

STUDENT ORGANIZATIONS AND EQUAL ACCESS

The Board of Education believes that student organizations may reinforce the instructional program, give students practice in democratic self-government and provide social and recreational activities. Student organizations also may serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging.

The Superintendent or designee shall establish criteria and a process for school sponsorship of student clubs.

Limited Open Forum

In accordance with provisions of the federal Equal Access Act, non-curriculum-related student-initiated groups shall be given equal access to meet on school premises during non-instructional times without regard to their religious, political or philosophical views.

All student clubs or groups shall have equal access to the school media, including the public address system, the school newspaper, and the school bulletin board, to announce meetings. The Superintendent or designee may inform students that certain groups are not school-sponsored.

- (cf. 1321 - Solicitation of Funds from and by Students)*
- (cf. 1325 - Advertising and Promotion)*
- (cf. 1330 - Use of School Facilities)*
- (cf. 3452 - Student Activity Funds)*
- (cf. 3515.2 - Disruptions)*
- (cf. 5145.2 - Freedom of Speech/Expression: Publications Code)*

Legal Reference: (see next page)

STUDENT ORGANIZATIONS AND EQUAL ACCESS

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 especially:

221.5 Equal opportunity without regard to sex

221.7 School sponsored athletic programs; prohibited sex discrimination

32050-32051 Hazing

48930-48938 Student organizations

48950 Freedom of speech

49020 Athletic programs: Legislative intent

49021 Equal opportunity for male and female students

49022 Apportionment of funds for male and female students

49023 Expenditure of public funds; prohibited sex discrimination

PENAL CODE

627-627.10 Access to school premises

CODE OF REGULATIONS, TITLE 5

2 Definitions

5531 Supervision of extracurricular activities of pupils

UNITED STATES CODE, TITLE 20

4071-4074 The Equal Access Act

COURT DECISIONS

Caniceros v. Board of Trustees of the San Diego Unified School District, (1995) 66 F. 3d 1535

Board of Education of Westside Community School District v. Mergens By and Through Mergens,

(1989, 8th Cir.) 867 F.2d 1076, *affd.* (1990) 496 U.S. 226

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:

U.S. DEPARTMENT OF EDUCATION

"Statement of Principles," United States Department of Education, Richard W. Riley, 1995

Policy

Adopted: October 23, 2000

BREA OLINDA UNIFIED SCHOOL DISTRICT

Brea, California