

News

Judge Dismisses Most Claims in Federal Lawsuit Filed by Black Texas Student Punished Over Hairstyle

By **JUAN A. LOZANO**
Associated Press

A federal judge on Tuesday dismissed most of the claims in a lawsuit filed by a Black high school student who alleged that school officials committed racial and gender discrimination when they punished him for refusing to change his hairstyle.

The ruling was another victory in the case for the Barbers Hill school district near Houston, which has said its policy restricting hair length for male students instills discipline while teaching grooming and respect for authority.

But in his order, U.S. District Judge Jeffrey Brown questioned whether the school district’s rule causes more harm than good.

“Not everything that is undesirable, annoying, or even harmful amounts to a violation of the law, much less a constitutional problem,” Brown wrote.

The Associated Press left phone and email mes-

sages seeking comment with the school district and George’s attorney, Allie Booker, on Tuesday.

George, 18, was kept out of his regular high school classes for most of the 2023-24 school year, when he was a junior, because the school district said his hair length violated its dress code. George either served in-school suspension at Barbers Hill High School in Mont Belvieu or spent time at an off-site disciplinary program.

The district has argued that George’s long hair, which he wears to school in tied and twisted locs on top of his head, violates its policy because it would fall below his shirt collar, eyebrows or earlobes if let down. The district has said other students with locs comply with the length policy.

George and his mother, Darresha George, filed a federal civil rights lawsuit last year against the school district, the district superintendent, his principal and assistant principal as well as Texas Gov. Greg Abbott and Attorney General Ken

Paxton.

The suit also alleged that George’s punishment violates the CROWN Act, a new state law prohibiting race-based hair discrimination. The CROWN Act, which was being discussed before the dispute over George’s hair and which took effect in September, bars employers and schools from penalizing people because of hair texture or protective hairstyles including

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Afros, braids, locs, twists or Bantu knots.

The lawsuit alleged the school district’s policy was being enforced mainly on Black students. But Brown said George had not shown “a persistent, widespread practice of disparate, race-based enforcement of the policy.”

The lawsuit also alleged that George’s First Amendment rights to

free speech were being violated. But Brown wrote that George’s lawyer could not cite any case law holding that hair length “is protected as expressive conduct under the First Amendment.”

Brown dismissed various claims that George’s due process rights under the 14th Amendment were being violated. He also dropped Abbott, Paxton, the district superintendent and other



Darryl George stands next to his mother, Darresha George, in front of Galveston County Court House, May 23, 2024, in Galveston, Texas.

code, the claim survives this initial stage,” Brown said.

Brown’s order comes after a state judge in February ruled in a lawsuit filed by the school district that its punishment does not violate the CROWN Act.

At the end of his ruling, Brown highlighted a 1970 case in which a judge ruled against a school district in El Paso, Texas, that had tried to prevent a male student from enrolling because his hair length violated district policy. The El Paso judge’s ruling was later overturned by an appeals court.

The judge in the El Paso case had written that “the presence and en-

forcement of the hair-cut rule causes far more disruption of the classroom instructional process than the hair it seeks to prohibit.”

“Regrettably, so too here,” Brown said in reference to George’s case.

Barbers Hill’s hair policy was also challenged in a May 2020 federal lawsuit filed by two other students. Both withdrew from the high school, but one returned after a federal judge granted a temporary injunction, saying there was “a substantial likelihood” that his rights to free speech and to be free from racial discrimination would be violated if he was barred. That lawsuit is still pending.

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- AUGUST 8**
Mobile Showers
12-2 p.m.
247 SE 82nd Ave,
Portland
- AUGUST 13**
Blanchet House
11 a.m. to 1 p.m.
310 NW Glisan St,
Portland
- Union Gospel Mission
2-3 p.m.
3 NW 3rd Ave,
Portland
- AUGUST 14**
Rosewood Initiative
12-3 p.m.
14127 SE Stark St,
Portland
- AUGUST 19**
Doreen’s Place
(for residents only)
9-11 a.m.
610 NW Broadway St,
Portland

Mobile Showers
10-11:30 a.m.
4244 SE 91st Ave,
Portland

AUGUST 22
Mobile Showers
12-2 p.m.
247 SE 82nd Ave,
Portland

AUGUST 23
IRCO
10 a.m. to 2 p.m.
10301 NE Glisan St,
Portland

AUGUST 27
Blanchet House
11 a.m. to 1 p.m.
310 NW Glisan St,
Portland

Family Promise of
Tualatin Valley
1-3 p.m.
11460 SW Pacific Hwy,
Portland

Union Gospel Mission
2-3 p.m.
3 NW 3rd Ave,
Portland

SEPTEMBER 2
Doreen’s Place
(for residents only)
9-11 a.m.
610 NW Broadway St,
Portland

Mobile Showers
10-11:30 a.m.
4244 SE 91st Ave,
Portland

SEPTEMBER 3
Jean’s Place
(for residents only)
1:30-3:30 p.m.
18 NE 11th Ave,
Portland

SEPTEMBER 5
Mobile Showers
12-2 p.m.
247 SE 82nd Ave, Portland



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