

## 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 school district.

### II. GENERAL STATEMENT OF POLICY

- A. ~~The policy of Duluth Public Schools~~ It is ~~the school district's policy~~ is to provide equal educational opportunity ~~to~~ for all students. The school district does not unlawfully discriminate on the basis of ~~actual or perceived~~ race, ~~ethnicity~~, color, creed, ~~religion~~, national origin, ~~immigration status~~, sex, marital status, ~~parental status~~, ~~familial status~~, ~~socioeconomic status~~, physical appearance, sexual orientation, including gender identity and expression, ~~academic status related to student performance~~, disability, status with regard to public assistance, age, ~~military status~~, ~~association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic defined in Minnesota Human Rights Act (Chapter 363A)~~. ~~The school district also makes reasonable accommodations for students with disabilities.~~
- B. The school district prohibits the harassment ~~and discrimination~~ of any individual ~~based on~~ for any of the ~~protected classifications~~ ~~categories~~ listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence (Policy 413).
- C. ~~The school district 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 school district's corresponding procedures for addressing disability discrimination complaints, refer to the school district's policy on student disability nondiscrimination (Policy 521).~~
- D. ~~The school district 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 school district's corresponding procedures and processes for addressing sexual harassment and discrimination, refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).~~
- E. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- F. ~~It is the responsibility of~~ Every school district employee ~~shall be responsible for to~~ comply ~~ing~~ with this policy ~~conscientiously~~.
- G. Any student, parent or guardian having any questions regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

Refer to District [Policy 103 Complaints - Students, Employees, Parents, Other Persons](#) for complaint and grievance procedures.

Claims of discrimination may also be pursued through the following agencies where appropriate:

U.S. Department of Education

Office for Civil Rights, Region V  
500 W. Madison Street – Suite 1475  
Chicago, IL 60661  
Tel: 312-730-1560  
TDD: 312-730-1609

MN Department of Human Rights  
540 Fairview Ave N, Ste. 201  
St. Paul, MN 55104  
800.657.3704  
651.296.5663  
TDD 651.296.1283

**Legal References:** Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
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 402 (Disability Nondiscrimination)~~  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (~~Student Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process~~)

Replaces: Policy 5005  
First Reading: 06-16-2016  
Adopted: 07-21-2015  
03-22-2016 ISD 709 (Renumbered only)  
First Reading: 08-20-2019  
Second Reading: 09-17-2019