

Policy 6145.5: Student Organizations And Equal Access

Status: DRAFT

Original Adopted Date: 09/20/2001 | Last Revised Date: 08/24/2023 | Last Reviewed Date: 08/24/2023

The Governing Board believes that student organizations may reinforce the instructional program, give students practice in democratic self-government and provide social and recreational activities. Student organizations also may serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging.

A club is defined as a group of students which meets on school property and which is student initiated, student operated and not sponsored by the District. (5 Cal. Code of Regs., § 4910(d)). The Superintendent or designee shall establish criteria and a process for official recognition of student clubs.

In accordance with provisions of the federal Equal Access Act, student-initiated clubs shall be given equal access to meet on school premises during noninstructional times without regard to the religious, political, philosophical or other content of their speech.

All officially recognized student clubs shall have equal access to the school media, including the public address system, the school newspaper, and the school bulletin board, to announce meetings. They shall also have equal access to meeting space, school equipment, and supplies. By permitting student clubs to meet on campus, the District is not endorsing any statement, opinion, viewpoint, activity, or conduct of any student or student club. The Superintendent, principal, or designee may inform students that all clubs or that certain clubs are not school-sponsored.

Student organizations, including officially recognized student clubs, are subject to the district's policies and regulations regarding nondiscrimination in district programs and activities. With respect to student clubs, the requirement that a candidate for leadership believe in or be committed to the objectives or philosophy of the club (including religious beliefs pertaining to human sexuality or marriage), or that the candidate agree to conduct themselves in accordance with the club's beliefs, is deemed to be a non-discriminatory criterion for the selection of club leaders.

No non-curriculum-related student group shall be denied (i) status as an officially recognized student group (including as a student club approved and recognized by the Associated Student Body), or (ii) any benefit, right, or privilege attendant to such status or otherwise conferred by such group's school site upon any noncurriculum related student group because such group requires its leaders to affirm their agreement with certain of the group's beliefs (including religious beliefs pertaining to human sexuality or marriage) and to conduct themselves in accordance with such beliefs.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 2

Description

Definitions

5 CCR 5531

Supervision of extracurricular activities of students

Ed. Code 200-262.4

[Prohibition of discrimination on the basis of sex](#)

Ed. Code 37220-37223

[Holidays](#)

Ed. Code 38130-38139

[Civic Center Act](#)

Ed. Code 48645.5

[Former juvenile court school students; enrollment](#)

Ed. Code 48900

[Grounds for suspension or expulsion](#)

Ed. Code 48907

[Exercise of free expression; time, place and manner rules and regulations](#)

Ed. Code 48930-48938

[Student organizations](#)

Ed. Code 48950

[Speech and other communication](#)

Ed. Code 49020-49023

[Athletic programs; legislative intent, equal opportunity](#)

Ed. Code 52

[Designation of secondary schools](#)

State References

Ed. Code 53
 Pen. Code 627-627.10

Federal References

20 USC 4071-4074
 20 USC 7904
 20 USC 7905
 36 USC 20101-240112

Management Resources References

Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 Website
 Website
 Website
 Website
 Website

Cross References

1321
 1321
 1325
 1325
 1330
 1330
 1330-E PDF(1)
 3452
 3452
 3515.2
 3515.2
 5131
 5144.1
 5144.1

Description

[Designation of high schools](#)
[Access to school premises](#)

Description

Equal Access Act
 School prayer
 Boy Scouts equal access
 Patriotic organizations

Description

Board of Education of Westside Community School District v. Mergens By and Through Mergens (1989, 8th Cir.) 867 F.2d 1076
 Cenicerros v. Board of Trustees of the San Diego Unified School District (1997) 106 F.3d 878
 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
 Hartzell v. Connell (1984) 35 Cal. 3d 899
 Perumal et al v. Saddleback Valley Unified School District (1988) 198 Cal. App. 3d 64
 Prince v. Jacoby (2001) 303 F.3d 1074
 Student Coalition for Peace v. Lower Merion School District Board of Directors (1985) 776 F.2d. 431
[CSBA District and County Office of Education Legal Services](#)
[California Attorney General's Office](#)
[California Interscholastic Federation](#)
[Council on Standards for International Educational Travel](#)
[U.S. Department of Education](#)

Description

[Solicitation Of Funds From And By Students](#)
[Solicitation Of Funds From And By Students](#)
[Advertising And Promotion](#)
[Advertising And Promotion](#)
[Use Of School Facilities](#)
[Use Of School Facilities](#)
[Use Of School Facilities](#)
[Student Activity Funds](#)
[Student Activity Funds](#)
[Disruptions](#)
[Disruptions](#)
[Conduct](#)
[Suspension And Expulsion/Due Process](#)
[Suspension And Expulsion/Due Process](#)

Cross References

5145.2
5145.2
6141.2
6141.2
6142.4
6142.7
6144
6144
6145
6145
6164.6
6164.6
6178
6178

Description

[Freedom Of Speech/Expression](#)
[Freedom Of Speech/Expression](#)
[Recognition Of Religious Beliefs And Customs](#)
[Recognition Of Religious Beliefs And Customs](#)
[Service Learning/Community Service Classes](#)
[Physical Education And Activity](#)
[Controversial Issues](#)
[Controversial Issues](#)
[Extracurricular And Cocurricular Activities](#)
[Extracurricular And Cocurricular Activities](#)
[Identification And Education Under Section 504](#)
[Identification And Education Under Section 504](#)
[Career Technical Education](#)
[Career Technical Education](#)