

**LAGUNA BEACH UNIFIED SCHOOL DISTRICT**

Board Policy No. 5024: FEDERAL EQUAL ACCESS ACT

- A. Under the Federal Equal Access Act (the “Act”), public secondary schools which receive federal financial assistance and which have a limited open forum may not deny equal access to that forum to any voluntary, student-initiated student group on the basis of the religious, political, philosophical, or other content of the speech which may occur at meetings of the group. Equal access includes school bulletins, facilities, or premises.
- B. Each secondary school in the District is a limited open forum school and noncurriculum related pupil groups may meet on school sites during non-instructional times consistent with the Act. This means that such noncurriculum related groups may meet on school premises during non-instructional times to the same extent that the secondary school grants such access to other noncurriculum groups regardless of the religious, political or philosophical purpose of the student group requesting access.
- C. For purposes of the Act, a “noncurriculum related group” is defined as any group that is not directly related to a course or body of courses offered by the secondary school.
- D. The following conditions apply to all meetings of all noncurriculum related student groups, which are not sponsored by the secondary school:

The meetings must be both voluntary and student-initiated;

No District employee, agent, or school will participate in, direct, control or sponsor meeting of religious student groups;

Nonschool persons will not direct, conduct, control, or regularly attend meetings of religious student groups;

All noncurriculum related student groups must comply with District and school rules and regulations applicable to all student groups;

The meeting must occur during non-instructional times set aside for student group meeting.

- E. Noncurriculum related student groups may lose the opportunity to meet at a secondary school if:

Nonschool persons initiate, conduct, direct, or regularly attend meetings;

Student attendance at meetings is compelled or coerced either by other students or by nonschool personnel; or

Meetings materially and substantially interfere with the orderly conduct of educational activities within the school.

- F. Nothing in this policy shall be interpreted to limit the authority of the District, the school or employees to maintain order and discipline.

- G. Nothing in this policy should be interpreted to state or imply District approval or disapproval of any noncurriculum related student groups, their ideas, activities or participants.
- H. Recognition of noncurriculum related student groups by a secondary school does not constitute District approval or disapproval of any noncurriculum related student groups, their ideas, activities or participants.
- I. Requests for equal access, recognition, or use of school bulletins, facilities, or premises by student groups, which are not school sponsored, must be referred to the principal or designee for approval or disapproval. The principal is directed to consult actively with the Superintendent prior to granting or denying such requests.

Legal Reference:

20 U.S.C. sections 4071(a) - 4071(f)

Board of Education of Westside Community Schools v. Mergens (1990) 110 S. Ct. 2356

Date Policy Adopted By The Board: October 10, 2000.