

EQUAL ACCESS

"This policy is intended to implement the federal Equal Access Act, 20 U.S.C. Section 4071, et.seq., as upheld by the Supreme Court in Board of Education vs. Mergens, 496 U.S. 226 (1990). The school district believes that it is important for students to learn the responsible exercise of freedom of speech, as well as the leadership qualities, individual skills and team cooperation that student extracurricular activities develop. In adopting this policy, the school district does not forgo its authority to maintain an orderly and disciplined school environment.

"The secondary schools in this district shall have a limited open forum for student groups wishing to meet to engage in speech, subject to the following criteria:

1. Students shall be permitted to meet during the noninstructional time of the individual students involved in the meeting. (4071b)
2. All meetings shall be student-initiated and open to all students in the school. Student attendance at any meeting shall be completely voluntary. (Section 407(c)(1) and (f).
3. All student groups shall have a faculty advisor. The faculty advisor for the religious student group shall be present only in a nonparticipatory role to monitor student safety. (Section 407(c)(3))
4. Student groups may invite nonschool persons to attend their meetings, as long as the nonschool persons do not direct, conduct, control or regularly attend activities of the group. Nonschool persons must follow the school's established procedure for allowing nonschool persons on campus, including registration procedures. (Section 4071(c)(5))
5. All student groups shall have equal access to the school newspaper, bulletin boards, public address system and club fairs. (Mergens, 496 U.S. at 247)
6. Permission to meet will not be given to:
 - a. any meeting that materially and substantially interferes with the orderly conduct of educational activities within the school (Section 4071(c)(5));
 - b. any meeting at which unlawful conduct is likely to occur (Section 4071(d)(5));
 - c. any meeting that threatens order and discipline on school premises (Section 4071(f));
 - d. any meeting that threatens the well-being of students and faculty (Section 4071(f); or
 - e. any meeting at which attendance of the students is not completely voluntary (Section 4071(f)).

The school, its agents, and employees will not:

- a. influence the form or content of any prayer or other religious activity (Section 4071 (d)(1));
- b. require any person to participate in prayer or other religious activity (Section 4071 (d)(2));
- c. expend public funds beyond incidental costs for student-initiated meetings. (Section 4071 (d)(3);

- d. compel any employee to supervise a meeting to which he or she objects (Section 4071 (d)(4)); or
- e. impose a minimum size limit on student meetings. (Section 4071 (d)(6)).

Adopted- 2/18

Reviewed-

Revised-