

## ASPEN ACADEMY

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 102 Charter  
Orig. 2022 (as Charter Policy)

Revised: May 2023, July 2023, July 2024

Rev. 2024

### 102 EQUAL EDUCATIONAL OPPORTUNITY

#### I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the charter school.

#### II. GENERAL STATEMENT OF POLICY

- A. The policy of the charter school is to provide equal educational opportunity for all students. The charter school does not unlawfully discriminate on the basis of one or more of the following: race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, or age. The charter school also makes reasonable accommodation for students with disabilities.
- B. The charter school prohibits harassment and discrimination of any individual based on any of the protected classifications listed above. For information about the types of conduct that constitute violation of the charter school's policy on harassment and violence and the charter school's procedures for addressing such complaints, refer to the charter school's policy on harassment and violence (Policy 413).
- C. The charter school prohibits discrimination of students with a disability, within the intent of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), who need services, accommodations, or programs in order to receive a free appropriate public education. For information as to protections that may apply pursuant to Section 504 and the charter school's corresponding procedures for addressing disability discrimination complaints, refer to the charter school's policy on student disability nondiscrimination (Policy 521).
- D. The charter school prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. For information as to the protections that apply pursuant to Title IX and charter school's corresponding procedures and processes for addressing sexual harassment and discrimination, refer to the charter school's policy on Title IX sex nondiscrimination (Policy 522).
- E. The charter school shall provide equal opportunity for members of each sex and to members of all races and ethnicities to participate in its athletic program. In determining whether equal opportunity to participate in athletic programs is available for the purposes of this law, at least the following factors shall be considered to the extent that they are applicable to a given situation: whether the opportunity for males and females to participate in the athletic program reflects the demonstrated interest in athletics of the males and females in the student body of the educational institution; whether the opportunity for members of all races and ethnicities to participate in the athletic program reflects the demonstrated interest in athletics of members of all races and ethnicities in the student body of the educational institution; whether the variety and selection of sports and levels of competition effectively accommodate the

demonstrated interests of members of each sex; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of all races and ethnicities; the provision of equipment and supplies; scheduling of games and practice times; assignment of coaches; provision of locker rooms; practice and competitive facilities; and the provision of necessary funds for teams of one sex.

- F. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- G. Every charter school employee shall be responsible for complying with this policy.
- H. Any student, parent, or guardian having a question regarding this policy should discuss it with the appropriate charter school official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the executive director.

**Legal References:** Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

**Cross References:** MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)