Policy 3225 – Student Clubs: Equal Access

The Board of Trustees regards student clubs and organizations as an important part of the education and development of students.

Preston ~~Joint~~ School District #201 ~~Board of Education~~ maintains a "limited open forum" for clubs pursuant to the following guidelines.

Curriculum clubs are authorized in grades K-12. ~~Curriculum clubs are sponsored by District schools and may receive leadership, direction, and support from the school and the District.~~ Non-curriculum clubs are authorized in grades 6-12.

~~Non-curriculum clubs are authorized in grades 6-12 under state and federal laws and regulations for the purpose of granting a place on the school's premises for students to meet during non-instructional time. Non-curriculum clubs are student-initiated. Their meetings, ideas, and activities are not sponsored or endorsed in any way by the Board, the schools, or by school or District employees. The District does not accept any responsibility or liability for non-curriculum clubs. The District shall not sponsor clubs which advocate religions, political beliefs, or ideas.~~

~~Authority~~

~~This policy is authorized by and based on:~~

~~A. Federal Equal Access Act, 20 U.S.C. §4071~~

~~B. Idaho Code 33-1608 through 33-1612~~

~~Definitions~~

~~As used in this policy:~~

~~1. "Administrator" means the school principal or assistant principal.~~

~~2. "Advisor" means the faculty member working with curriculum or non-curriculum club to ensure compliance with this policy.~~

~~3. "Board" means the Preston Joint School District Board of Trustees.~~

~~4. "Closed forum" means allowing only curriculum clubs.~~

~~5. "Club" means any student organization that meets during non-instructional time.~~

~~6. "Curriculum club" means a club:~~

~~i. Whose subject matter is taught or will soon be taught in a regular course;~~

~~ii. Whose subject matter concerns the body of courses as a whole; or~~

~~iii. That may receive leadership, direction, and support from the school and the District.~~

~~7. "District" means Preston Joint School District.~~

~~8. "Limited open-forum" means allowing both curriculum and lawful non-curriculum clubs.~~

~~9. "Non-curriculum club" means any club whose subject or purpose is not included in the definition of a curriculum club. Non-curriculum clubs are student initiated. Their meetings, ideas and activities are not sponsored or endorsed in any way by the Board, the school, or District employees.~~

~~10. "Non-instructional time" means time set aside by the school before actual classroom instruction begins, at lunch, or after actual classroom instruction ends.~~

~~11. "Non-participating capacity" shall mean a person may not promote or lead any meeting.~~

~~12. "Superintendent" means the Superintendent of Preston Joint School District.~~

Definitions

As used in this policy:

1. “School” shall mean any school in the Preston School District #201;
2. “Club” shall mean a curriculum club or a non-curriculum group of students of the school who wish to organize and meet to form common goals, objectives, or purposes, but do not include school activities;
3. “Curriculum Club” shall mean a club which is directly under the sponsorship, direction, and control of the school and whose subject matter is taught or will soon be taught in a regular course, or concerns the body of courses as a whole;
4. “Non-curriculum club” shall mean a student initiated club which is not under the sponsorship, direction, or control of the school or any student initiated club that does not directly relate to the body of courses offered by the school;
5. “Non-participating capacity” shall mean a person may not promote, lead, or participate in any meeting;
6. “Limited open-forum” shall mean allowing both curriculum and lawful non-curriculum clubs; and
7. “Closed forum” shall mean allowing only curriculum clubs.

The school within the District shall provide equal access and a fair opportunity for clubs to organize and to meet on school premises during the times established for such meetings.

Curriculum clubs shall be advised by a member of the faculty, staff, or administration of the school. The District shall not sponsor clubs which advocate particular religious or political beliefs or ideas. Any such clubs shall be non-curriculum, and must engage a school employee to monitor their activities while on the premises. The school and the School District shall not be identified or associated with the goals, objectives, activities, beliefs, or opinions of any non-curriculum clubs or its members.

~~Application for Authorization for Curriculum and Non-Curriculum Clubs~~

~~The following general guidelines will be observed in approving, establishing, and operating student clubs at Preston Joint School District schools.~~

~~A. Authorization for Curriculum Clubs~~

~~1. Curriculum clubs shall have a minimum of five (5) members.~~

~~2. Faculty members (curriculum clubs) or students (curricular or non-curriculum clubs) proposing clubs must submit a written application for authorization on the District Club Authorization Form no later than the end of the first semester of the year of the club's inception.~~

~~3. Written application for authorization of curriculum clubs must include:~~

~~i. Proposed club name;~~

~~ii. Statement of the club's purpose, goals, and activities indicating all of the following that may apply:~~

~~• athletic~~
~~• business/economic/technology~~
~~• agriculture~~
~~• art/music/performance~~
~~• leadership~~
~~• science~~
~~• community service/social justice~~
~~• professional technical~~
~~• other~~

~~4. Proposed meeting times, dates, and places; and~~

~~5. The proposed club charter, constitution, or bylaws which shall include at least:~~

~~i. The rules of organization,~~

~~ii. The election of officers,~~

~~iii. Voting procedures,~~

iv. Objective membership criteria,
v. Meeting rules of order,
vi. Procedures for amending the rules,
vii. Attendance requirements,
viii. Financial statement

6. A statement as to the identity and role of the faculty advisor.

B. Annual Authorization for Non-Curriculum Clubs

1. Non-curriculum clubs should have a minimum of five (5) members. Students proposing non-curriculum clubs must submit written application for authorization on the District Club Authorization Form no later than the end of the first semester of the year of the club's inception. Written application for authorization of non-curriculum clubs must include:

2. Proposed club name;

3. Statement of the club's purpose, goals, and activities indicating all of the following that may apply:

i. Athletic
ii. Business/economic/technology
iii. Agriculture
iv. Art/music/performance
v. Leadership
vi. Science
vii. Religious
viii. Community service/social justice
ix. Professional technical
x. Other

4. Proposed meeting times, dates, and places; and

5. The proposed club charter, constitution, or bylaws which shall include at least:

i. The rules of organization,
ii. The election of officers,
iii. Voting procedures,
iv. Objective membership criteria,
v. Meeting rules of order,
vi. Procedures for amending the rules,
vii. Letter award requirements, and
viii. Financial statement

6. A statement as to the identity and role of the faculty advisor.

Review and approval of a non-curricular club must occur on an annual basis. If a non-curricular club is seeking renewal for a third consecutive school year, those seeking to continue the club may submit the prior written application for authorization rather than submitting a new document. If the non-curricular club is proposing any modifications to its operations, a new written application shall be submitted.

If a faculty advisor chooses to discontinue association with the non-curricular club, no meetings of the non-curricular club may occur until such time as a new faculty advisor has volunteered for the position as is approved by the building principal. If no new faculty member is willing to assume this role, the club will discontinue operations.

Review of Applications for Curriculum and Non-Curriculum Clubs

A. Application Approval

Applications will first be reviewed by the Faculty Advisor.

Final club approval is through the school administrator.

1. Procedures for Reviewing Applications for Curriculum Clubs

The administrator shall review applications for authorization of curriculum clubs on a case-by-case basis. Before granting authorization, the administrator must find: (1) that the proposed club would meet this policy's definition of curriculum club and (2) that the proposed club's purpose and activities comply with this policy.

The administrator may request additional information from the faculty advisor, or from students proposing the club.

2. Determining Curriculum Relatedness

The administrator determines curriculum relatedness by strictly applying this policy's definition of curriculum club to the club application. If the administrator finds that the proposed club is a curriculum club, the administrator shall continue to review the application as an application for a curriculum club. If the administrator finds that the proposed club is a non-curriculum club, the administrator may return the application to the faculty member or students proposing the club for amendment, or review the application as an application for a non-curriculum club.

3. Purpose and Activities for Curriculum Clubs

The administrator shall deny authorization to any club or require changes prior to granting authorization if the administrator finds that its purpose or activities would:

i. Violate the law, regulation or administrative rules or advocate such imminent violation of laws, regulations or administrative rules or involving presentations in violation of laws, regulations or administrative rules or contrary to the District's curriculum or privacy rights of individuals or families. This restriction does not apply to:

- Appropriate discussions concerning the changing of laws, regulations or rules, or to actions taken through appropriate channels or procedures to effectuate such changes.
- Discussion as to Sexual Orientation including such subjects as combating unfair treatment, prejudices or stereotypes.

ii. Harass or denigrate any person or advocate such imminent action.

iii. Intend to cause a person to fear to freely exercise or enjoy any right secured by the Constitution or laws of the United States or the state of Idaho, or advocate such imminent action.

iv. Include any effort to engage in or conduct mental health therapy, medical services, counseling, or psychological services for which a license would be required.

v. The administrator may request information and shall require changes in a club's proposed purpose or activities which the administrator finds necessary to:

- Prevent any material and/or substantial interference with the orderly operation of the school;
- Protect the well-being of students and faculty;
- Ensure compliance with all applicable state and federal laws, rules, regulations and policies;
- Maintain order and discipline;
- Protect the rights of parents and students;
- Maintain boundaries of socially appropriate behavior; or

vi. Restrict activities harmful to the school's educational mission.

In deciding the purpose and activities of clubs, students should consider ways in which the club can be of service to the school or community.

4. Names for Curriculum Clubs

The administrator shall approve the proposed names of curriculum clubs, as stated in the club application, consistent with law and policy.

Procedures for Reviewing Applications for Non-Curriculum Clubs

~~The administrator shall review applications for authorization of non-curriculum clubs on a case-by-case basis. Before granting authorization, the administrator must find: (1) the proposed club's purpose and activities are lawful and comply with this policy and (2) the application otherwise complies with all other provisions and requirements of this policy. The administrator may request additional information from the individuals who are proposing the club.~~

~~A. Purpose and Activities of Non-Curriculum Clubs~~

~~The administrator shall deny authorization to any club or require changes prior to granting authorization if the administrator finds that its purpose or activities could:~~

~~1. Violate the law, regulation or administrative rules or advocate such imminent violation of laws, regulations or administrative rules or involving presentations in violations of law, regulations or administrative rules or contrary to the District's curriculum or privacy rights of individuals or families. This restriction does not apply to:~~

~~• Appropriate discussions concerning the changing of laws, regulations, or rules, or to actions taken through appropriate channels or procedures to effectuate such changes.~~

~~• Discussion as to Sexual Orientation including such subjects as combating unfair treatment, prejudices, or stereotypes.~~

~~2. Harass or denigrate any person or advocate such imminent action.~~

~~3. Intend to cause a person to fear to freely exercise or enjoy any right secured by the Constitution or laws of the United States or the state of Idaho, or advocate such imminent action.~~

~~4. Include any effort to engage in or conduct mental health therapy, medical services, counseling, or psychological services for which a license would be required.~~

~~5. The administrator may request information and shall require changes in a club's proposed purpose or activities which the administrator finds necessary to:~~

~~• Prevent any material and/or substantial interference with the orderly operation of the school;~~

~~• Protect the well-being of students and faculty;~~

~~• Ensure compliance with all applicable laws, rules, regulations, and policies;~~

~~• Maintain order and discipline;~~

- Protect the rights of parents and students;
- Maintain boundaries of socially appropriate behavior; or
- Restrict activities harmful to the school's educational mission.

6. In deciding the purpose and activities of clubs, students should consider ways in which the club can be of service to the school or community.

7. The school or District name will not be identified with the aims, policies, or opinions of the student organization or its members.

8. The District shall not be identified or associated in any way with the goals, objectives, activities, or opinions of non-curriculum clubs to raise money.

Names for Non-Curriculum Clubs

The administrator shall deny authorization of a club's name, or require changes prior to granting authorization if the administrator finds that the proposed name:

A. Does not reasonably reflect the nature, purposes, and activities of the club,

B. Implies violation of (1)(A) of this section, or

C. Implies inappropriate association with outside organizations or groups and/or engaged in a patent, copyright, or trademark infringement.

Granting or Denying Authorization

The administrator shall grant authorization to proposed curriculum and non-curriculum clubs whose applications are found to meet the requirements of this policy and shall deny authorization to proposed clubs which do not. The superintendent or assistant superintendent will be notified of all clubs denied or approved.

Authorized Curriculum and Non-Curriculum Clubs

A. Faculty Oversight

There must be a volunteer faculty member for each curriculum and non-curriculum club to provide oversight consistent with this policy and the needs of the school. If there is not any faculty volunteer the club may not exist.

1. Curriculum Clubs

Faculty advisors organize and direct the purpose and activities of the curriculum club and ensure compliance with the approved club charter, constitution or bylaws and with all applicable laws, rules, and policies of the District.

2. Non-Curriculum Clubs

Faculty advisors provide oversight and active supervision to ensure compliance with the approved club charter, constitution, or bylaws and with applicable laws, rules, and this policy.

B. Insurance/High Risk

If the District's insurance carrier considers the club or organization to be high risk and is likely to increase the district's insurance rate as a result of adding the club or organization, the administrator and/or director will not approve.

Facilities

The administrator will determine and assign facilities for curriculum-related and non-curriculum-related clubs consistent with the facility availability and facility needs of the school.

A. Curriculum Clubs

1. In assigning facilities, the administrator may give priority to curriculum clubs over non-curriculum clubs.

2. The school may provide financial or other support to curriculum clubs.

B. Non-Curriculum Clubs

1. No preference or priority shall be given among non-curriculum clubs. All shall be treated the same and there shall be no discrimination between clubs in making such determinations.

2. The school shall provide only the space for non-curriculum club meetings. No other expenditure of public funds is authorized or will occur.

Equal Access Regulations

A. Student participation in club activities and attendance at club meetings shall be voluntary and shall be limited to those students who are currently enrolled in the School District. All student groups meeting on school premises are required to open membership to all interested and/or eligible students. Clubs shall be allowed to meet on school premises before school, during the noon hour, and after school on days when school is in session. The time and place of all club meetings shall be subject to available space, conflicting activities and programs, and the availability of the faculty sponsor or monitor. Students shall be responsible for ensuring the presence of a faculty sponsor or monitor prior to every meeting. Clubs will be allowed to meet on school premises during other times of the day only in extraordinary or exceptional circumstances as may be determined by the principal or designee.

1. All clubs must comply with the provisions of the school's student constitution, if applicable.

~~2. No hazing of students shall be permitted.~~

~~3. The principal or designee may deny the opportunity of any club to meet on school premises and may deny permission of any non-school person to meet with or speak to a club on school premises, when there exists a substantial likelihood of material and substantial interference with the orderly conduct of educational activities within the school, or if the meeting or activities in the meeting are, or will be, in violation of any law or ordinance.~~

~~4. The principal or designee may temporarily or permanently terminate the opportunity of any club to meet on school premises in the future if the club has materially or substantially interfered with the orderly conduct of educational activities within the school, if the activities of the club have violated any law or ordinance, or if the club has violated any provision of this policy.~~

~~B. Each approved curriculum and non-curriculum club must complete and submit a request form to the principal or designee stating the name of the club, meeting purpose, meeting dates, and meeting times before any meeting may occur.~~

The following general guidelines will be observed in approving, establishing, and operating student clubs at Preston School District #201 schools.

1. Each proposed club must complete and submit a request form to the club advisor stating the name, specific purpose of the club, the membership requirements, the activities of the club, and meeting dates and times. Each proposed club shall have the student group perform a risk management assessment of the proposed club activities using Form 3225F. The club advisor shall first review the request and submit it to the School Administrator or designee. The School Administrator or designee shall approve or deny the request, designate the club as either a curriculum club or non-curriculum club, and send a copy of the request and decision to the Superintendent for informational purposes.
2. Student participation in club activities and attendance at club meetings shall be voluntary and shall be limited to those students who are currently enrolled in the School District. All student groups meeting on school premises are required to open membership to all interested and/or eligible students. Clubs shall be allowed to meet on school premises before school, during the lunch hour, and after school on days when school is in session. The time and place of all club meetings shall be subject to available space, conflicting activities and programs, and the availability of the advisor. Students shall be responsible for ensuring the presence of an advisor prior to every meeting. Clubs will be allowed to meet on school premises during other times of the day only in extraordinary or exceptional circumstances as may be determined by the School Administrator or designee.

3. Every student must have a signed written permission from a parent or guardian before joining or taking part in any school club. The club advisor is responsible for collecting the permission forms and keeping a current record of them.
4. All clubs must comply with the provisions of the school's student constitution, if applicable.
5. No hazing of students shall be permitted.
6. The School Administrator or designee may deny the opportunity of any club to meet on school premises, and may deny permission of any non-school person to meet with or speak to a club on school premises, when there exists a substantial likelihood of material and substantial interference with the orderly conduct of educational activities within the school, or if the meeting or activities in the meeting are, or will be, in violation of any law or ordinance.
7. The School Administrator or designee may temporarily or permanently terminate the opportunity of any club to meet on school premises in the future if the club has materially or substantially interfered with the orderly conduct of educational activities within the school, if the activities of the club have violated any law or ordinance, or if the club has violated any provision of this policy.

For curriculum clubs, the following guidelines will apply:

1. Each curriculum club will have a faculty or staff member appointed as advisor. The advisor shall be approved by the School Administrator or designee;
2. All activities of the club must have prior approval of the advisor;
3. Club funds shall be subject to deposit, audit, and disbursement in accordance with the regulations of the District; and
4. The content and placement of club posters or advertisements shall be approved by the club advisor.

For non-curriculum clubs, the following guidelines will apply:

1. The formation of non-curriculum clubs shall be student initiated. Non-school persons may not direct, conduct, control, or regularly attend activities;
2. Recognition by the Preston School District #201 of a non-curriculum club is not an endorsement of the aims, policies, or opinions of the student organization or its members;
3. The school or District's name will not be identified with the aims, policies, or opinions of the student organization or its members;
4. Notices of meetings of non-curricular student organizations may be posted only on a designated bulletin board used by all non-school sponsored organizations. No announcements shall be made over the public address system or in any school-sponsored publications;

5. No funds will be expended by the school for any such meeting beyond the incidental cost associated with providing a meeting place;
6. Every non-curriculum club must have a District employee volunteer as an advisor to the club. The advisor shall be responsible for monitoring the meetings to assure that attendance at the meetings is voluntary, to assure that the meetings do not materially and substantially interfere with the orderly conduct of educational activities within the school, and to assure that order and discipline are maintained. Advisors shall attend the meetings of non-curriculum clubs that are political or religious in nature in a non-participatory capacity;
7. No school employee shall be compelled to be an advisor of a non-curriculum club;
8. Club posters or flyers need to have a disclaimer as set out in Procedure 3225P1, and poster content and placement shall be approved by the School Administrator or designee; and
9. The Preston School District #201 shall not be identified or associated in any way with the goals, objectives, activities, or opinions of any non-curriculum clubs to raise money.

~~Membership~~

~~A. Curriculum Club~~

~~1. Each student must meet all eligibility requirements including:~~

~~i. Academic,~~

~~ii. Drug and alcohol,~~

~~iii. Student handbook regulations,~~

~~iv. Membership is limited to students who are currently registered in the District, and~~

~~v. Parent or Guardian Permission.~~

~~2. Membership in individual curriculum clubs is governed by the following guidelines:~~

~~i. Clubs may require that prospective members try out based on objective criteria outlined in the application materials.~~

~~ii. Try-outs shall not require activities that violate laws, policies, or regulations of the State or District.~~

~~iii. Membership may not be limited on the basis of race, religion, gender, ethnicity, national origin, disability, or any other state or federally recognized protected classification as such may change or grow from time to time.~~

~~B. Non-Curriculum Clubs~~

1. Each student must meet all eligibility requirements including:
    i. Academic,
    ii. Drug and alcohol,
    iii. Student handbook regulations, and
    iv. Parent or Guardian permission.

C. Membership in individual non-curriculum clubs is governed by the following guidelines:

1. Membership is limited to students who are currently registered in the school. Outside individuals may be granted membership depending upon administrator approval.

2. Clubs may require that prospective members try out based on objective criteria outlined in the application materials. Try-outs shall not require activities which violate laws, policies, or regulations of the State or District.

3. Membership may not be limited on the basis of race, religion, gender, ethnicity, national origin, or disability or any other state or federally recognized protected classification as such may change or grow from time to time.

4. Attendance or participation in club meetings or activities is limited to in-district students, except that non-school persons may attend on occasion to make presentations if approved in advance by the administrator. Non-school persons shall not direct, conduct, control, or regularly attend meetings or activities of clubs.

Communications

A. Curriculum Clubs

Each administrator shall determine what access curriculum clubs shall be given to the school newspaper, yearbook, bulletin boards, public address system, etc. Access for all curriculum clubs shall be equal and there shall be no discrimination between clubs in making any such access or use determinations.

B. Non-Curriculum Clubs

Access for all non-curriculum clubs shall be equal and there shall be no discrimination between clubs in making any such access or use determinations. Notices of meetings of non-curriculum clubs may be posted only on designated bulletin boards used by all non-curriculum clubs. No announcements shall be made over the public address system or in school-sponsored publications.

Review of Authorization

The administrator shall investigate any report or allegation that an authorized curriculum or non-curriculum club is participating in activities beyond the scope of its charter,

~~constitution, or bylaws, or is in violation of any applicable law, rule, regulation, or policy. After meeting with the faculty advisor and the students involved, the administrator may do any of the following:~~

~~A. Allow the original charter, constitution, or bylaws to be modified to include the activities if they are in compliance with the law, rules, regulations or policies;~~

~~B. Instruct the advisor not to allow similar violations in future;~~

~~C. Suspend the club's authorization pending further corrective action as determined by the administrator; or~~

~~D. Terminate the club's authorization.~~

~~Appeal of Decisions Affecting Curriculum and Non-Curriculum Clubs~~

~~Any student directly affected by a decision made under this policy may appeal the decision by writing to the District Assistant Superintendent.~~

Right to Close the Forum

The Board reserves the right to create a "closed forum" at any time during the school year or at any other time by allowing curriculum clubs only. Closed forum would need a majority board vote during a public board meeting.

Procedures

The Superintendent or designee shall maintain Procedure 3225P1, which sets out club applications, review standards, membership, communications, investigations and appeals.

Legal Reference:

Federal Equal Access Act, 20 U.S.C. §4071

Idaho Code 33-1608 through 33-1612

Cross Reference:

3225P1	Student Clubs Procedure
3225F	Student Club Risk Management Plan

ADOPTED: December 13, 2023

AMENDED: