

**H.5208**  
**(H.4554 Amended with S.2808)**

**An Act prohibiting discrimination based on natural and protective hairstyles**  
as enacted by the House on 7/14/2022

**SUMMARY:**

**Section 1** – Extend prohibition on discrimination based on race to include traits historically associated with race, including, but not limited to, hair texture, hair type, and protective hairstyle. And defines protective hairstyle to include, but not be limited to, braids, locks, twists, and Bantu knots.

**Section 2** – Explicitly includes natural or protective hairstyles as one of the possible motivations for a hate crime

**Section 3** – Explicitly prevents all school districts, school committees, public schools and non-sectarian schools from implementing policies that limit or prohibit natural or protective hairstyles and instructs DESE to write guidance to ensure this.

**Section 4** – Inserts natural or protective hairstyles into the categories for which school anti-bullying plans must recognize particular vulnerability to bullying

**Section 5** – Inserts natural or protective hairstyles into the equal opportunity statement requirements for charter schools

**Section 6** – Inserts natural or protective hairstyles into the protected categories against which discrimination is illegal in public school admission and the provision of educational services in public schools

**Section 7** – Inserts natural or protective hairstyles into the protected categories against which discrimination is illegal in admission to public schools for non-resident students

**Section 8 and 9** – Inserts natural or protective hairstyle into the mandate of the Mass. Commission Against Discrimination

**Section 10** – Inserts natural or protective hairstyle into the sentencing for racially, or otherwise discriminatorily motivated assault

**Section 11** – Inserts natural or protective hairstyles into the protected categories against which discrimination is illegal for advertisements of businesses and other spaces open to the general public

**Section 12** – Inserts natural or protective hairstyles into the protected categories against which discrimination is illegal in treatment in businesses and other spaces open to the general public

**Section 13** – Directs the Mass Commission Against Discrimination to develop regulations and formulate policies to enforce section 4 – 9

**[Senate Amendments]**

**Section 2** – Clarifies that provisions apply to all school sports programs, including but not limited to The Massachusetts Interscholastic Athletic Association or any equivalent entity that provides athletic officials such as referees and umpires for school sports/athletics to ensure provisions apply to both public and private schools.

Extends prohibition on discrimination to religious schools but does not intrude upon a religious school's ability to adopt hair policies that are consistent with its religious tenets.

**Section 3** – The Massachusetts commission against discrimination may adopt, promulgate, amend and rescind rules and regulations or formulate policies and make recommendations to put these provisions into effect.