

MAR 07 2023

SENATE RESOLUTION

URGING THE BOARD OF EDUCATION TO DEVELOP AND ENFORCE NON-SEX-SEGREGATED DRESS CODES FOR PUBLIC SCHOOL FORMAL EVENTS.

1 WHEREAS, in 2021 and 2022, an east Oahu public high school
2 maintained a sex-segregated dress code for formal events,
3 including homecoming and graduation, which resulted in a
4 student-written petition condemning the dress code; and
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6 WHEREAS, the existing sex-segregated dress codes for public
7 school formal events uphold the false notion that sex and gender
8 are the same and enforces negative sex stereotypes; and
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10 WHEREAS, it is argued that the existing public school sex-
11 segregated dress codes violate:
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- 13 (1) Title IX of the Education Amendments of 1972, which
14 prohibits in any educational program or activity
15 receiving federal financial assistance discrimination
16 on the basis of sexual orientation and gender identity
17 and protects individuals who do not conform to sex
18 stereotypes;
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- 20 (2) Act 110, Session Laws of Hawaii 2018, which prohibits
21 in any educational program or activity receiving state
22 financial assistance discrimination on the basis of
23 sex and gender identity and expression; and
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- 25 (3) The First Amendment of the United States Constitution
26 Bill of Rights, which protects the right to free
27 expression; and
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29 WHEREAS, the revision of existing sex-segregated dress
30 codes for public school formal events will encourage, rather
31 than condemn, gender expression and facilitate the inclusion of
32 gender nonconforming and transgender students in public school
33 formal events; now, therefore,
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35 BE IT RESOLVED by the Senate of the Thirty-second
36 Legislature of the State of Hawaii, Regular Session of 2023,

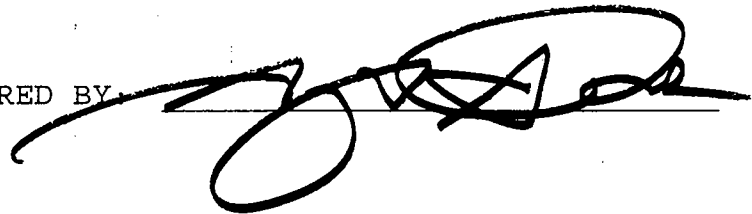


S.R. NO. 40

1 that the Board of Education is urged to develop and enforce non-
2 sex-segregated dress codes for public school formal events that
3 ensure public school formal events are affirming, safe spaces
4 for all students; and
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6 BE IT FURTHER RESOLVED that certified copies of this
7 Resolution be transmitted to the Chairperson of the Board of
8 Education, Superintendent of Education, State Student Council,
9 and Honolulu Youth Commission, which is requested to send copies
10 of this Concurrent Resolution to other applicable commissions
11 and neighborhood boards.
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14

OFFERED BY:

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and difficult to decipher.