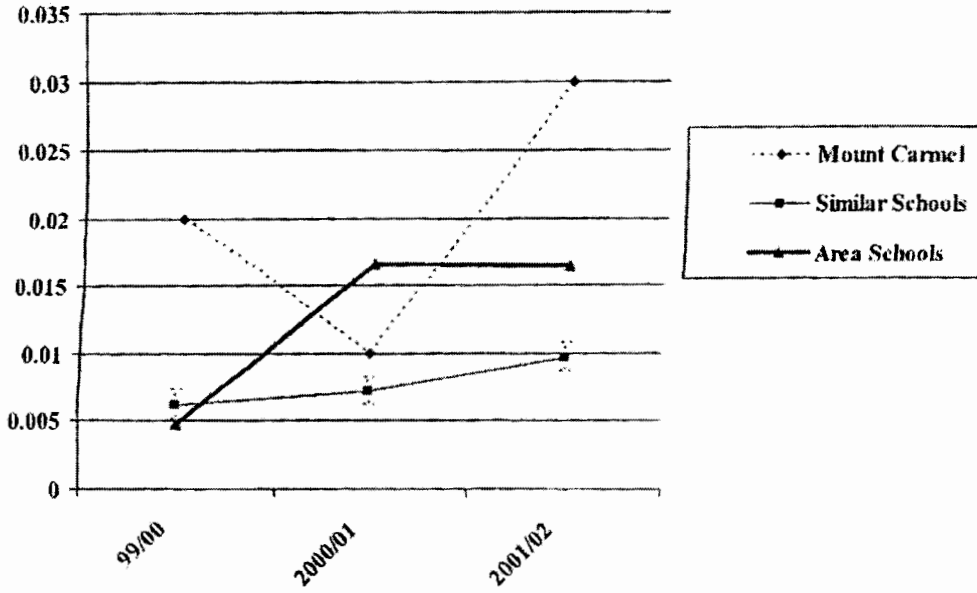


Figure 2.21 Suspensions as a % of Enrollment 1999–2002

From Brunsmma, D. L. (Ed.). (2006). In public schools: A decade of research and debate (p. 42).

Lanham, Maryland: Rowman & Littlefield Education.