

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Herod

1 Amend printed bill, page 2, after line 1 insert:

2 **"SECTION 1. Short title.** The short title of this act is the
3 "Creating a Respectful and Open World for Natural Hair Act of 2020" or
4 the "CROWN Act of 2020".

5 **SECTION 2. Legislative declaration.** (1) The general assembly
6 finds and declares that:

7 (a) Throughout the history of the United States, society has used
8 hair texture, hair type, and protective hairstyles, in conjunction with skin
9 color, to classify people on the basis of race;

10 (b) Like skin color, a person's hair has served as a basis of race
11 discrimination;

12 (c) Racial discrimination can and does occur because of
13 longstanding racial biases and stereotypes associated with hair texture,
14 hair type, and protective hairstyles;

15 (d) For example, routinely, people of African descent are deprived
16 of educational and employment opportunities because they are adorned
17 with natural or protective hairstyles in which hair is tightly coiled or
18 tightly curled or worn in locs, cornrows, twists, braids, Bantu knots, or
19 Afros;

20 (e) Racial discrimination is reflected in school and workplace
21 policies and practices that bar natural or protective hairstyles commonly
22 worn by people of African descent, as well as people of Jewish, Latinx,
23 or Native American descent;

24 (f) The state should acknowledge that people who have hair
25 texture or wear a hairstyle that is historically and contemporarily
26 associated with persons of African, Jewish, Latinx, or Native American
27 descent systematically suffer harmful discrimination in schools,
28 workplaces, and other contexts based upon longstanding race stereotypes
29 and biases;

30 (g) A clear and comprehensive law should address the systematic
31 deprivation of educational, employment, and other opportunities on the
32 basis of hair texture, hair type, and protective hairstyles that are
33 commonly associated with race;

34 (h) Clear, consistent, and enforceable legal standards must be
35 provided to redress the widespread incidences of race discrimination
36 based upon hair texture, hair type, and protective hairstyles in schools,
37 workplaces, housing, places of public accommodations, and other
38 contexts;

39 (i) It is necessary to prevent educational, employment, and other
40 decisions, practices, and policies generated by or reflecting negative

1 biases and stereotypes related to race;

2 (j) The state must play a key role in enforcing state
3 antidiscrimination laws, including the standards established under the
4 "CROWN Act of 2020", in a way that secures equal educational,
5 employment, and other opportunities for all people regardless of their race
6 and protects against race discrimination based on hair texture, hair type,
7 and protective hairstyles; and

8 (k) It is necessary to prohibit and provide remedies for the harms
9 suffered as a result of race discrimination on the basis of hair texture, hair
10 type, and protective hairstyles.

11 **SECTION 3.** In Colorado Revised Statutes, 22-2-117, **amend**
12 (1)(b)(VIII) and (1)(b)(IX); and **add** (1)(b)(X) as follows:

13 **22-2-117. Additional power - state board - waiver of**
14 **requirements - rules.** (1) (b) The state board shall not waive any of the
15 requirements specified in any of the following statutory provisions:

16 (VIII) Section 22-33-106.1 concerning suspension and expulsion
17 of students in preschool through second grade; ~~or~~

18 (IX) Any provisions of section 22-1-128 relating to
19 comprehensive human sexuality education content requirements; OR

20 (X) ANY PROVISION OF SECTION 22-30.5-104 (3), 22-30.5-507 (3),
21 22-32-109 (1)(II), 22-32-110 (1)(k), 22-38-104 (1)(d), OR 22-63-206 (1)
22 RELATING TO DISCRIMINATION BASED ON HAIR TEXTURE, HAIR TYPE, OR A
23 PROTECTIVE HAIRSTYLE THAT IS COMMONLY OR HISTORICALLY
24 ASSOCIATED WITH RACE."

25 Renumber succeeding sections accordingly.

26 Page 2, line 3, strike "(3)" and substitute "(3), (6)(c)(VII), and
27 (6)(c)(VIII); and **add** (6)(c)(IX)".

28 Page 2, after line 23 insert:

29 "(6) (c) A school district, on behalf of a charter school, may apply
30 to the state board for a waiver of a state statute or state rule that is not an
31 automatic waiver. Notwithstanding any provision of this subsection (6)
32 to the contrary, the state board may not waive any statute or rule relating
33 to:

34 (VII) Any provisions of section 22-1-130 relating to notification
35 to parents of alleged criminal conduct by charter school employees; ~~or~~

36 (VIII) Section 22-33-106.1 concerning suspension and expulsion
37 of students in preschool through second grade; OR

38 (IX) SUBSECTION (3) OF THIS SECTION AND SECTIONS 22-32-110
39 (1)(k) AND 22-63-206 (1) RELATING TO DISCRIMINATION BASED ON HAIR

1 TEXTURE, HAIR TYPE, OR A PROTECTIVE HAIRSTYLE THAT IS COMMONLY OR
2 HISTORICALLY ASSOCIATED WITH RACE."

3 Page 2, line 25, strike "(3)" and substitute "(3), (7)(b)(VII), and
4 (7)(b)(VIII); and **add** (7)(b)(IX)".

5 Page 3, after line 18 insert:

6 "(7) (b) An institute charter school may apply to the state board,
7 through the institute, for a waiver of state statutes and state rules that are
8 not automatic waivers. The state board may waive state statutory
9 requirements or rules promulgated by the state board; except that the state
10 board may not waive any statute or rule relating to:

11 (VII) Any provisions of section 22-1-130 relating to notification
12 to parents of alleged criminal conduct by institute charter school
13 employees; **or**

14 (VIII) Section 22-33-106.1 concerning suspension and expulsion
15 of students in preschool through second grade; **OR**

16 (IX) SUBSECTION (3) OF THIS SECTION AND SECTIONS 22-32-110
17 (1)(k) AND 22-63-206 (1) RELATING TO DISCRIMINATION BASED ON HAIR
18 TEXTURE, HAIR TYPE, OR A PROTECTIVE HAIRSTYLE THAT IS COMMONLY OR
19 HISTORICALLY ASSOCIATED WITH RACE."

20 Page 7, line 27, strike "AND PROTECTIVE".

21 Page 8, strike line 1 and substitute "OR A PROTECTIVE HAIRSTYLE THAT IS
22 COMMONLY OR HISTORICALLY ASSOCIATED WITH RACE."

23 Strike "LOCKS, AND TWISTS." and substitute "LOCS, TWISTS, TIGHT COILS
24 OR CURLS, CORNROWS, BANTU KNOTS, AFROS, AND HEADWRAPS." on:
25 **Page 2**, line 20; **Page 3**, line 15; **Page 4**, line 12; **Page 5**, lines 5 and 24;
26 **Page 6**, line 19; and **Page 7**, lines 9 and 10 and line 25.

27 Strike "TRAITS HISTORICALLY ASSOCIATED WITH RACE, INCLUDING" on:
28 **Page 2**, lines 21 and 22; **Page 3**, lines 16 and 17; **Page 4**, lines 13 and 14;
29 **Page 5**, lines 6 and 7 and lines 25 and 26; **Page 6**, lines 20 and 21; and
30 **Page 7**, lines 11 and 12 and lines 26 and 27.

31 Strike "AND PROTECTIVE HAIRSTYLES." and substitute "OR A PROTECTIVE
32 HAIRSTYLE THAT IS COMMONLY OR HISTORICALLY ASSOCIATED WITH
33 RACE." on: **Page 2**, lines 22 and 23; **Page 3**, lines 17 and 18; **Page 4**, lines

- 1 14 and 15; **Page 5**, lines 8 and 26 and 27; **Page 6**, lines 21 and 22; and
- 2 **Page 7**, lines 12 and 13.

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