

School dress code administrative instruction

This is a mandated instruction issued under section 9 of the [Education and Children's Services Act 2019](#). This instruction may be varied or revoked by further administrative instruction.

Overview

This administrative instruction outlines the process for schools (including schools with a school-based preschool) and governing councils of schools (referred to as governing councils) when developing, implementing or reviewing a school dress code for their school.

Scope

This instruction applies to all department schools and governing councils.

Detail

School dress code

A school dress code is the documented standards of what's acceptable in relation to the clothing worn by students while attending school. The dress code will describe what the 'school uniform' is for each school.

A dress code adopted by a school should, regardless of a student's gender identity, be flexible and allow the right of choice and gender expression. It should include the choice of clothing that considers the following:

- freedom of movement
- level of comfort
- safety
- climatic conditions
- other special circumstances (for example pregnancy or disability).

The dress code will list a range of clothing that can be worn by all students that forms the school uniform, including colour or mix and match clothing. To support student diversity, gender expression and freedom of choice, uniform clothing lists should be categorised in non-gender specific terms.

Schools are not required to adopt a dress code, but they're encouraged as they play an important role in:

- promoting a positive image of the school
- creating a sense of identity among students and the community
- supporting student safety through ease of identification
- making sure students are dressed appropriately for all school activities.

Development considerations

The governing council is responsible for coordinating the development of a school's dress code for the school principal to approve and adopt. Before submitting the proposed dress code to the principal, the governing council should record its decision to support the dress code in its formal minutes. The governing council's usual method for making decisions should be used. For example, a formal motion with a vote or a show of hands.

When developing a school dress code, a governing council must consider:

- the health and safety of students when engaged in a wide range of physical activities and in various weather conditions, for example safe footwear, eye protection, hats and fabric or material choice
- the school community standards and expectations
- anti-discrimination and equal opportunity legislation to make sure the code is inclusive of a diverse student body, including but not limited to, gender expression, disability, religion and cultural considerations
- current department policies and procedures intended to improve the learning environment and outcomes of students so that schools are supportive, positive, non-discriminatory, equitable and safe.

Governing councils must consult with and consider the views of students and their [parents](#) (refer to definitions section), in determining or reviewing a dress code for the school to consider and adopt.

Consultation process

The consultation process that the governing council will follow and undertake (for example letters or school newsletter notifications) and all feedback received should be documented and stored in line with the department's [records management processes](#). The consultation timeframe starts from when the school dress code information is made available to all students and parents of students enrolled at the school for consideration. It must be open for a minimum of 3 months.

Design requirements

The design and concept of any school uniform requirements is determined locally by the school principal and the governing council. All new school logos must be approved by the department's Communications directorate.

Logo and branding design and use must comply with the directions outlined in [logos for schools and preschools](#).

Contact the Communications directorate at education.comms@sa.gov.au as early as possible in the logo concept development stage to make sure the logo meets approval standards.

Student population

All decisions should take into account the diverse nature of the student population in the school and not disadvantage any student.

The economic, personal, social and cultural factors affecting students and their families must be considered when deciding on items of uniform.

Costs of dress code

In making decisions about the dress code, governing councils must consider the cost of compliance and include financial strategies to keep these costs as low as practical for families.

Some students may have concerns if they need to apply for exemption or get second-hand clothing. The school must be sensitive to these students and consider how their cultural values, backgrounds and economic circumstances may make it difficult to observe the school's dress code.

Any arrangements for the supply of uniforms with individual companies must comply with the [procurement governance policy](#).

School dress codes should not instruct that parents are only allowed to purchase the school uniform items from a single contracted supplier. However, parents must be advised that any non-logo or non-monogram uniform item purchased for school use should be imprinted with the school's logo as soon as possible after purchase.

Communication to parents

When a dress code is adopted by the school, the principal must give written notification to the parents of each student or adult students (including those on later enrolments) of:

- the dress code of the school
- their right to request the exemption of the student from that dress code.

The school's dress codes should be made publicly available on the school's website.

Exemption

The principal may exempt a student from the school dress code after receiving a written request from a parent of the student. Grounds on which parents may seek exemption include:

- religious (clothing or adornments, unless the item poses an unacceptable risk to safety)
- cultural or ethnic
- new students (time to purchase, wear previous uniform)
- itinerant and mobile students
- financial hardship
- genuine medical or family sickness reasons
- other additional grounds the principal may determine.

To minimise the possibility of conflict, the principal must ensure sensitive and careful consideration when approving an exemption. Adult students may seek exemption on their own behalf.

Implementation

The implementation of a dress code (initial or review) should only occur after a formal notification period. This period should be a minimum of 6 months and preferably a period closer to 12 months.

Schools will usually expect students to follow the school's dress code:

- during school hours
- while travelling to and from school
- when engaged in school activities outside of school hours.

Enforcement and non-compliance

The principal must enforce the dress code of the school and may take appropriate [disciplinary action](#) (see definitions section) in relation to intentional and persistent breach of the code.

The consequences for persistent non-compliance should be developed as part of the dress code [consultation process](#) (see section above). It should be agreed to by a majority of parents of the students enrolled at the school at that time. The consequence hierarchy, including disciplinary action, should be documented and available to students and their parents at all times (for example, included in the school's behaviour code). The decision to take disciplinary action must be fair and consistent.

The principal may not enforce the dress code by suspending, excluding or expelling a student from the school, or by preventing the student from participating in the school's education program.

Positive reinforcement and encouraging responsible behaviour are the preferred approaches to make sure students comply with the school's dress code.

All students and parents of students enrolled at the school have a role to play in encouraging the meeting of these standards.

If needed, schools can provide spare clothing for students to change into, excluding those exempted from the dress code.

Review

A school must establish a formal review process for their school dress code that will provide a process for students and parents of students enrolled at the school to seek review when circumstances change significantly or issues arise. For example, the receipt of a written request to the principal.

New Schools – due to commence operation at the beginning of a school year

Where a new school has yet to be established and there's no functioning governing council the following will be applied. Where this section is silent on particular details to be considered, i.e. development and design considerations, the requirements of this instruction outlined above will apply.

- All actions to be taken by the governing council in this instruction will instead be taken by the newly appointed principal. This includes, development, consultation and design.
- For the purposes of consultation the principal will develop a school dress code consultation committee.
 - Where the new school is an amalgamation of existing schools the consultation committee will be made up of parents and students from the amalgamating schools.
 - Where the school is a 'new' school the consultation committee will be made up of a selection of parents and students (from Student Representative Council) of neighboring schools.
- Committee numbers will be determined by the principal.
- The principal will ensure that committee membership will, as far as is practicable, represent the school community's standards, expectations, the diverse nature of the student population and have equal gender representation.
- The school dress code will be reviewed by the school's education director prior to consultation with the school dress code consultation committee.
- The school community consultation period will be determined by the principal but should be as close as practicable to the minimum consultation period of 3 months referred to above in this instruction.
- Once the dress code is finalised it will be approved by the corporate support team as defined in the department's [amalgamating, closing, opening and naming preschools and schools procedure](#).
- The formal notification period to parents and students prior to implementation of the new school dress code will be determined by the principal but should be as close as practicable to the minimum implementation period of 6 months referred to above in this instruction.
- The functioning governing council elected at the school's first Annual General Meeting (AGM) will have as an agenda item for consideration of formal support for the school dress code.

- The principal together with the governing council will then commence a formal review process and comply with all of the requirements of this instruction as if it were commencing the process a new with the parents and students enrolled at the school.

Roles and responsibilities

Chief Executive

Issue, vary or revoke administrative instructions relating to school dress codes under section 9 of the [Education and Children's Services Act 2019](#).

Governing council

Determine a school dress code for adoption by the school that complies with the requirements outlined in this instruction and the *Education and Children's Services Regulations 2020*.

Principal

Approve and adopt the governing council's proposed dress code for the school, after making any reasonable amendments they see fit.

Together with the governing council, design school uniform requirements.

Comply with the [procurement governance policy](#) for the supply of uniforms with individual companies.

Give written notice to the parents of each student or adult students (including those on later enrolments) of the dress code of the school and their right to request the exemption of the student from that dress code.

Exempt a student from the school dress code after receiving a written request from a parent of the student or adult student.

Enforce the dress code, except where students are exempt, and take appropriate disciplinary action for intentional and persistent breach of that code.

Determine the school's enforcement procedures and exemption conditions.

Make sure the school dress code determined by the governing council complies with the requirements of this instruction and the *Education and Children's Services Regulations 2020*.

Undertake a review of the school dress code after receiving a written request from a student or parent of the student in line with the school's formal review process.

Parents of students enrolled at the school and adult students

Meaningfully and respectfully contribute to the consultation and review process of the school dress code.

May seek an exemption from the requirement to comply with the school's dress code by writing to the principal of the school and stating the grounds on which they're seeking exemption.

Support the agreed responses to students who do not comply with the dress code.

Students

Meaningfully and respectfully contribute to the consultation and review process of the school dress code.

Comply with the school's dress code and follow reasonable directions from the principal and members of the teaching staff.

Definitions

additional grounds for exemption

The principal may include additional grounds for exemption, such as special consideration, where the wellbeing of the student may be negatively affected.

adult student

A student who is 18 years of age or over.

consultation

A formal process of discussion and engagement to gather information and views from the school community, before a decision is made. The consultation process must include gathering information and feedback from students, parents of students enrolled at the school and any other person or group who may be impacted by the decision or plan.

Consultation should make sure feedback is appropriately documented and considered. It should involve transparent and clear communications and decision making, and include timeframes about approval and implementation processes.

design and concept

Includes uniform requirements such as the fabric, practicality, appropriate reflection of the schools profile and branding, and ease of identification as the schools uniform.

disciplinary action

Appropriate strategies to handle students for intentional and persistent breaches of the school dress code including:

- speaking privately to the student to encourage them to observe the code
- advising the parents of the student via a diary note, phone call from the principal or letter
- negotiating with the student and parents of the student
- establishing exclusion zones for non-uniform wearers, for example no hat, no play outside or play in the shade
- extra duties, for example, cleaning up litter in the school yard for a period of time during breaks, helping staff to set up for school functions, limit schoolyard or oval access at break times or prohibit excursions
- verbal warning to the student
- detention.

financial strategies

Appropriate strategies to reduce the financial cost for families including:

- second-hand clothing service
- uniform exchange service
- bulk buying or ordering of clothing by the school
- financial assistance in the form of loans, time payments or subsidy
- loan of dress code clothing for those in financial need.

formal notification

A written notice or announcement, which is distributed via the school's usual communication channels.

gender identity

The gender² related identity, appearance or mannerisms or other gender² related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated sex at birth.

guardian

A person who has legal guardianship or custody of a child.

governing council

A governing council established under section 34 of the [Education and Children's Services Act 2019](#).

in loco parentis

A person acting in a parental style relationship with a child, where the person has intended to place themselves in the position of a parent toward a child and has assumed the same duty and authority as a parent with respect to the nurturing, control and protection of a child. A person in loco parentis may include a person:

- In a de facto relationship with a child's biological parent where they have assumed responsibility for the child.
- Who has taken over care of a child after the death of both biological parents, or where there has been a family breakdown and the child is estranged from both biological parents.
- In an informal fostering arrangement.

This person does not have to assume any or all financial responsibility for a child to satisfy this definition.

parent

For the purposes of this administrative instruction, the term parent refers to all persons responsible for the child. A person responsible for the child means a person who is the child's:

- biological parent , adoptive parent or other person recognised as a parent if the child was conceived following a fertilisation procedure or under a surrogacy arrangement
- guardian
- person standing in loco parentis.

This does not include a person who has had their legal custody, guardianship or responsibility for the child removed by a Court, Act or Law. As an example, a biological parent who has had their custody, guardianship or parental responsibility for the child removed by a parenting order made under the *Family Law Act 1975* is not a person responsible for the child.

school

A government school (at which primary or secondary education or both is, or is to be, provided), special purpose school or special school established under the [Education and Children's Services Act 2019](#) including students who are provided preschool education at a government school.

student

A person under 18 years of age enrolled and attending at a school (or school based preschool) or approved learning program.

students and parents of students enrolled at the school groups

Groups to consult when developing or reviewing the school dress code, for example, Aboriginal students, students with non-English speaking backgrounds, students at risk, low economic status students or adult students. These groups should have equal gender representation.

Supporting information

[Anti-racism](#)

Related legislation

[Education and Children's Services Act 2019](#)

[Education and Children's Services Regulations 2020](#)

[Disability Discrimination Act 1992](#)

[Equal Opportunity Act 1984](#)

[Racial Discrimination Act 1975](#)

[Sex Discrimination Act 1984](#)

[Work Health and Safety Act 2012](#)

Related policies

[SA Equal Opportunity Commission – equal opportunity and you \(religious appearance or dress\) \(PDF 2.8MB\)](#)

[Children and students with disability policy](#)

[Attendance policy](#)

[Gender diverse and intersex children and young people support procedure \(PDF 238.9KB\)](#)

[Supporting gender diverse, intersex and sexually diverse children and young people policy \(PDF 231.1KB\)](#)

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Contact

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