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26 health ramifications, and

27 WHEREAS, school dress code policies that prohibit natural
 28 hair, including afros, and certain hairstyles, such as braids,
 29 twists, and locks, have a disparate impact on black students as
 30 these policies are more likely to burden or punish black
 31 students compared to other groups, and

32 WHEREAS, federal courts accept that Title VII of the Civil
 33 Rights Act of 1964 prohibits discrimination based on race, and
 34 therefore protects against discrimination against the natural
 35 presentation of black hair, including afros, braids, twists, and
 36 locks, NOW, THEREFORE,

37
 38 Be It Enacted by the Legislature of the State of Florida:

39
 40 Section 1. This act may be cited as the "Creating a
 41 Respectful and Open World for Natural Hair Act" or "CROWN Act."

42 Section 2. Subsection (2), paragraph (e) of subsection
 43 (3), and subsection (4) of section 1000.05, Florida Statutes,
 44 are amended to read:

45 1000.05 Discrimination against students and employees in
 46 the Florida K-20 public education system prohibited; equality of
 47 access required.—

48 (2) (a) As used in this section, the term "protected
 49 hairstyle" means hair characteristics historically associated
 50 with race, such as hair texture and styles, including, but not

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51 limited to, afros, braids, locks, or twists.

52 (b) Discrimination on the basis of race, color, national
53 origin, sex, disability, religion, or marital status against a
54 student or an employee in the state system of public K-20
55 education is prohibited. No person in this state shall, on the
56 basis of race, color, national origin, sex, disability,
57 religion, or marital status, be excluded from participation in,
58 be denied the benefits of, or be subjected to discrimination
59 under any public K-20 education program or activity, or in any
60 employment conditions or practices, conducted by a public
61 educational institution that receives or benefits from federal
62 or state financial assistance. Additionally, discrimination on
63 the basis of a protected hairstyle against a student in the
64 state system of public K-20 education is prohibited. A student
65 may not be excluded from participation in, or denied the
66 benefits of, or be subjected to discrimination under any public
67 K-20 education program or activity on the basis of a protected
68 hairstyle.

69 (c) ~~(b)~~ The criteria for admission to a program or course
70 may shall not have the effect of restricting access by students
71 ~~persons~~ of a particular race, color, national origin, sex,
72 disability, religion, or marital status, or with a protected
73 hairstyle.

74 (d) ~~(e)~~ All public K-20 education classes must shall be
75 available to all students without regard to race, color,

76 | protected hairstyle, national origin, sex, disability, religion,
 77 | or marital status; however, this is not intended to eliminate
 78 | the provision of programs designed to meet the needs of students
 79 | with limited proficiency in English, gifted students, or
 80 | students with disabilities or programs tailored to students with
 81 | specialized talents or skills.

82 | (e)~~(d)~~ Students may be separated by sex for a single-
 83 | gender program as provided under s. 1002.311, for any portion of
 84 | a class that deals with human reproduction, or during
 85 | participation in bodily contact sports. For the purpose of this
 86 | section, bodily contact sports include wrestling, boxing, rugby,
 87 | ice hockey, football, basketball, and other sports in which the
 88 | purpose or major activity involves bodily contact.

89 | (f)~~(e)~~ Guidance services, counseling services, and
 90 | financial assistance services in the state public K-20 education
 91 | system must ~~shall~~ be available to students equally. Guidance and
 92 | counseling services, materials, and promotional events must
 93 | ~~shall~~ stress access to academic and career opportunities for
 94 | students without regard to race, color, protected hairstyle,
 95 | national origin, sex, disability, religion, or marital status.

96 | (3)

97 | (e) A public school or Florida College System institution
 98 | may provide separate toilet, locker room, and shower facilities
 99 | on the basis of sex ~~gender~~, but such facilities must ~~shall~~ be
 100 | comparable to such facilities provided for students of the other

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101 sex.

102 (4)(a) It shall constitute discrimination on the basis of
103 race, color, protected hairstyle, national origin, or sex under
104 this section to subject any student or employee to training or
105 instruction that espouses, promotes, advances, inculcates, or
106 compels such student or employee to believe any of the following
107 concepts:

108 1. Members of one race, color, national origin, or sex, or
109 persons with a protected hairstyle, are morally superior to
110 members of another race, color, national origin, or sex, or
111 persons with a protected hairstyle.

112 2. A person, by virtue of his or her race, color,
113 protected hairstyle, national origin, or sex, is inherently
114 racist, sexist, or oppressive, whether consciously or
115 unconsciously.

116 3. A person's moral character or status as either
117 privileged or oppressed is necessarily determined by his or her
118 race, color, protected hairstyle, national origin, or sex.

119 4. Members of one race, color, national origin, or sex, or
120 persons with a protected hairstyle, cannot and should not
121 attempt to treat others without respect to race, protected
122 hairstyle, color, national origin, or sex.

123 5. A person, by virtue of his or her race, protected
124 hairstyle, color, national origin, or sex, bears responsibility
125 for, or should be discriminated against or receive adverse

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126 treatment because of, actions committed in the past by other
127 members of the same race, color, national origin, or sex, or
128 persons with a protected hairstyle.

129 6. A person, by virtue of his or her race, protected
130 hairstyle, color, national origin, or sex, should be
131 discriminated against or receive adverse treatment to achieve
132 diversity, equity, or inclusion.

133 7. A person, by virtue of his or her race, protected
134 hairstyle, color, sex, or national origin, bears personal
135 responsibility for and must feel guilt, anguish, or other forms
136 of psychological distress because of actions, in which the
137 person played no part, committed in the past by other members of
138 the same race, color, national origin, or sex, or persons with a
139 protected hairstyle.

140 8. Such virtues as merit, excellence, hard work, fairness,
141 neutrality, objectivity, and racial colorblindness are racist or
142 sexist, or were created by members of a particular race, color,
143 national origin, or sex, or persons with a protected hairstyle,
144 to oppress members of another race, color, national origin, or
145 sex, or persons with a protected hairstyle.

146 (b) Paragraph (a) may not be construed to prohibit
147 discussion of the concepts listed therein as part of a larger
148 course of training or instruction, provided such training or
149 instruction is given in an objective manner without endorsement
150 of the concepts.

151 Section 3. Subsection (7) of section 1002.20, Florida
 152 Statutes, is amended to read:

153 1002.20 K-12 student and parent rights.—Parents of public
 154 school students must receive accurate and timely information
 155 regarding their child's academic progress and must be informed
 156 of ways they can help their child to succeed in school. K-12
 157 students and their parents are afforded numerous statutory
 158 rights including, but not limited to, the following:

159 (7) NONDISCRIMINATION.—All education programs, activities,
 160 and opportunities offered by public educational institutions
 161 must be made available without discrimination on the basis of
 162 race, ~~ethnicity~~, national origin, sex ~~gender~~, disability,
 163 religion, or marital status, in accordance with ~~the provisions~~
 164 ~~of~~ s. 1000.05. For purposes of this subsection, the term "race"
 165 is inclusive of traits historically associated with race,
 166 including, but not limited to, hair texture, hair type, and
 167 protective hairstyles. The term "protective hairstyles"
 168 includes, but is not limited to, afros, braids, locks, or
 169 twists.

170 Section 4. Paragraph (a) of subsection (6) of section
 171 1002.395, Florida Statutes, is amended to read:

172 1002.395 Florida Tax Credit Scholarship Program.—

173 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
 174 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
 175 organization:

176 (a) Must comply with the antidiscrimination provisions of
 177 42 U.S.C. s. 2000d. For purposes of this paragraph, the term
 178 "race" as used in 42 U.S.C. s. 2000d is inclusive of traits
 179 historically associated with race, including, but not limited
 180 to, hair texture, hair type, and protective hairstyles. The term
 181 "protective hairstyles" includes, but is not limited to, afros,
 182 braids, locks, or twists.

183

184 Information and documentation provided to the Department of
 185 Education and the Auditor General relating to the identity of a
 186 taxpayer that provides an eligible contribution under this
 187 section shall remain confidential at all times in accordance
 188 with s. 213.053.

189 Section 5. Paragraph (a) of subsection (1) of section
 190 1002.421, Florida Statutes, is amended to read:

191 1002.421 State school choice scholarship program
 192 accountability and oversight.—

193 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private
 194 school participating in an educational scholarship program
 195 established pursuant to this chapter must be a private school as
 196 defined in s. 1002.01(2) in this state, be registered, and be in
 197 compliance with all requirements of this section in addition to
 198 private school requirements outlined in s. 1002.42, specific
 199 requirements identified within respective scholarship program
 200 laws, and other provisions of Florida law that apply to private

201 schools, and must:

202 (a) Comply with the antidiscrimination provisions of 42
 203 U.S.C. s. 2000d. For purposes of this paragraph, the term "race"
 204 as used in 42 U.S.C. s. 2000d is inclusive of traits
 205 historically associated with race, including, but not limited
 206 to, hair texture, hair type, and protective hairstyles. The term
 207 "protective hairstyles" includes, but is not limited to, afros,
 208 braids, locks, or twists.

209
 210 The department shall suspend the payment of funds to a private
 211 school that knowingly fails to comply with this subsection, and
 212 shall prohibit the school from enrolling new scholarship
 213 students, for 1 fiscal year and until the school complies. If a
 214 private school fails to meet the requirements of this subsection
 215 or has consecutive years of material exceptions listed in the
 216 report required under paragraph (q), the commissioner may
 217 determine that the private school is ineligible to participate
 218 in a scholarship program.

219 Section 6. Paragraph (c) of subsection (6) of section
 220 1002.53, Florida Statutes, is amended to read:

221 1002.53 Voluntary Prekindergarten Education Program;
 222 eligibility and enrollment.—

223 (6)

224 (c) Each private prekindergarten provider and public
 225 school must comply with the antidiscrimination requirements of

226 42 U.S.C. s. 2000d, regardless of whether the provider or school
 227 receives federal financial assistance. For purposes of this
 228 paragraph, the term "race" as used in 42 U.S.C. s. 2000d is
 229 inclusive of traits historically associated with race,
 230 including, but not limited to, hair texture, hair type, and
 231 protective hairstyles. The term "protective hairstyles"
 232 includes, but is not limited to, afros, braids, locks, or
 233 twists. A private prekindergarten provider or public school may
 234 not discriminate against a parent or child, including the
 235 refusal to admit a child for enrollment in the Voluntary
 236 Prekindergarten Education Program, in violation of these
 237 antidiscrimination requirements.

238 Section 7. Paragraph (c) of subsection (3) of section
 239 1003.42, Florida Statutes, is amended to read:

240 1003.42 Required instruction.—

241 (3) The Legislature acknowledges the fundamental truth
 242 that all persons are equal before the law and have inalienable
 243 rights. Accordingly, instruction and supporting materials on the
 244 topics enumerated in this section must be consistent with the
 245 following principles of individual freedom:

246 (c) No person should be discriminated against or receive
 247 adverse treatment solely or partly on the basis of race,
 248 protected hairstyle, color, national origin, religion,
 249 disability, or sex. For purposes of this paragraph, the term
 250 "protected hairstyle" means hair characteristics historically

251 associated with race, such as hair texture and styles,
 252 including, but not limited to, afros, braids, locks, or twists.
 253

254 Instructional personnel may facilitate discussions and use
 255 curricula to address, in an age-appropriate manner, how the
 256 freedoms of persons have been infringed by sexism, slavery,
 257 racial oppression, racial segregation, and racial
 258 discrimination, including topics relating to the enactment and
 259 enforcement of laws resulting in sexism, racial oppression,
 260 racial segregation, and racial discrimination, including how
 261 recognition of these freedoms have overturned these unjust laws.
 262 However, classroom instruction and curriculum may not be used to
 263 indoctrinate or persuade students to a particular point of view
 264 inconsistent with the principles of this subsection or state
 265 academic standards.

266 Section 8. Paragraph (b) of subsection (5) of section
 267 1004.935, Florida Statutes, is amended to read:

268 1004.935 Adults with Disabilities Workforce Education
 269 Program.—

270 (5) A private school that participates in the program may
 271 be sectarian or nonsectarian and must:

272 (b) Comply with the antidiscrimination provisions of 42
 273 U.S.C. s. 2000d. For purposes of this paragraph, the term "race"
 274 as used in 42 U.S.C. s. 2000d is inclusive of traits
 275 historically associated with race, including, but not limited

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276 | to, hair texture, hair type, and protective hairstyles. The term
277 | "protective hairstyles" includes, but is not limited to, afros,
278 | braids, locks, or twists.

279 |
280 | The inability of a private school to meet the requirements of
281 | this subsection constitutes a basis for the ineligibility of the
282 | private school to participate in the program.

283 | Section 9. This act shall take effect July 1, 2023.