

4540 STUDENT ORGANIZATIONS

I. PHILOSOPHY AND PURPOSE

Weber School District (District) supports and encourages students to broaden their knowledge and citizenship by permitting the formation of clubs and groups organized to promote or pursue specialized activities outside the classroom. The District believes the formation of clubs and groups provides a more rich educational experience as well as an opportunity to develop friendships with similar interests and hobbies, also serving to enrich the educational experience.

II. POLICY

The purpose of this policy is to provide guidance to schools regarding authorization of clubs and groups as outlined in state law and Utah State Board of Education Administrative Rules. The District will not discriminate on the basis of race, color, national origin, sex (sexual orientation and/or gender identity), disability, or religion in the formation of District clubs or groups. **The District shall not subject a curricular Club or noncurricular Group to different standards, requirements, limitations, or approval criteria based upon the Club's or Group's viewpoint, content, purpose, political position, or policy position, except as expressly authorized by law. A Club or Group shall not unlawfully discriminate in membership or participation, except as otherwise authorized by law.**

This policy shall be interpreted and administered consistent with the Equal Access Act, Utah Code Title 53G, Chapter 10, Part 2 (Curricular and Noncurricular Student Organizations), and any amendments enacted by the Utah Legislature.

For purposes of this policy, “clubs” are related to school curriculum and are sponsored by the school district; “groups” are not related to school curriculum, and not sponsored by the school district.

III. DEFINITIONS

- A. “School Curricular (Clubs)” means a club that is school-sponsored and that may receive leadership, direction, and support from the school or school district beyond providing a meeting place during non-instructional time. An elementary school curricular club means a club that is organized and directed by school sponsors at the elementary school. A secondary school curricular club means a club:
1. whose subject matter is taught or will soon be taught in a regular course;
 2. whose subject matter concerns the body of courses as a whole;
 3. in which participation is required for a particular course; or
 4. in which participation results in academic credit.
- B. “Student Non-curricular (Groups)” means a student-initiated group that may be authorized and allowed school facilities use during non-instructional time in secondary **high** schools by a school and District in accordance with this policy. A Group’s meetings, ideas, and activities are not sponsored or endorsed in any way by the District, the school, or by school or school district employees.
- C. “Co-curricular” means an activity, a course, or a program that is an extension of a

curricular activity; is included in an instructional plan and supervised or conducted by a teacher or education professional; is conducted outside of regular school hours; is provided, sponsored, or supported by an LEA; and includes a required regular school day activity, course, or program. All CTSOs are considered co-curricular and not subject to the application process of this policy.

D. "Non-instructional time" means time set aside by a school before instructional time begins or after instructional time ends, including discretionary time.

E. "Personal identity characteristic" has the meaning assigned in Utah Code Section 53G-10-203, as amended.

IV. CLUBS AND GROUPS

A. Both elementary and secondary schools may sponsor Clubs, but elementary and junior high schools may not have Groups.

B. Each secondary school administrator may decide, at their discretion, whether to allow Groups at their school. If an administrator allows one Group, the administrator must allow all Groups who meet the qualifications of this Policy.

C. Groups shall have a minimum of three members.

D. The District shall administer the approval, operation, supervision, and continued authorization of Clubs and Groups in a viewpoint-neutral manner consistent with Utah law.

E. Groups shall reapply each school year at the beginning of the school year during the application period.

F. Supervision

1. Selection and appointment of Club advisors and Group monitors shall be the responsibility of the school principal and shall be done annually.

2. The Club advisor and Group monitor shall provide oversight consistent with this Policy and the needs of the school to ensure that the conduct of the students involved do not:

i. unreasonably interfere with the ability of school officials to maintain order and discipline;

ii. unreasonably endanger or threaten the well-being of persons or property;

iii. violate concepts of civility or propriety appropriate to a school setting; or

iv. violate applicable laws, rules, regulations, and policies.

3. Club advisors shall organize and direct the purpose and activities of a Club; Group monitors shall provide oversight to ensure compliance with approved club goals and activities, but may not participate in any activity or discussion of the Group.

4. A person who is not a school faculty member may not make a presentation to a

Group or to direct, conduct, control, or regularly attend Group meetings without prior approval of the principal.

G. Use of School Facilities and Resources

1. A school shall determine and assign use of school facilities for Clubs and Groups consistent with the needs of the school.
2. A school may give preference or priority in scheduling to Clubs over Groups, but may not give preference or priority among Groups.
3. A school shall only provide space for Group meetings and may not spend public funds for Groups (except meeting space and provision and faculty oversight).
4. Clubs may be given priority over Groups regarding access to school newspaper, yearbook, bulletin boards, or public address systems. The school principal may determine what access Groups have to the school paper, yearbook, bulletin boards, and public address systems, but must treat all Groups equally in this regard.
5. Meetings for Groups must be voluntary and student-initiated and must take place during non-instructional time.
6. For a Group event or activity utilizing school facilities, a Group must receive written approval from the principal.

H. Investigation of Violations

1. The principal or designee may cancel the authorization for any Club or Group found to be operating out of compliance with the approved charter or laws and rules.
2. The principal will investigate any allegation that a Club or Group is not following the guidelines as described in this policy and in its charter. If the principal finds the Club or Group to be in violation, the following actions may be taken:
 - i. allow the original statement of purpose, goals, and activities to be modified to include the activity in question;
 - ii. instruct the faculty advisor or the certified employee monitor not to allow similar violations in the future;
 - iii. limit or suspend the Club's or Group's authorization or school building use; or
 - iv. terminate the Club's or Group's authorization and dissolve the Club or Group. The Club or Group would not be allowed to reapply until the next school year.

I. Fees

1. Co-curricular and curricular clubs are subject to the District's fee schedule and fee waivers.
2. Non-curricular Groups are not subject to the District's fee schedule or fee waivers.

- i. Generally, fees are discouraged for Groups. If a Group collects fees, the Group's annual charter must include a budget showing the amount and source of any funding provided or to be provided to the Group and its proposed use.
- ii. Fees for Groups may be collected and held at the school up to \$500.00. Any account that exceeds \$500.00 must be maintained off-campus in a private account.
- iii. A group must spend down their account balance to \$0.00 by the end of the school year. If a Group's account balance has not been spent down to \$0.00 by the end of the school year, each member of the Group will be refunded an equal amount of the remaining balance.

J. Political Advocacy

- 1. Regardless of whether the activity occurs through a curricular Club, noncurricular Group, or otherwise, the District shall not award academic credit, course credit, preferential grading, extra credit, excused absences, or any similar academic benefit for a student's participation in:
 - i. political advocacy;
 - ii. partisan political activity; or
 - iii. public protest;
- 2. Nothing in this section prohibits awarding academic credit for coursework, classroom instruction, or assignments that objectively study civics, government, political science, history, or related academic subjects.

V. PROCEDURES

A. Parental Permission for Participation

- 1. As a candidate for participation in a Club or Group that meets on school premises, the District will require every student to obtain written permission from either a parent with legal custody or other legal guardians. The written permission form shall include the following:
 - i. the name of the Club or Group;
 - ii. statement of the Club's or Group's purpose, goals, or activities;
 - iii. statement of the Club's or Group's categorization (see information under the section on Club or Group Charter).

B. Approval Process for Clubs or Groups

- 1. and shall include:
 - i. whether the application is for a Group or a Club;
 - ii. if a Group, the names of at least three other students interested in joining the

Group;

- iii. the recommended name;
- iv. a statement of the Club's or Group's purpose;
- v. a statement of the Club's or Group's categorization indicating all of the following that may apply:
 - a. athletic;
 - b. business/economic;
 - c. agricultural;
 - d. art/music/performance;
 - e. science;
 - f. gaming;
 - g. religious;
 - h. community service/social justice; and
 - i. other.
- vi. the recommended meeting times, dates, and places;
- vii. a budget showing the amount and source of any funding provided or to be provided to the club and its proposed use; and
- viii. a statement verifying the Club or Group will comply with all applicable laws, rules, and policies.

C. Limitations and Denial

- 1. Limitations shall include prohibitions against:
 - i. action or advocacy of imminent action which violates the law or administrative rules; this prohibition shall not apply to appropriate discussions concerning the changing of laws or rules, or actions taken through appropriate channels or procedures to effectuate such changes;
 - ii. advocacy or approval of sexual activity outside of marriage, or presentations in violations of laws or regulations governing sex education or privacy rights of families or individuals;
 - iii. action or advocacy of imminent action involving the harassment or the denigration of any person; and
 - iv. action or advocacy of imminent action with the intent 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 Utah.

2. A school may limit or deny a charter to a Club or Group if necessary to:
 - i. protect the physical, emotional, psychological, or moral well-being of students and faculty;
 - ii. maintain order and discipline on school premises; or
 - iii. prevent a material and substantial interference with the orderly conduct of a school's educational activities.
3. The District shall deny or limit authorization of a curricular Club whose general purpose promotes, degrades, or otherwise identifies a personal identity characteristic, as required by Utah law.
4. The District shall deny or limit authorization of a noncurricular Group whose general purpose degrades a personal identity characteristic, as required by Utah law. Nothing in this section shall be interpreted to prohibit discussion of historical, literary, political, religious, scientific, cultural, or governmental topics otherwise permitted by law or curriculum.
35. A school shall deny access to any student Club or Group whose program or activities would materially or substantially:
 - i. encourage criminal or delinquent conduct;
 - ii. promote bigotry; or
 - iii. involve human sexuality.
6. The District shall not deny, limit, or condition authorization of a Club or Group solely because of the Club's or Group's political viewpoint, public policy position, or lawful expressive activities.
74. Approval of a Club or Group name may take place separately from that relating to the approval of the Club or Group itself. A Club or Group name shall:
 - i. reasonably reflect the nature, purposes, and activities of the Club or Group; and
 - ii. be such that it would not result in undue disruption of school operations, subject students to harassment or persecution, imply that the Club or Group would operate in violation of law or rule, or imply inappropriate association with outside organizations or groups.
8. The principal shall evaluate each application using content-neutral and viewpoint-neutral standards consistent with this policy and Utah law.

D. Appeal

1. The principal will approve, deny, or investigate each completed application or complaint in a reasonable amount of time.
2. If the application or complaint is denied, written reasons for the denial or the results of the investigation will be stated. If appropriate, suggested corrections

shall be made to remedy the situation.

- i. A student directly affected by the denial of a Club or Group authorization at the school level may appeal in writing within ten (10) days of the denial to the Director of Student Services. The Student Services Director may convene a District Committee to review an appeal.
 - ii. The Director shall issue an opinion in writing either upholding or overturning the denial within a reasonable amount of time after receiving the appeal.
 - iii. The Director's decision shall be the final administrative decision.
3. Any denial or limitation imposed under this policy shall identify the specific statutory or policy provision supporting the decision.

Approved: 01/03/24