

Muddy Creek Charter School

Code: JB
Adopted: 12/12/24

Equal Educational Opportunity**

Every student of the public charter school will be given equal educational opportunities regardless of age, sex, sexual orientation, gender identity, race¹, religion, color, national origin, disability, parental status, familial status, marital status, linguistic background, culture, socioeconomic status, capability or geographic location.

The public charter school may not limit student enrollment based on ethnicity, national origin, race, religion, sex, sexual orientation, gender identity, disability, income level, proficiency in English language, the terms of an individualized education program (IEP) or athletic ability, except as authorized under Oregon law. The public charter school may limit admission to students within a given grade level. The public charter school must select students through an equitable lottery selection process if the number of student applicants exceeds the capacity of a program, class, grade level or building. The public charter school may implement a weighted lottery that favors historically underserved students in accordance with ORS 338.125². The school may give priority for admission to students in accordance with ORS 338.125.

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the public charter school or denied access to facilities in the school.

A student or parent may also access and use the public charter school's general complaint procedure through Board policy KL - Public Complaints.

All reports, complaints or information will be investigated.

The public charter school will communicate the availability of policy and available complaint procedures to students and their parents through available school's communication systems, handbooks and will be published to the school website and made available at the school office during regular business hours.

A student of the public charter school may not be subjected to retaliation by the public charter school for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.

END OF POLICY

¹ Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

² As amended by House Bill 2954 (2021).

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051](#)
[ORS 329.025](#)
[ORS 336.086](#)
[ORS 338.125](#)
[ORS 659.850](#)

[ORS 659.852](#)
[ORS 659A.001](#)
[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.103](#) - 659A.145
[ORS 659A.400](#)
[ORS 659A.403](#)

[ORS 659A.406](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-022-2310](#)
[OAR 839-003](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12333 (2018).

House Bill 2935 (2021).

House Bill 2954 (2021).

House Bill 3041 (2021).

Cross Reference(s):

AC - Nondiscrimination

ACA - Americans with Disabilities Act

JBB - Educational Equity