

SENATE No. 290

The Commonwealth of Massachusetts

PRESENTED BY:

Adam Gomez

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to reduce exclusionary discipline for grooming and dress code violations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Adam Gomez</i>	<i>Hampden</i>	
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	<i>1/31/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/16/2023</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>3/2/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>7/11/2023</i>

SENATE No. 290

By Mr. Gomez, a petition (accompanied by bill, Senate, No. 290) of Adam Gomez, Lydia Edwards, James B. Eldridge and Patricia D. Jehlen for legislation to reduce exclusionary discipline for grooming and dress code violations. Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act to reduce exclusionary discipline for grooming and dress code violations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 37H of Chapter 71 as appearing in the 2020 Official Edition is
2 hereby amended by inserting after subsection (g) the following:-

3 (h) Any school board may include in its code of student conduct a dress or grooming
4 code. Any dress or grooming code included in a school board's code of student conduct or
5 otherwise adopted by a school board shall (1) permit any student to wear any religiously and
6 ethnically specific or significant head covering, including hijabs, yarmulkes, scarves, and
7 headwraps; (2) maintain gender neutrality by subjecting any student to the same set of rules and
8 standards regardless of gender; (3) not have a disparate impact on students of a particular gender;
9 (4) be clear, specific, and objective in defining terms, if used; (5) prohibit any school board
10 employee from enforcing the dress or grooming code by direct physical contact with a student or
11 a student's attire; and (6) prohibit any school board employee from requiring a student to undress

12 in front of any other individual, including the enforcing school board employee, to comply with
13 the dress or grooming code.

14 SECTION 2. Section 37H ³/₄ of Chapter 71 as appearing in the 2020 Official Edition is
15 hereby amended by inserting as the last sentence of subsection (a) the following -:

16 In no cases may students be suspended or expelled solely on the basis violations of dress
17 code standards.

18 SECTION 3. The changes detailed in Sections 1 and 2 shall take effect 60 days after
19 passage of this act.

20 SECTION 4. The Department of Elementary and Secondary Education shall adopt,
21 promulgate, amend and rescind rules and regulations or formulate policies and recommendations
22 as necessary, including training, to effectuate the purpose of Sections 1 and 2.