

SENATE No. 2808

Senate, March 31, 2022 -- Text of the Senate amendment to the House Bill prohibiting discrimination based on natural and protective hairstyles (House, No. 4554) (being the text of Senate, No. 2796, printed as amended)

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

1 SECTION 1. Section 7 of chapter 4 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by adding the following 2 clauses:-

3 Sixty-second, “Race”, as applied to a prohibition on discrimination based on race, shall
4 include traits historically associated with race, including, but not limited to, hair texture, hair
5 type and protective hairstyle.

6 Sixty-third, “Protective hairstyle”, shall include, but not be limited to, braids, locks,
7 twists and Bantu knots.

8 SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after
9 section 1C the following section:-

10 Section 1D. A school district, school committee, public school, nonsectarian school, the
11 Massachusetts Interscholastic Athletic Association or any equivalent school organization or an
12 entity or board that provides athletic officials, including, but not limited to, referees and umpires,
13 for school sports or athletic events shall not adopt or implement a policy or code, including, but
14 not limited to, any policy or code pertaining to a student’s participation in sports or athletic

15 events, that impairs or prohibits a natural or protective hairstyle that is historically associated
16 with race; provided, however, that this section shall not apply to a private school that is
17 controlled by a religious or denominational educational institution to the extent its application
18 would not be consistent with the religious tenets of the institution.

19 The department of elementary and secondary education shall provide written guidance
20 for the administration of this section.

21 SECTION 3. Chapter 151B of the General Laws is hereby amended by inserting after
22 section 3A the following section:-

23 Section 3B. The commission may adopt, promulgate, amend and rescind rules and
24 regulations or formulate policies and make recommendations as necessary to effectuate the
25 purposes of clauses Sixty-second and Sixty-third of section 7 of chapter 4.