

**Instruction**

**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**

All student-initiated groups at secondary schools shall be given equal access to meet on school premises during non-instructional times without regard to their religious, political, philosophical or other speech content.

All student-initiated groups shall have equal access to the school media, including the public address system, the school newspaper and the school bulletin board.

No school shall discriminate against, nor deny equal access or a fair opportunity to meet to 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 References:    Education Code
- 40 Equal opportunity without regard to sex
  - 41 School sponsored athletic programs; prohibited sex discrimination
  - 52 Designation of secondary school
  - 53 Designation of high schools
  - 200-262.3 Prohibition of discrimination on the basis of sex
  - 32050-32051 Hazing
  - 48900 - 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  
Code of Regulations, Title 5

2 Definitions

5531 Supervision of extracurricular activities of pupils

Penal Code

627-627.10 Access to school premises

United State Code, Title 20

4071 et. seq. The Equal Access Act

United States Code, Title 36

20101-240112 Patriotic organizations

Public Law 107-110

9524 School prayer

9525 Boy Scouts equal access

Court Decisions

Culbertson et. al. V. Oakridge School District, (2001) 258 F .3d 1061

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

Ct. 2093

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

Perumal et. Al. v. Saddleback Valley Unified School District, (1988)

198 Cal App 3d 64

Board of Education of Westside Community School District v.

Mergens By and Through Mergens, (1989) 85h Cir. 867 F.2d

1076, affd. (1990) 496 U.S. 226

Ceniceros v. Board of Trustees of the San Diego Unified School

District, (1995) 66F. 3d 1535

Management Resources: "Statement of Principals," United States  
Department of Education, Richard W. Riley, 1995

Policy

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