

Students

MOUNT PLEASANT COTTAGE SCOOOL UNION FREE SCHOOL DISTRICT**SUBJECT: STUDENT ORGANIZATIONS: LIMITED OPEN FORUM**

The Equal Access Act of 1984 states that:

It shall be unlawful for any public secondary school which receives Federal financial assistance and which has a limited open forum to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings (20 USC Section 4071[a]).

Definitions

- 1) "Limited Open Forum" - "A public secondary school has a limited open forum whenever such school grants an offering to or opportunity for one or more non-curriculum related student groups to meet on school premises" (20 USC Section 4071[b]).
- 2) "Meeting" includes "those activities of student groups which are permitted under a school's limited open forum and are not directly related to the school curriculum" (20 USC Section 4072[3]).
- 3) "Non-instructional Time" is defined as "time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends " (20 USC Section 4072[4]).
- 4) "Curriculum Related Student Groups" - Non-curriculum related student groups, interpreted by the United States Supreme Court in Westside Community Board of Education v. Mergens, means "any student group that does not directly relate to the body of courses offered by the school." The Court indicated that curriculum related student groups are those in which:
 - a. Subject matter of the group is actually taught, or soon will be taught, in a regularly offered course;
 - b. Subject matter of the group concerns the body of courses as a whole;
 - c. Participation in the group is required for a particular course; or
 - d. Participation in the group results in academic credit.

At the secondary level, student groups protected under the Equal Access Act shall be permitted to meet on school premises during non-instructional time under the following conditions:

- 1) A meeting is student-initiated and open to all students. Student attendance at such a meeting must be voluntary.

(Continued)

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- 2) School employees may be present only for custodial purposes; they may not participate or provide sponsorship.*

*Sponsorship is defined as "the act of promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting." (20 USC Section 4072[2]).

- 3) A meeting does not include any activity that materially and substantially interferes with the orderly conduct of educational activities within the school.
- 4) Unless otherwise allowed by current applicable law, membership shall not be restricted on the basis of race, sex, sexual orientation, national origin, disability or any other arbitrary criteria.
- 5) It is understood that the content of a student meeting is not sponsored by the Mount Pleasant Cottage School Union Free School District.
- 6) While students may invite outside speakers to meetings, nonschool persons may not direct, conduct, control or regularly attend such meetings or activities of student groups.
- 7) A request to meet must be filed in advance with the Superintendent. Once approval is obtained, a student group may continue to meet for the remainder of the school year, unless such group fails to abide by the conditions stated within Board policy or administrative regulation. A hearing shall be provided, however, before a decision is reached to discipline or ban a student organization.