

CVUSD Board Policy

BP 6145.5

Instruction

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.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3452 - Student Activity Funds)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

Note: Pursuant to 20 USC 4071, if a secondary school has created a "limited open forum" and allows any noncurriculum-related group to meet on school premises during noninstructional time, then the school must grant equal access to all other noncurriculum-related student groups and may not discriminate against such groups on the basis of the religious, political, philosophical, or other content of the group's speech. A district may create a "closed forum" by prohibiting all noncurriculum-related student groups from meeting on school grounds during noninstructional time. However, if a district permits any noncurriculum-related student groups to meet on school premises during noninstructional time, then, regardless of any policy to the contrary, it has created a "limited open forum."

The Board encourages students to pursue interests and clubs which may not directly relate to the district's curriculum and, to that end, has created a limited open forum.

All student-initiated groups shall be given equal access to meet on school premises during noninstructional time without regard to their religious, political, philosophical, or other speech content. The Board shall ensure that: (20 USC 4071, 4072)

- 1. The meeting shall be voluntary and student-initiated.*
- 2. There shall be no sponsorship of the meeting by the school or staff. The term sponsorship means that school staff are promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes shall not constitute sponsorship of the meeting.*

3. *Employees of the school shall be present at religious meetings only in a nonparticipatory capacity.*
4. *The meeting shall not materially and substantially interfere with the orderly conduct of educational activities within the school.*
5. *Nonschool persons shall not direct, conduct, control, or regularly attend activities of student groups.*

(cf. 1330 - Use of School Facilities)

(cf. 3515.2 - Disruptions)

(cf. 5145.2 - Freedom of Speech/Expression)

All student clubs or groups shall have equal access to the school media to announce meetings, including the public address system, the school newspaper, bulletin boards, and school web site. However, the principal or designee may issue a disclaimer that such activities are not school-sponsored.

All noncurriculum-related student groups shall be given equal access to meeting space, school equipment, and supplies.

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. (20 USC 7905)

School Activity Groups

A. Classes

Each high school has four class groups: Freshman, Sophomore, Junior and Senior.

1. Any such class shall have as its purpose the conduct of activities on behalf of the students, which are approved by school authorities, and are not in conflict with the authority and responsibilities of public school officials.
2. Each class organization must have a certificated advisor or supervisor who has been approved by the local school administration.
3. Each class organization must have activity or calendar requests approved by the local administration.
4. Each class organization must require students to abide by the rules of the school and district while attending school activities.

5. Each class organization must have all fundraisers approved by the principal or the principal's designee and the Student Government Class. All income and expenses must be reflected in meeting minutes, and all funds must be maintained by Associated Student Body accounting.

B. School Clubs

School clubs, which will be under the authority of the Conejo Valley Unified School District, must be recognized by the school administration.

1. A club is a group of students having a common interest such as political, social, athletic, vocational, service, or other proper and lawful purpose.
2. A club must have written bylaws or a constitution that has been approved by the local Student Government Class and the local school administration.
3. A club must have a certificated advisor or supervisor who has been approved by the local school administration.
4. A club must have activity or calendar requests approved by the local administration.
5. All students in a club must abide by the rules of the school and district while attending a school activity.
6. All club fundraisers must be approved by the principal or by the principal's designee and the Student Government Class. All income and expenses must be reflected in club minutes, and all funds must be maintained by Associated Student Body accounting.

C. School Organizations

School Organizations are student groups formed to represent the student body within specific instructional areas. These may include, but are not limited to: Student Government Class, Band, Theater Arts, Choral Arts, Cheerleaders, Yearbook, Journalism, Math Team, Mock Trial, and Academic Decathlon.

1. Any such organization shall have as its purpose the conduct of activities on behalf of the students which are approved by school authorities, and are not in conflict with the authority and responsibilities of public school officials.
2. Each organization must have a certificated advisor or supervisor who has been approved by the local school administration.
3. Each organization must have activity or calendar requests approved by the local administration.

4. Each organization must require students to abide by the rules of the school and district while attending a school activity.
5. Each organization must have all fundraisers approved by the principal or by the principal's designee and the Student Government Class. All income and expenses must be reflected in club minutes, and all funds must be maintained by Associated Student Body accounting.

Reference CVUSD BP491 (8/74)

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>

CSBA: (6/96 7/02) 3/08

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