HOUSE DOCKET, NO. 2843 FILED ON: 1/16/2025

HOUSE . . . . . No. 4216

The Commonwealth of Massachusetts

PRESENTED BY:

Brandy Fluker-Reid

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to promote equitable hair care for children in state custody.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Brandy Fluker-Reid	*12th Suffolk*	*1/16/2025*
Christine P. Barber	*34th Middlesex*	*2/6/2025*
Samantha Montaño	*15th Suffolk*	*2/6/2025*
Erika Uyterhoeven	*27th Middlesex*	*5/12/2025*

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HOUSE . . . . . No. 4216

By Representative Fluker-Reid of Boston, a petition (accompanied by bill, House, No. 4216) of Brandy Fluker-Reid and others relative to hair care for children in state custody. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to promote equitable hair care for children in state custody.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subsection (b) of section 23C of chapter 119 of the General Laws is hereby amended by adding the following clause:-

(xxv) The department shall develop and implement a culturally appropriate hair care plan for foster parents and foster children in consultation with them, as required by section 23D.

SECTION 2. Said chapter 119 is hereby further amended by inserting after section 23C the following section:-

Section 23D. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Child" or “Youth”, any person under the age of 18 years who is in the care and custody of the department.

"Culture", the norms, traditions and experiences of a child's community that inform that person's daily life and long-term goals.

"Culturally appropriate hair care", hair care practices, products and services that are appropriate for a child's hair texture, curl pattern and cultural identity.

"Hair care", all care related to the maintenance of hair, including, but not limited to, the daily maintenance routine, cutting, styling or dying of hair.

“Hair care plan”, a culturally appropriate hair care plan for hair care, hair care products and hair care services under this section.

"Hair care product", any product designed for cleansing, styling, treating or maintaining hair.

"Hair care services", the act of providing care for hair including, but not limited to, shampooing, conditioning, drying, styling, cutting, braiding, twisting, extending and related services.

(b)(1) Hair plays an important role in fostering a child’s connection to their race, ethnicity, culture, identity and gender identity. Hair care promotes positive messages of self-worth, comfort and affection. Because these messages typically are developed through interactions with family and community members, it is necessary to establish a framework to ensure that youth in care are not deprived of these messages and that caregivers, foster parents and appropriate childcare providers and facilities are adequately prepared to provide culturally appropriate hair care for youth.

(c) Every case plan or service plan or review of such plans or similar plans pursuant to chapter 18B and this chapter and any applicable regulations of the department, shall include a culturally appropriate hair care plan for each youth in care that is developed in consultation with the youth based upon the youth's developmental abilities, as well as with the youth's parents, foster parents, caregivers or appropriate child care facility staff if not contrary to the youth's wishes, and that outlines any training or resources required by the parent, foster parent, caregiver or appropriate child care facility staff to meet the hair care needs of the youth. The hair care plan shall also be reviewed during any visits by the department to ensure compliance with the hair care plan and identify any needed changes.

(d) At a minimum, the hair care plan shall address:

(1) necessary hair care steps to be taken to preserve the youth's desired connection to the youth's race, culture, religion, identity and gender identity;

(2) necessary steps to be taken specific to the youth's hair care needs during emergency and health situations; and

(3) the desires of the youth as they pertain to the youth's hair care.

(e) The department shall establish and implement a policy to ensure that all children in state custody receive culturally appropriate hair care services and products. The policy shall, at minimum:

(1) require that all department facilities, foster homes, group homes and other department-contracted residential settings maintain an adequate supply of culturally appropriate hair care products;

(2) establish procedures for the procurement and distribution of culturally appropriate hair care products;

(3) provide children access to hair care services including barbers and hair stylists with experience in caring for the specific hair type and texture of the child;

(4) provide training to department staff, foster parents and other caregivers on culturally appropriate hair care practices;

(5) prohibit the cutting or alteration of a child's hair without the child's consent, except when necessary for medical treatment;

(6) respect and accommodate religious, cultural, identity, gender identity and personal preferences regarding hair care; and

(7) ensure that no child shall be discriminated against based on their hair texture, hair type, or protective hairstyle, including braids, locks and twists.

(f) The department shall develop and implement the hair care plan policy required under this section in consultation with:

(1) professionals with expertise in culturally diverse hair care practices;

(2) children, families and foster parents served by the department;

(3) organizations representing diverse cultural and ethnic communities; and

(4) current or former foster youth with lived experience in the state custodial and foster care system.

(d) The department shall provide an initial report to the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means no later than 1 year after the effective date of this section, and annually thereafter, detailing:

(1) the implementation of the hair culturally appropriate hair care plan policy required under this section;

(2) the number of children who received culturally appropriate hair care services;

(3) any challenges in implementing a culturally appropriate hair care policy; and

(4) recommendations for improving access to culturally appropriate hair care services.

SECTION 4. The department of children and families shall develop training and resources to make available for foster parents, caregivers and appropriate child care facility staff to provide culturally appropriate hair care to youth in care and promulgate regulations to implement this act no later than 6 months after the effective date of this act.