

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 6000

Instruction

BP 6145.5(a)

Student Organizations And Equal Access

The Governing Board believes that student groups or clubs reinforce the instructional program, give students experience in civics and government and provide social and recreational activities. Student groups also serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging. Prior to meeting on school grounds, all student groups shall be authorized by the principal or designee in accordance with Board policy and administrative regulation.

(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 3452 - Student Activity Funds)
(cf. 6142.3 – Civic Education)
(cf. 6142.4 – Service Learning/Community Service Classes)

The Board encourages students to pursue interests and clubs which may not directly relate to the district's curriculum and, to that end, has created a limited open forum.

All student-initiated groups 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. The board shall ensure that: (20 USC 4071, 4072)

1. The meeting shall be voluntary and student-initiated.
2. There shall be no sponsorship of the meeting by the school or staff. The term sponsorship means that school staff are promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes shall not constitute sponsorship of the meeting.
3. Employees of the school shall be present to religious meetings only in a non-participatory capacity.
4. The meeting shall not materially and substantially interfere with the orderly conduct of educational activities within the school.
5. Non-school persons shall not direct, conduct, control, or regularly attend activities or student groups.

(cf. 1330 - Use of School Facilities)
(cf. 3515.2 - Disruptions)
(cf. 5145.2 - Freedom of Speech/Expression)

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 6000

Instruction

BP 6145.5(b)

All student clubs or groups shall have equal access to the school media, including the public address system, the school newspaper, school bulletin board and the school web site, to announce meetings. However, the principal or designee may issue a disclaimer that such activities are not school-sponsored.

All non-curriculum-related student groups shall be given equal access to meeting space, school equipment, and supplies.

No school shall deny equal access or a fair opportunity to meet to, or discriminate against, 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. (20 USC 7905)

Legal Reference:

EDUCATION CODE

52 Designation of secondary schools

53 Designation of high schools

200-262.3 Prohibition of discrimination on the basis of sex

38130-38138 Civil Center Act

48900 Hazing

48907 Student exercise of free expression

48930-48938 Student organizations

48950 Freedom of speech

49020-49023 Athletic programs:

PENAL CODE

627-627.10 Access to school premises

CODE OF REGULATIONS, TITLE 5

2 Definitions

5531 Supervision of extracurricular activities of pupils

UNITED STATES CODE, TITLE 20

4071-4074 The Equal Access Act

7904 School prayer

7905 Boy Scouts equal access

UNITED STATES CODE, TITLE 36

20101-240112 Patriotic organizations

COURT DECISIONS

Price v. Jacoby, (2001) 303 F.3d 1074

Culbertson et al. v. Oakridge School District, (2002) 258 F.3d 1061

Good News Club et al. v. Milford Central School, (2001) 121 S.Ct. 2093

Ceniceros v. Board of Trustees of the San Diego Unified School District, (1997) 106 F. 3d 878

Board of Education of Westside Community School District v. Mergens By and Through Mergens (1989, 8th Cir.)
867 F.2d 1076,

Perumal et al v. Saddleback Valley Unified School District, (1988) 198 Cal. App. 3d 64

Student Coalition for Peace v. Lower Merion School District Board of Directors, (1985) 776 F.2d. 431

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

**OAK PARK UNIFIED SCHOOL DISTRICT
BOARD POLICY**

Series 6000

Instruction

BP 6145.5(c)

Management Resources:

WEB SITES

U.S. Department of Education: <http://www.ed.gov>

Adopted: 4-26-78

Amended: 11-19-80, 4-14-82, 6-19-84, 1-15-85, 9-17-02, 9-16-08