

Education Alert
Labor & Employment Alert
October 3, 2022

NEW MASSACHUSETTS LAW
PROHIBITS DISCRIMINATION ON THE BASIS OF
NATURAL AND PROTECTIVE HAIRSTYLES

Governor Charlie Baker signed into law the “Create a Respectful and Open World for Natural Hair” (CROWN) Act. The law was signed on July 26, 2022, and will take effect on October 24, 2022.

The CROWN Act expands the definition of “Race” as applied to a prohibition on discrimination based on race, to expressly include “traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.” The new law specifically defines “protective hairstyles” as including but not being limited to, braids, locks, twists, Bantu knots, hair coverings, and other formations.

The CROWN Act applies to schools, workplaces, and places of public accommodation, and prohibits any form discrimination on the basis of natural and protective hairstyles in any of these settings.

In enacting this law, Massachusetts joins many other states who have similarly enacted laws to help eradicate racial discrimination, bias, and/or stereotypes against individuals because of their natural and protective hairstyles.

Employers and Schools *must* promptly review their policies, including policies prohibiting discrimination and harassment, as well as dress code policies and any other appearance-related policies that may touch in any way upon hairstyle.

The CROWN Act specifically addresses some policies in the school settings and provides that school committees, school districts, public schools, nonsectarian schools, and the Massachusetts Interscholastic Athletic Association (or similar organization that provides athletic officials) cannot have policies or codes which impair or prohibit a hairstyle historically associated with race.

The state’s Department of Elementary and Secondary Education (DESE) has been tasked by the Legislature to provide written guidance on how the legislation is to be administered in schools.



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The Massachusetts Commission Against Discrimination (MCAD) is to adopt, change or rescind rules and regulations or develop policies and recommendations necessary to reflect the legislative changes.

This Client Alert was prepared by Mariem Marquetti. This Alert was reviewed with Sarah Spatafore and Kathryn Murphy. If you have any questions about this issue, please contact Mariem Marquetti, Sarah Spatafore, Kathryn Murphy, or the attorney responsible for your account, or call (617) 479-5000.

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