



For Immediate Release
Wednesday, May 27, 2020

LDF Media
212-965-2200 / media@naacpldf.org

**Two High School Students and their Families, Represented by LDF and Akin Gump,
File Lawsuit to Challenge Barbers Hill Independent School District's
Discriminatory Hair Policy**

On May 22, Everett De'Andre Arnold, Sandy Arnold, and Cindy Bradford (on behalf of her minor son K.B.) filed a lawsuit against the Barbers Hill Independent School District (BHISD), its Board of Trustees, and additional individual defendants challenging its discriminatory hair policy. Mr. Arnold and K.B. were informed by BHISD earlier this year that they must either cut their natural locs or no longer participate in regular classes and school activities, including Mr. Arnold's graduation ceremony. The plaintiffs are represented by the [NAACP Legal Defense and Educational Fund, Inc.](#) (LDF) and pro bono co-counsel Akin Gump Strauss Hauer & Feld LLP (Akin Gump).

On behalf of Mr. Arnold and K.B., LDF and Akin Gump filed a motion on May 26 for a temporary restraining order (TRO), requesting that the U.S. District Court for the Southern District of Texas require BHISD to immediately reinstate Mr. Arnold and K.B. The TRO additionally asks that Mr. Arnold be allowed to participate in the graduation ceremony with his classmates this Friday, May 29, without cutting his hair, and that K.B. be permitted to enroll in the high school's summer band program without cutting his hair.

Beyond the requests outlined in the TRO, the suit asks that the court find that the construction and selective enforcement of the school district's hair policy constitute race and gender discrimination and violate the First Amendment, among other state and federal laws.

"BHISD intentionally developed and selectively enforced a biased hair length policy to target and punish Mr. Arnold and K.B. because of their natural hair. Mr. Arnold and K.B.'s locs are an expression of their Black identity and cultural heritage — and BHISD's efforts to penalize these students by subjecting them to in-school suspension and banning them from school activities, including graduation, are indefensible," said Janai Nelson, LDF's Associate Director-Counsel.

"Our lawsuit challenges BHISD's hair policy on the basis of race and gender discrimination and First Amendment protections, and asks that the court immediately order the school district to reinstate Mr. Arnold and K.B. — and rescind the discriminatory hair length requirement in its dress and grooming code to ensure that students are no longer harmed by this policy. No student's learning should be disrupted, nor should they be punished, because of a discriminatory policy regulating their hair."

Mr. Arnold, a graduating senior, and K.B., a sophomore, were high school students in BHISD in Mont Belvieu, Texas, until earlier this year. Both Mr. Arnold and K.B. have been growing their hair into locs since they were students at Barbers Hill Middle School North. The two students always sought to comply with BHISD's hair policy by pulling their locs back with hair ties to ensure their hair did not extend beyond a certain length. However, midway through the 2019-20 school year, BHISD changed its dress and grooming code to include a hair length requirement that targeted Mr. Arnold and K.B. because of their race and gender. The change made compliance impossible unless Mr. Arnold and K.B. cut their locs. This policy was strictly enforced against the two students after Sandy Arnold spoke about its discriminatory impact at a BHISD Board of Trustees meeting.

“Black students are often disproportionately penalized for violating facially race-neutral policies that profile, single out, and burden them for wearing their hair in its natural state. The length of a student's locs has no bearing on their capacity to learn, but hair and grooming policies like BHISD's limit Black children's mobility, deny them equal educational opportunities, and maintain the pernicious myth of white supremacy,” said Patricia Okonta, LDF's Skadden Fellow.

“Black students are faced with an unfair choice: either don their natural hair in natural formations and protective styles and face the consequences, or suppress their identities to conform to predominant Eurocentric hair. Students should never have to confront this dilemma, and we are hopeful our lawsuit will mean that BHISD students will be relieved of this burden.”

The lawsuit represents a cumulative step in the fight to seek justice for Mr. Arnold and K.B. The two students originally filed grievances on Jan. 27 contending that BHISD's hair policy was discriminatorily created and enforced against them. The grievance processes had been ongoing, but were suspended due to the COVID-19 pandemic.

“Children of color are subject to myriad sociocultural barriers that negatively impact their ability to thrive. Therefore, it is critical that they receive an undisrupted education and extracurricular opportunities on an equal basis, as student involvement in these activities improves educational outcomes, enhances psychological development, and creates a heightened sense of belonging,” said Mahogane Reed, LDF's John Payton Appellate and Supreme Court Advocacy Fellow. “BHISD's biased decision to deprive Mr. Arnold and K.B. of their right to access these educational opportunities is fundamentally unjust and cannot stand.”

###

Founded in 1940, the [NAACP Legal Defense and Educational Fund, Inc. \(LDF\)](#) is the nation's first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).