

Kimberly School District
STUDENTS 3233
Student Clubs/Organizations Use of Buildings: Equal Access

~~Non-curriculum related secondary school student organizations may conduct meetings on school premises without intervention on the basis of the religious, political, philosophical or other content of the meeting.~~

- ~~1. The following criteria must be met:~~
- ~~2. The meeting is voluntary, and student initiated.~~
- ~~3. There is no sponsorship of the meeting by the school, the government, or its agents or employees.~~
- ~~4. The meeting must occur during non-instructional time on regular school days.~~
- ~~5. Employees or agents of the school or government are present only in a non-participatory capacity.~~
- ~~6. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school.~~
- ~~7. Non-school persons may not direct, conduct, control, or regularly attend activities.~~

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

Definitions

As used in this policy:

1. "School" shall mean any school in the Kimberly School District;
2. "Club" shall mean a sponsored club/organization or a non-sponsored or 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. "Sponsored Club" shall mean a club/organization which is directly under the sponsorship, direction, and control of the school;
4. "Non-sponsored or 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.

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.

Sponsored clubs/organizations shall be sponsored by a member of the faculty, staff, or administration of the school. Typically, the district will provide a paid advisor for sponsored clubs/organizations that are under the direction of the district. The District shall not sponsor clubs which advocate particular religious or political beliefs or ideas. Any such clubs shall be non-sponsored or 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-sponsored or non-curriculum clubs or its members. Any club whose activities are deemed by the principal to be disruptive of the everyday operations of the school will not be allowed to initiate meetings, nor continue to meet on school premises.

Equal Access Regulations

The following general guidelines will be observed in approving, establishing, and operating student clubs/organizations at Kimberly School District schools.

1. Each proposed club must submit in writing to the principal or designee stating the name, identifying the staff sponsor or monitor, specific purpose of the club, the membership requirements, the activities of the club, etc for approval. The principal or designee may deny the proposed club/organization if it is determined to be an unnecessary liability risk to the district, disruptive to the everyday operations of the school, or creation of such club/organization would pose a safety risk and be detrimental to the health and safety of students and staff member.
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. The time and place of all club meetings shall be subject to available space, conflicting activities and programs, the availability of the faculty sponsor or monitor, and scheduled and approved by the Principal. The faculty sponsor or monitor must be present at every meeting.
3. No hazing of students shall be permitted.
4. 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.

5. 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.
6. Students that are not of legal age must have written parental/guardian permission to participate in clubs/organizations.

For sponsored clubs, the following guidelines will apply:

1. Each sponsored club will have a faculty or staff member appointed as sponsor. The sponsorship shall be approved by the principal or designee;
2. All activities of the club must have prior approval of the sponsor;
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 sponsor.

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

1. The formation of non-sponsored or non-curriculum clubs shall be student initiated. Non-school persons may not direct, conduct, control, or regularly attend activities;
2. Recognition by the Kimberly School District of a non-sponsored or 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. No funds will be expended by the school for any such meeting beyond the incidental cost associated with providing a meeting place;
5. Every club must have a District employee volunteer as a monitor to the club. The monitor 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. Monitors shall attend the meetings of non-sponsored or non-curriculum clubs that are political or religious in nature in a non-participatory capacity;
6. No school employee shall be compelled to be a monitor of a non-sponsored or non-curriculum club;

7. Club posters or flyers need to have a disclaimer, and poster content and placement shall be approved by the principal or designee; and
8. The Kimberly School District shall not be identified or associated in any way with the goals, objectives, activities, or opinions of any non-sponsored or non-curriculum clubs to raise money.

This policy pertains to student meetings. The school has the authority, through its agent or employees, to maintain order and discipline on school premises and to protect the well-being of students and faculty.

Legal Reference:

20 U.S.C. 4071 Equal Access Act

~~Board of Education v. Mergens, 110 S.Ct. 2356 (1990)~~

Policy History:

Adopted on: April 8, 2003 Revised

on: