



May 15, 2018

Noble Network of Charter Schools
1 North State Street
Floor 7-Lower
Chicago, IL 60602

To the Noble Network of Charter Schools leadership:

Like many, we are deeply disturbed by recent articles about Noble policies regarding girls' access to their education free from discrimination, harassment, and humiliation. Students have spoken to journalists about Noble schools' prison-like atmosphere, which is not conducive to positive educational or emotional outcomes for students. We are particularly concerned about reports that students have inadequate access to restrooms, even when menstruating. As a result, journalists explain, students stain their pants. Because Noble's overly strict dress code policy prohibits students from tying a sweater around their hips -- an inoffensive style that poses no threat to any student's education -- the school has offered menstruating students whose clothing is stained as a result of Noble's policies an "accommodation": all their teachers will be informed that they are permitted to wear a Noble-branded sweater around their waist in order to cover menstrual stains.

In a public statement on May 1, Noble denied these allegations. We hope they are indeed false. If not, Noble is at risk of legal action for violating its students' civil rights. Federal law forbids schools from discriminating on the basis of sex, race, or disability. Failing to accommodate and then humiliating menstruating students in a manner that constitutes harassment on the basis of their sex runs afoul of both the spirit and letter of the law, as well as Noble's ethical responsibilities to its students. Additionally, menstrual hygiene management is already a challenge for those adolescents with intellectual and developmental disabilities, who may not easily perform the behavioral and physical skills expected of students without disabilities. Schools should support all students, including students with disabilities, by creating an environment that facilitates self-care, not punitive policies that may amplify feelings of shame.

In addition to promptly addressing specific concerns raised about the treatment of menstruating students, we urge you to revisit Noble schools' overly strict and punitive disciplinary policies. Particularly of concern are your dress and grooming codes, parts of which clearly target Black students. No student should ever be denied the opportunity to learn because of how they look. Research indicates strict dress codes are particularly damaging for girls of color and promote a culture of harassment and inequality. As such, these codes may run afoul of Title IX of the Education Amendments of 1972 and Title VI of the Civil Rights Act of 1964, which forbid discrimination on the basis of sex and race, respectively. In redesigning your policies, you might consider recommendations in our recent report, *DRESS CODED: Black Girls, Bodies, and Bias in D.C. Schools*. We would also be happy to offer technical assistance.

Signed,

National Women's Law Center

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American Federation of Teachers
Atlanta Women for Equality
Augustus F. Hawkins Foundation
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