

STUDENT ORGANIZATIONS AND EQUAL ACCESS

BP 6145.5(a)

Note: If a public secondary school allows one or more noncurriculum-related groups to meet on school premises during noninstructional time, the federal Equal Access Act (Title VII, Public Law 98-377) states that any other student-initiated group also must be allowed to meet in a "limited open forum" without regard to its religious, political or philosophical views. As amended by the No Child Left Behind Act of 2001 and the Every Student Succeeds Act, after adopting a facility use policy, districts must ensure that the policy is applied equitably to all groups, including the Boy Scouts and other affiliated groups. Option #1 below may be used by districts that have a limited open forum. Option #2 is for districts that have established a "closed forum," permitting access only to student organizations that are tied directly to the curriculum. In that elementary schools are not addressed by the Equal Access Act, elementary districts may use and/or modify language from either option without regard to establishing open or closed forum

Option 1 – Limited Open Forum

The School Board believes that curriculum and noncurriculum-related student organizations have an important place in students' lives. Besides extending and reinforcing the instructional program, such groups can give students practice in democratic self-government and provide wholesome social and recreational activities. Student organizations also serve to honor outstanding student achievement and to enhance school spirit and students' sense of belonging.

Since the district allows schools to sponsor student groups not directly tied to the curriculum, student-initiated groups not sponsored by the school district have the right to meet on school premises during times established for a limited open forum in accordance with provisions of the federal Equal Access Act.

- (cf. 1321 - Solicitation of funds)
- (cf. 1325 - Advertising and Promotion)
- (cf. 1330 - Use of School Facilities)
- (cf. 3452 - Student Activity Funds)
- (cf. 3554 - Other Food Sales)
- (cf. 5145.2 - Freedom of Speech/Expression)

Legal Reference:

ALASKA STATUTES
14.03.060 Elementary, junior high, and secondary schools

TITLE VII - THE EQUAL ACCESS ACT, 20 U.S.C.A. Section 4071 et seq., as amended by the Every Student Succeeds Act, P.L. 114-95
Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002)
Board of Education of Westside Community Schools v. Mergens, 110 S.Ct. 2356 (1990)
Student Coalition for Peace v Lower Merion School, (1985) 776 F .2d 431 (3rd Cir. 1985)

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