

Judge: Texas school legally punished Black student over hair

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ASSOCIATED PRESS

ANAHUAC, Texas – A Black high school student's monthslong punishment by his Texas school district for refusing to change his hairstyle does not violate a new state law that prohibits race-based hair discrimination, a judge ruled on Thursday.

Darryl George, 18, has not been in his regular Houston-area high school classes since Aug. 31 because the district, Barbers Hill, says the length of his hair violates its dress code.

The district filed a lawsuit arguing George's long hair, which he wears in tied and twisted locs on top of his head, violates its policy because it would fall below his shirt collar, eyebrows or earlobes when let down. The district has said other students with locs comply with the length policy.

After about three hours of testimony in Anahuac, state District Judge Chap Cain III ruled in favor of the school district, saying its policy is not discriminatory because the CROWN Act does not say that exemptions for long hair can be made for hairstyles that are protected by the law, including locs. And he said courts must not attempt to rewrite legislation.

"Judges should not legislate from the bench and I am not about to start today," Cain said.

The CROWN Act, which took effect in September, prohibits race-based hair discrimination and bars employers and schools from penalizing people because of hair texture or protective hairstyles including Afros, braids, locs, twists or Bantu knots.

The judge encouraged George to ask the state Legislature or the school board to address the issue.

George's family has also filed a formal complaint with the Texas Education Agency and a federal civil rights lawsuit against Gov. Greg Abbott and Attorney General Ken Paxton, along with the school district, alleging they failed to enforce the CROWN Act. The lawsuit is before a federal judge in Galveston.

Allie Booker, George's attorney, said she planned to seek an injunction in the federal lawsuit to stop George's punishment and that she also would appeal Thursday's decision.

For most of the school year, George, a junior, has either served in-school



Student Darryl George, center, is seen before a hearing in Anahuac, Texas, on Thursday. A judge ruled that George's punishment by his school district does not violate a state law prohibiting race-based hair discrimination. KIRK SIDES/HOUSTON CHRONICLE VIA AP

suspension at Barbers Hill High School in Mont Belvieu or spent time at an off-site disciplinary program.

"The Texas legal system has validated our position that the district's dress code does not violate the CROWN Act and that the CROWN Act does not give students unlimited self-expression," Barbers Hill Superintendent Greg Poole said in a statement.

The district did not present any witnesses, instead only submitting evidence that included an affidavit from the district's superintendent defending the dress code policy. Its attorneys argued that the dress code policy does not violate the CROWN Act because the law does not mention or cover hair length.

Before the trial, George and his mother, Darresha George, said they were optimistic.

Wearing locs is "how I feel closer to my people. It's how I feel closer to my ancestors. It's just me. It's how I am," George said.

After the ruling, George and his mother cried and declined to speak with reporters.

Candice Matthews, a spokesperson for George's family, said the 18-year-old asked her as he left the courthouse: "All because of my hair? I can't get my edu-

cation because of my hair?"

Testifying for George, Democratic state Rep. Ron Reynolds, one of the co-authors of the CROWN Act, said that while the protection of hair length was not specifically mentioned in the CROWN Act, it was inferred.

"Anyone familiar with braids, locs, twists knows it requires a certain amount of length," Reynolds said.

It is "almost impossible for a person to comply with this (grooming) policy and wear that protective hairstyle," he said.

Reynolds said he was disappointed by the ruling, and that he would file a bill for a new version of the CROWN Act that specifically mentions protections for hair length.

U.S. Rep Bonnie Watson Coleman, a New Jersey Democrat who has tried to get a federal version of the CROWN Act passed, called Thursday's decision "a terrible interpretation of the CROWN Act."

"This is what we mean by institutional racism," Coleman said on X.

In his statement, Poole pushed back against allegations that the district's dress code is racist, saying such allegations undermine "efforts to address actions that violate constitutionally protected rights."