



MN ASSOCIATION OF
CHARTER SCHOOLS

Unleashing education from convention

PRESS RELEASE

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MINNESOTA ASSOCIATION OF CHARTER SCHOOLS POSITION ON ACLU LAWSUIT REGARDING FIRST AMENDMENT ISSUES & LEASING SPACE FROM SECTARIAN ORGANIZATIONS

ST. PAUL, MN – The MN Association of Charter Schools is concerned when there is a complaint made against any public charter school district involving the First Amendment. Public charter schools, like all public schools, face an ongoing challenge of balancing the “free exercise” rights of students under the First Amendment, versus the Establishment Clause provisions of the First Amendment.

As an Association we expect that:

- every charter school board and staff know and understand the establishment clause, the accommodation of religious needs and requirements of students, and the teaching of religion in public schools;
- every charter school board have policies to ensure compliance with the federal and state constitutions, laws and requirements regarding religious expression, accommodation and the teaching of religion;
- every charter school informs and educates parents about the fact that charter schools are public schools and the school policies; and
- a charter school that is found to violate either the “free exercise” rights of students or the “establishment clause” will take immediate action to reform its policies or practices if an investigation by the appropriate and proper authorities has been undertaken.

In the case of Tarek ibn Ziyad Academy (TIZA), the MN Department of Education investigated the complaints raised last spring and laid out actions the school needed to take in order to address the concerns raised in the complaint. It is our understanding that those concerns have been addressed and that the MN Department of Education is continuing to monitor implementation of those changes enacted by the school.

On the broader issue of public charter schools leasing space, we believe that all public schools (traditional public schools and public charter schools) or any other government program should be able to lease from any landlord, public or private, nonprofit or profit, non-sectarian or sectarian. To equate paying rent to a sectarian organization as supporting a religion would be to equate paying rent to a private landlord as supporting that individual's religious or political beliefs. Paying rent is a commercial transaction for the use of space – not a religious or political statement, nor the transfer of public funds to support religion.

The Minnesota Association of Charter Schools (MACS) is a nonprofit membership organization that was established in 1996 and incorporated in 1998. The mission of MACS is to enhance the capacity, assure the quality and promote the choice of public charter schools in Minnesota.

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