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Preventing CROWN Act Incidents

This is the second in a series of guidance briefs aimed at supporting the implementation of the New York State (NYS) CROWN Act, which stands for Creating a Respectful and Open World for Natural Hair. The first brief, [Understanding the CROWN Act](#), released by the NYS Education Department (NYSED) in October of 2021, explained how the CROWN Act expanded the Dignity for All Students (DASA) to include traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, and discussed the importance of the changes and offered resources to help introduce the topic at every grade level.

One of the most critical steps in successfully implementing the CROWN Act in DASA policy and practice is preventing incidents of racial discrimination based on natural hair texture and protective hairstyles in schools through revising codes of conduct and dress codes, training and education of staff, students and the community, and creating a positive school climate with culturally aware and responsive learning environments.

Revising Codes of Conduct and Dress Code Policies

Codes of conduct and dress codes may inadvertently cause or contribute to the exclusion of students from school activities based on natural hair texture and protective hairstyles. The CROWN Act presents both the opportunity and the responsibility for schools to review and revise district dress code policies to eliminate and explicitly prohibit policing of hair styles and texture and to create universal policies that are youth-driven and inclusive of different cultures and traditions.

As schools undertake the process of reviewing and updating their school code of conduct and dress code for compliance with the CROWN Act, keep in mind that section 100.2 (l)(2)(iii)(a) of Commissioner's regulations requires each Board of Education, charter school, BOCES and the Chancellor of the NYC Department of Education, to annually review, update and submit their code of conduct to NYSED via the annual [School Safety and Educational Climate \(SSEC\) data collection](#). (cont'd)

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Revising Codes of Conduct & Dress Code Policies (cont'd)

Updates to the code of conduct can be made at any time of the school year, however, after board adoption and public hearing an amended copy of the code of conduct must be posted to the district or school website and the URL submitted to NYSED within 30 days via email to SSEC@nysed.gov.

School dress codes tend to place more restrictions and direct more scrutiny on female or feminine-presenting students through control of types and lengths of clothing in connection to their bodies, their gender expression, and of hairstyles associated with specific racial groups (such as braids, twists and locs.) The enforcement of these policies can disproportionately, negatively impact the educational experience of cis and transgender and gender expansive students of color. (Glickman 2016)



Recommended steps for revising a dress code for CROWN Act compliance under DASA:

- Codes of conduct need to be developed with the specific needs of the school and community in mind. Convene stakeholder groups that include students, staff, parents and community members to make revisions.
- Analyze and track dress code enforcement referrals and discipline by race, gender (including trans and gender expansive) and the staff member making the referral.
- Review dress code language to remove *subjective language* that allows, or encourages, staff to discipline students for natural hair texture or protective hairstyles. Words like “disheveled”, “unkempt” or “distracting” can be used by schools to discipline and exclude students of color from activities and learning opportunities.
- Remove all restrictions on braids, locs (or “dread locks”) or twists and other protective hairstyles in accordance with the CROWN Act definition of race under DASA.
- Create gender neutral dress code policies. This is recommended regardless of the CROWN Act requirements, however, doing so also ensures that the policies are not targeting any gender for culturally and racially derived hairstyles. For example, some dress codes stipulate that male students cannot have hair that is more than one inch in length which would exclude locs or an afro.
- Revise suggested disciplinary actions for dress code violations to ensure that they are not exclusionary. If, for example, the stated intent of the school’s dress code is to encourage or reinforce professionalism – devise ways the school can accomplish this goal without removing students from learning environments, while also maintaining their dignity. Enforcing dress code violations can be more of a distraction to the learning environment than the hair or attire of the students in question.

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Communication, Training and Education

Communicating, training and educating staff, students and parents about what the CROWN Act is, how the school's code of conduct has been updated to reflect the law, how to recognize incidents of racial discrimination based on hair and the DASA process are all critical to the successful implementation of the law. Section §100.2 (kk) of Commissioner's regulations requires schools to inform school employees, students and parents of the school district's board of education adopted DASA policies annually. Providing continuing educational opportunities throughout the year will ensure that the entire school community understands the purpose of the law, the negative effects of bullying, harassment and discrimination, and can be more effective at preventing these incidents from occurring.

Staff

Fully orienting all school staff to the requirements of DASA, its purposes and goals, and the changes to school and district policies to support CROWN Act compliance is an important step in preventing incidents. Staff need to know the expectations for them and students and to also understand the purpose of the CROWN Act and its addition to DASA. It is important to remind staff that DASA precludes them from actions that intentionally or unintentionally discriminate, harass, or bully students for any reason, including natural hair styles and texture.

Considerations when developing training materials for staff:

- How the CROWN Act amended DASA
- How and why hair is representative of race
- How DASA protect students
- How DASA and the CROWN Act can help improve your school climate
- Why the CROWN Act is important to your specific school and its students and
- Why the CROWN Act matters to ALL students.

Students

In addition to the changes to the school's code of conduct and dress codes, it is important to provide students with information that helps them identify when they or other students are the subject of racial discrimination, harassment or bullying based on hair, why it is important and what supports are in place if this does happen.

Convey to students:

- How do you know if you are the subject of racial discrimination, harassment or bullying based upon your hair?
- What are your rights under DASA and the CROWN Act?
- Who can you go to if you, or a fellow student are being discriminated, harassed or bullied based on hair?
- What does a DASA investigation at this school entail? What might the outcome of an investigation look like and what result could you expect to see?
- How the school will address incidents of racial discrimination, harassment or bullying and repair the harm caused by them.

Parents/Community

Parents/caregivers are an integral part of the school community and should be aware of the protections of the CROWN Act for their child(ren).

Convey to parents and caregivers:

- What are their child's rights under DASA and the CROWN Act?
- How can parents/caregivers empower children to speak up and report when a DASA incident occurs?
- What is the school's DASA investigation process?
- How will the parent/caregiver be informed of the outcome of a DASA investigation?
- What information can the school share with the parent/caregiver about next steps?
- What is the school's process to address the harm and ensure it does not occur again?

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Create Positive School Climate & Culturally Aware and Responsive Learning Environments

As with all incidents of discrimination, harassment and bullying, one of the most effective ways to prevent DASA CROWN Act incidents is developing a positive school climate. The best way to create and strengthen a positive school climate is to understand your school's current school climate by reviewing the data already available to you and collecting additional data through the use of school climate surveys, or other methods.

Recommended steps for schools seeking to improve their school climate:

- Measure your school climate with a school climate survey for staff, students and parents/caregivers.
- Create spaces for cultural awareness - create opportunities for students to express/explain the cultural expressions relevant to their identity groups to prevent intolerance towards the things they enjoy and find meaning in.
 - Create student cultural liaisons, perhaps as part of a youth advisory or other student group within the school.
 - These liaisons could, for example, provide periodic reports to administrators and staff on hair and clothing trends to provide staff with context for the ways students are expressing themselves through their appearance.
 - Include students, parents, and other members of the community in developing cultural awareness and understanding.
- Encourage open but respectful conversations with students and staff about differences to encourage mutual understanding and appreciation, to combat fear of the unknown and develop connectedness.
- Utilize the [NYSED's Culturally Responsive-Sustaining Education Framework](#) as a lens to assess how welcoming and affirming your school is for all students, and to implement new practices and policies to create a deeper sense of belonging for all young people and adults in the school community.



Resources for Preventing CROWN Act Incidents

Dignity for All Students Act

[Understanding the CROWN Act guidance brief](#), NYS Education Department

[Dignity for All Students Act](#) webpage, NYS Education Department

NYS Center for School Safety:

[DASA FAQ](#)

[DASA Resources, Laws & Guidance](#)

[Annual DASA Staff Training](#)

Revising Dress Codes

[Penalizing Black Hair in the Name of Academic Success in Undeniably Racist, Unfounded and Against the Law](#)

Brookings Institute (2021)

[Loc'd and Faded, Yoga Pants and Spaghetti Straps: Discrimination in Dress Codes and School Pushout](#) Martin, J. and

Brooks, J. University of Illinois (2021)

[Dress Coded II](#) Georgetown Women's Law review (2019) – while not specifically about hair, this paper addresses the disparities in dress codes that excluded girls of color from school.

[Model Dress Code](#) Oregon NOW (2016)

[Suspending Self Expression](#) Girls for Gender Equality (2020)

[Suspending Self Expression: Part II](#) Girls for Gender Equity (October 2021)

[When Natural Hair Wins Discrimination Loses](#) Alvarez, B., National Education Association (2019)

School Climate

NYS Center for School Safety [School Climate Resources](#)

NYS Safe and Supportive Schools Technical Assistance Center:

[Resources for Measuring and Improving School Climate](#)

[USDE School Climate Survey](#)

[Using Data to Promote Equity in School Discipline](#) (Institute of Education Sciences (IES), Regional Educational Laboratory Program (REL West), 2019)

Creating Culturally Aware Learning Environments

[NYSED Culturally Responsive-Sustaining Education Framework \(CR-S\)](#)

[My hair - My Crown Tool Kit](#) (Dove, 2021)

[Five Essential Strategies to Embrace Culturally Responsive Teaching](#) Singhal, M. and Gulati, S. (August 2020)

[Equity and Cultural Responsiveness Resources](#) Bank Street College of Education (2020)

[Creating Culturally Affirming Spaces Webinar Series](#) Institute of Education Sciences (IES), Regional Educational Laboratory Program (REL West), (2021)