

STUDENT ORGANIZATIONS AND EQUAL ACCESS

The Governing Board believes that student groups or clubs reinforce the instructional program, give students experience in civics and government, and provide social and recreational activities. Student groups also serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging. Prior to meeting on school grounds, all student groups shall be authorized by the principal or designee in accordance with Board policy and administrative regulation.

In order to maintain a closed forum on school campuses, only student-initiated groups that relate directly to the curriculum shall be allowed to meet on school premises during noninstructional time.

All curriculum-related student clubs or groups shall have equal access to the school media to announce meetings, including, but not limited to, the public address system, the school newspaper, the school bulletin board, and school web site.

Noncurriculum-related student groups are subject to the requirements specified in Board policy and administrative regulation for community groups regarding the use of district facilities for meetings and the right to distribute materials to students.

No school shall deny equal access or a fair opportunity to meet, or otherwise discriminate against, any group officially affiliated with the Boy Scouts of America, or with any other youth group listed as a patriotic society in Title 36 of the United States Code, for reasons based on the membership or leadership criteria or oath of allegiance to God and country.

Legal Reference: (see next page)

STUDENT ORGANIZATIONS AND EQUAL ACCESS (continued)

Legal Reference:

EDUCATION CODE

52 Designation of secondary schools

53 Designation of high schools

200-262.3 Prohibition of discrimination on the basis of sex

38130-38138 Civic Center Act

48900 Hazing

48907 Student exercise of free expression

48930-48938 Student organizations

48950 Freedom of speech

49020-49023 Athletic programs

PENAL CODE

627-627.10 Access to school premises

CODE OF REGULATIONS, TITLE 5

2 Definitions

5531 Supervision of extracurricular activities of students

UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

7904 School prayer

7905 Boy Scouts equal access

UNITED STATES CODE, TITLE 36

20101-240112 Patriotic organizations

COURT DECISIONS

Prince v. Jacoby, (2001) 303 F.3d 1074

Culbertson et al. v. Oakridge School District, (2002) 258 F.3d 1061

Good News Club et al. v. Milford Central School, (2001) 121 S.Ct. 2093

Ceniceros v. Board of Trustees of the San Diego Unified School District, (1997) 106 F.3d 878

Board of Education of Westside Community School District v. Mergens By and Through Mergens (1989, 8th Cir.) 867 F.2d 1076

Perumal et al v. Saddleback Valley Unified School District, (1988) 198 Cal. App. 3d 64

Student Coalition for Peace v. Lower Merion School District Board of Directors, (1985) 776 F.2d. 431

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

WEB SITES

U.S. Department of Education: <http://www.ed.gov>