# Website Text:

## We're Ending Hair Discrimination

The CROWN Act was created in 2019 by Dove and the CROWN Coalition, in partnership with then State Senator Holly J. Mitchell of California, to ensure protection against discrimination based on race-based hairstyles by extending statutory protection to hair texture and protective styles such as braids, locs, twists, and knots in the workplace and public schools.

## How did we get here?

Oregon joins a number of states in prohibiting discrimination based on hairstyles associated with a person’s race. Governor Brown signed HB2935 on June 11, 2021.

The CROWN act prohibits discrimination based on protective hairstyles. Protective hairstyles are defined as “hair color or manner of wearing hair that includes, but is not limited to, braids, regardless of whether the braids are created with extensions or styled with adornments, locs, and twists.” The law also expands the definition of “race” under ORS 659A to include “physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type, and protective hairstyles.” The CROWN act specifically applies to Oregon employer and public schools.

The CROWN act also addresses dress codes that may have a disproportionate adverse impact on members of a protected class. Oregon anti-discrimination act, ORS 659A, does not prohibit employers from enforcing an otherwise valid dress code or policy so long as the policy provides reasonable accommodations. The CROWN act further specifies that the dress code or policy must not have a disproportionate adverse impact on members of a protected class to a greater extent than the policy impacts persons generally.

The passage of the CROWN act is a good reminder to routinely update your employee handbook. Generally, handbooks include a statement regarding equal employment. Further, the Oregon Workplace Fairness Act requires Oregon employer to have an anti-discrimination and harassment policy. It is likely your employee handbook does not mention protected hairstyles. Now is a good time to update your handbook or have an expert review. Any changes to address the CROWN act should be mindful of your obligation to provide employment free of discrimination but also take into consideration a reasonable dress code policy.

## Examples of Protected Hair Styles:

Note: These examples are not all-inclusive.

1. Young girl with curls
2. Young man with adornments on his braids
3. Young boy with locs
4. Young girl with locs
5. Young man with one braid
6. Young girl with natural hair
7. Young girl with braids and ribbons
8. Young man with braids
9. Young girl with braids
10. Young man with natural hair
11. Young woman with hair wrap
12. Young girl with natural hair Infant with natural hair

## CROWN Act Poster:

The Department has created a poster for the purpose of displaying information about the CROWN Act, with steps and contact information to file a complaint against discrimination. We have provided a PDF of the Poster below. Please feel free to download, print and post wherever Oregon students are present.

73905\_ODE\_Crown Act Informational Poster\_2021-11x17-final.pdf

## Reading Resources

We have provided these initial resources for you to use and share. We will continue to add resources as they are brought to our attention and made available. This is not an all-inclusive list. If you have resources you would like to share, please contact our Communications Team at ODECommunications@state.or.us.

* Oregon Public Broadcasting: Oregon lawmakers pass CROWN Act, banning discrimination based on hairstyles
* The Skanner: It's Time for Oregon to Pass the CROWN Act
* Press Release: Oregon Senate Passes the CROWN Act
* Banning Hair Discrimination Emerges as Racial Justice Issue.pdf
* 'Black Hair' is Never 'Just Hair'- A Closer Look at Afro Discrimination in the Workplace.docx.pdf
* Hair is not just hair – What can schools do about hair discrimination.pdf
* How to Persuade White Lawmakers to Protect Black Hairstyles.pdf
* NATURAL HAIR DISCRIMINATION - NAACP LDF FAQs.pdf
* New (Nevada) law protects against discrimination for hairstyle, style.pdf
* Should Schools or Employers Be Allowed to Tell People How They Should Wear Their Hair.docx.pdf
* This family fought a West Side school’s ban on Black hair styles and.....docx.pdf
* When Natural Hair Wins, Discrimination in School Loses.docx.pdf

## Filing a Civil Rights Complaint -Oregon CROWN Act

Allegations of hair discrimination, Oregon CROWN Act, or the basis of race, color and national origin are addressed by Oregon Revised Statute (ORS) 659.850, Discrimination in Education Prohibited, Oregon Administrative Rules (ORS) 581-021-0045, Discrimination in Education Prohibited, and Oregon Administrative Rules (ORS) 581-021-0046, Program Compliance Standards.

Allegations of discrimination or harassment, based on race, color, or national origin, are addressed by Title VI of the Civil Rights Act of 1964, a federal nondiscrimination law.

## Filing a Written or Verbal Complaint

ODE accepts complaints alleging discrimination. You can find that here: Oregon Department of Education : Complaints and Appeals : About Us : State of Oregon

When filing a written civil rights complaint with your local school or district, please make sure to include:

* Name & contact information of the person filing the complaint.
* Name and contact information of the person discriminated against (if not the person filing the complaint, such as the student).
* Name of the school or district where the alleged discrimination took place.
* The basis of your complaint (hair discrimination, Oregon CROWN Act, race, color, national origin).
* Please describe each alleged discriminatory act. For each action, please include:
* The date(s) the discriminatory act occurred;
* The name(s) of each person(s) involved;
* Why you believe the discrimination was because of hair discrimination, Oregon CROWN Act, race, color, national origin;
* The name(s) of any person(s) who was present and witnessed the acts of discrimination.
* The most recent date you were discrimination against.

Please sign & date the complaint (if the person not filing the complaint is age 18 or older, they must sign also).

When filing a verbal civil rights complaint with your local school or district, please make sure to include:

* As much of the items for the written complaint as possible.
* Please write down for your records:
* Who you spoke to;
* What day and time you spoke to them;
* A summary of the conversation.
* Anything the person told you in response.

## Helpful Links

### Oregon Public School Districts

The above link to the Oregon School Boards Association (OSBA) provides links to all Oregon school districts with active web sites. Oregon school districts must adopt written procedures for the prompt resolution of complaints of discrimination or harassment. These procedures are available at any district school or office. District procedures are often printed in school student and parent handbooks. Many districts also post this information on their district or school web sites. To find discrimination complaint forms and procedures, please search for “Board Policies,” “Complaints” or “Discrimination Procedures” on the school or district home page’s “Search Box.” It is ideal to alert the local Oregon school district first of any concerns and follow its procedures for investigation and resolution.

### U.S. Department of Education Office for Civil Rights - Know Your Rights

Complaints against Oregon school districts, based on federal civil rights law, may also be filed immediately with the U.S. Department of Education Office for Civil Rights in Seattle. The section "Know Your Rights" and “OCR Complaint Process” hotlink will provide specific details. The Office for Civil Rights also accepts complaints at 915 Second Avenue, Seattle, WA 98174; Phone: (206) 607-1600; Fax: (206) 607-1601; TDD: (206) 607-1647.

### Oregon Department of Education Hearings and Appeals Process

For a description of the Oregon Department of Education hearings and appeals process and how to file an appeal select the above link. Appeals may be presented to the Oregon Department of Education (ODE), after exhausting local (Oregon school district) grievance procedures or 90 days, whichever comes first. Appeals to ODE must be in writing to the Deputy Superintendent of Public Instruction, 255 Capitol St. NE, Salem, OR 97310; Phone: (503) 947-5740; Fax: (503) 378-4772.

### Child Nutrition Programs

Discrimination complaints regarding the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, Summer Food Service Program and USDA Food Distribution Program may be made directly to USDA by following the “Center for Civil Rights Enforcement” or “And Justice for All” posters links.

### Oregon Teacher Standards and Practices Commission (TSPC)

Complaints regarding licensed school officials are addressed by the Oregon Teacher Standards and Practices Commission (TSPC), a separate agency from the Oregon Department of Education. The "Complaint and Misconduct Report Forms” hotlink in the “Professional Practices” column (top center of home page) will provide specific details. The Teacher Standards and Practices Commission also accept complaints at 250 Division Street NE, Salem, OR 97301; Phone: (503) 378-3586; Fax: (503) 378-4448; TDD: (503) 378-6961.

# Contact Information:

Winston Cornwall is the Department representative for the CROWN Act in Oregon. If you have any questions, you may email him at Winston.Cornwall@ode.oregon.gov.