

# POLICY GUIDE

STUDENTS

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Equal Access of Student Organizations

Feb 24

[See POLICY ALERT No. 232]

## 5842 EQUAL ACCESS OF STUDENT ORGANIZATIONS

The Board of Education will permit the use of school facilities by student-initiated organizations for non-curricular student activities. A student-initiated organization, regardless of the size of the group, will not be denied an opportunity to meet and use school facilities on the basis of **any of the protected categories listed at N.J.A.C. 6A:7-1.1(a)** or the religious, political, philosophical, or other content of the speech at their meeting.

An application for permission to meet on school premises shall be made to the **Principal or designee** \_\_\_\_\_, who shall grant permission provided it is that he/she determined that:

1. The activity has been initiated by students;
2. Attendance at the meeting is voluntary;
- ~~3. No agent or employee of the district will promote, lead, or participate in the meeting;~~
34. The meeting is for a lawful purpose;
45. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
56. Nonschool persons do not direct, conduct, control, or regularly attend the activity; and
67. The activity is adequately supervised by appropriately certified school district staff.

A student-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of student organizations sponsored by this Board, except as provided by this Policy.



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Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of **any of the protected categories listed at N.J.A.C. 6A:7-1.1(a)** ~~a student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability~~. The Board will not permit the organization of a fraternity, sorority, or secret society **in accordance with N.J.S.A. 18A:42-5 and 18A:42-6**. ~~A student-initiated meeting may be attended by no more than \_\_\_\_\_ outside resource person(s).~~

Access to school facilities by student organizations will be provided within the governing principles of the First Amendment of the Constitution of the United States.

**School district staff involvement in student organizations shall be in accordance with the governing principles of the First Amendment of the Constitution of the United States.**

An appropriately certified staff member shall be assigned to attend a student-initiated meeting in a custodial capacity and shall not participate in the activity while serving in this custodial capacity. No teaching staff member shall be **required** ~~compelled~~ to attend a student-initiated meeting if the content of the speech at the meeting is contrary to **their** ~~his/her~~ beliefs.

The ~~Building~~ Principal **or designee** may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.

20 U.S.C.A. 1701 et seq.

United State Department of Education – Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

**N.J.A.C. 6A:7-1.1; 6A:7-1.3**

Adopted:

