Policy 3225P1 – Student Clubs: Equal Access Procedure

This procedure implements Policy 3225. Terms defined in Policy 3225 have the same meanings in this procedure. Where this procedure and the policy differ, the policy controls.

Definitions

In addition to the terms defined in Policy 3225, as used in this procedure:

1. "Advisor" means the District employee assigned to a club. The advisor is the first reviewer of the club's application and oversees the club consistent with Policy 3225. A curriculum club's advisor is a faculty or staff member approved by the School Administrator; a non-curriculum club's advisor is a District employee who volunteers and is approved by the School Administrator.
2. "Board" means the Preston Joint School District #201 Board of Trustees.
3. "District" means Preston Joint School District #201.
4. "Non-instructional time" means time set aside by the school before actual classroom instruction begins, at lunch, or after actual classroom instruction ends.
5. "School Administrator" means the building principal or assistant principal of the school where the club will meet, and includes a designee. The School Administrator is the approving authority for all clubs under this procedure.
6. "Superintendent" means the Superintendent of Preston Joint School District #201 or designee. The Superintendent receives approved and denied club applications for informational purposes only.

Application for Authorization for All Clubs

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, together with Form 3225F (Student Club Risk Management Plan), 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:
    a. Proposed club name;
    b. 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;

c. Proposed meeting times, dates, and places;

d. The proposed club charter, constitution, or bylaws which shall include at least: the rules of organization; the election of officers; voting procedures; objective membership criteria; meeting rules of order; procedures for amending the rules; attendance requirements; and financial statement; and

e. A statement as to the identity and role of the advisor.

B. **Annual Authorization for Non-Curriculum Clubs**

1. Non-curriculum clubs shall have a minimum of five (5) members. Students proposing non-curriculum clubs must submit written application for authorization on the District Club Authorization Form, together with Form 3225F, 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 the items listed in A.3, with "religious" added.

2. If an 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 advisor has volunteered for the position and is approved by the School Administrator. If no new employee is willing to assume this role, the club will discontinue operations.

Review of Applications for All Clubs

A. **Application Review.** Applications will first be reviewed by the club advisor. The advisor reviews the application for completeness and for consistency with Policy 3225 and this procedure, signs it, and submits it to the School Administrator. The School Administrator then reviews the application under this procedure and approves or denies it. The School Administrator's decision is final, subject to appeal under this procedure. After deciding, the School Administrator sends a copy of the application and the decision to the Superintendent for informational purposes. Superintendent and Board approval are not required.

B. **Procedures for Reviewing Applications for Curriculum Clubs.** The School Administrator shall review applications for authorization of curriculum clubs on a case-by-case basis. Before granting authorization, the School Administrator must find:

1. that the proposed club would meet the policy's definition of curriculum club and

2. that the proposed club's purpose and activities comply with the policy and this procedure. The School Administrator may request additional information from the advisor, or from students proposing the club.

C. **Procedures for Reviewing Applications for Non-Curriculum Clubs.** The School Administrator shall review applications for authorization of non-curriculum clubs

on a case-by-case basis. Before granting authorization, the School Administrator must find:

1. The proposed club's purpose and activities are lawful and comply with the policy and

2. The application otherwise complies with all other provisions and requirements of the policy and this procedure. The School Administrator may request additional information from the individuals who are proposing the club.

D. **Determining Curriculum Relatedness.** The School Administrator determines curriculum relatedness by strictly applying the policy's definition of curriculum club to the club application. If the School Administrator finds that the proposed club is a curriculum club, the School Administrator shall continue to review the application as an application for a curriculum club. If the School Administrator finds that the proposed club is a non-curriculum club, the School 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. The School Administrator makes the final designation.

E. **Purpose and Activities of All Clubs.** The School Administrator shall deny authorization to any club or require changes prior to granting authorization if the School Administrator finds that its purpose or activities would:

1. 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 violate the privacy rights of individuals or families. This restriction does not apply to: (a) appropriate discussions concerning the changing of laws, regulations or rules, or to actions taken through appropriate channels or procedures to effectuate such changes; or (b) 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.

The School Administrator may request information and shall require changes in a club's proposed purpose or activities which the School 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
- Restrict activities harmful to the school's educational mission.

These standards apply to every club without regard to the religious, political, philosophical, or other content of the club's speech.

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.

Club Names

A. **Curriculum Clubs.** The School Administrator shall approve the proposed names of curriculum clubs, as stated in the club application, consistent with law and policy.

B. **Non-Curriculum Clubs.** The School Administrator shall deny authorization of a club's name, or require changes prior to granting authorization, if the School Administrator finds that the proposed name:

1. Does not reasonably reflect the nature, purposes, and activities of the club;
2. Implies violation of Review of Applications, item E; or
3. Implies inappropriate association with outside organizations or groups and/or would be a patent, copyright, or trademark infringement.

Granting or Denying Authorization

The School Administrator shall grant authorization to proposed clubs whose applications are found to meet the requirements of the policy and this procedure, and shall deny authorization to proposed clubs which do not. The School Administrator shall notify applicants of the decision in writing, with reasons for any denial, and shall send a copy of each approved or denied application to the Superintendent for informational purposes.

Authorized Curriculum and Non-Curriculum Clubs

A. **Oversight.** There must be an advisor for each club to provide oversight consistent with the policy and the needs of the school. If there is not any advisor, the club may not meet.

1. **Curriculum Clubs.** 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.** Advisors carry out the duties in Policy 3225 and attend meetings of religious or political clubs in a non-participating capacity.

B. **Insurance/High Risk.** The School Administrator shall use the club's Form 3225F to identify clubs to review with the District's insurance carrier. 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 School Administrator will not approve the club.

Facilities

The School Administrator will determine and assign facilities for clubs consistent with the facility availability and facility needs of the school.

A. **Curriculum Clubs**

1. In assigning facilities, the School 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.

Meetings

A. Each approved club must complete and submit a request form to the School Administrator or designee stating the name of the club, meeting purpose, meeting dates, and meeting times before any meeting may occur.

Membership

A. **Curriculum Clubs.** Each student must meet all eligibility requirements including:

1. Academic,
2. Drug and alcohol,
3. Student handbook regulations, and
4. Parent or guardian permission.

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

1. Clubs may require that prospective members try out based on objective criteria outlined in the application materials.
2. Try-outs shall not require activities that 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, disability, or any other state or federally recognized protected classification as such may change or grow from time to time.

C. **Non-Curriculum Clubs.** Each student must meet all eligibility requirements including:

1. Academic,
2. Drug and alcohol,
3. Student handbook regulations, and
4. Parent or guardian permission.

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

1. Membership is limited to students who are currently registered in the District.
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 School Administrator.

E. Signed parent or guardian permission forms are kept by the advisor, who verifies that every member has one before participating (see Form 3225F).

Communications

A. **Curriculum Clubs.** Each School 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.

C. **Disclaimer.** Every non-curriculum club poster or flyer must state: "This is a student-initiated club. It is not sponsored or endorsed by Preston Joint School District #201."

Review of Authorization

The School Administrator shall investigate any report or allegation that an authorized 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 advisor and the students involved, the School 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 opportunity to meet pending further corrective action as determined by the School Administrator; or

D. Terminate the club's opportunity to meet under Policy 3225 and withdraw its approval, notifying the Superintendent for informational purposes.

Appeal of Decisions Affecting Clubs

Any student directly affected by a decision made under Policy 3225 or this procedure may appeal the decision by writing to the District Assistant Superintendent within ten (10) school days. The Assistant Superintendent's decision may be appealed in writing to the Board, whose decision is final.

Reviewed: