

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 regulations.

(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 time 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 at 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 of student groups.

All student clubs or groups shall have equal access to the school media to announce meetings, including the public address system, the school newspaper, bulletin boards, and school web site. 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 student group or club shall be required or refused based on the student's actual or perceived age, gender, gender identity, gender expression, sexual orientation, sex, ethnicity, ethnic group identification, race, ancestry, nationality, national origin, religion, color, or disability, actual or potential parental, marriage, or family status, or association with a person or group with one or more of these actual or perceived characteristics. Requirements for participation in student groups or clubs shall be limited to those that are essential to the success of the group or club. (5 CCR 4925)

No school shall deny equal access or a fair opportunity to meet, or otherwise 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)

No student group or club shall be labeled or scheduled in a way which results in the separation of students on the basis of sex, sexual orientation, gender identity, race, ancestry, national origin, religion, color, and mental or physical disability. (5 CCR 4927)

Sex-segregated groups or clubs, shall be available to all pupils on the basis of their individual gender identity, irrespective of the gender listed on a pupil's records.

The Governing Board monitors compliance with any and all applicable nondiscrimination rule and regulations.

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

Civic 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 students

UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

7904 School prayer

7905 Boy Scouts equal access

UNITED STATES CODE, TITLE 36

20101-240112 Patriotic organizations

COURT DECISIONS

Prince 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
Management Resources: WEB SITES
U.S. Department of Education: <http://www.ed.gov>

Adopted: February 19, 1985
Revised: April 15, 2014
October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT