

GUILDERLAND STUDENT ORGANIZATIONS
Board of Education Policy 5210

The Board of Education recognizes the educational values inherent in student participation in the extracurricular life of the school both in curriculum and noncurriculum-related activities, and supports the concept of the formation of student groups for such purposes as building sound social relationships, developing interests in an academic area, and gaining an understanding of the elements and responsibilities of good citizenship.

The Board encourages secondary level students to pursue clubs and interests which may not be related directly to any of the curriculum programs offered in the district. In pursuit of such goal and in compliance with the federal Equal Access Act, the Board maintains a *limited open forum** by which secondary students may meet for voluntary student-initiated activities unrelated directly to the curriculum, regardless of the religious, political, philosophical or other content of the speech of such activities.

In an effort to provide a fair opportunity to students who desire to conduct a noncurriculumrelated meeting, the Board, shall ensure that:

- The meeting is voluntary and student-initiated;
- In the first year of existence, a student organization group must average 5 members in order to be recognized, increasing to an average of 10 participating students in the second year;
- There is no sponsorship/endorsement, including no promotion or direction in a meeting by the school, Board, or its agents or employees. Assignment of a school employee to a meeting for custodial purposes is not sponsorship;
- Employees or agents of the district and/or Board are present primarily for custodial/supervisory purposes and in neither situation will an advisor promote a message which is contrary to the District's Priorities, Board of Education policy, or Core Values;
- The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- Non-school persons may not direct, conduct, control or regularly attend activities of the student group.

*Under the Equal Access Act, 20 U.S.C. Section 4071, *limited open forum* is defined whenever a secondary school grants an offering to or an opportunity for one or more noncurriculum-related student groups to meet on school premises during non-instructional time.

The Superintendent of Schools is charged with developing procedures for registering and regulating student groups or clubs. Such procedures shall ensure that the district will register any group organized for a purpose not prohibited by Board policy or by law, if such group submits a list of its members and officers by the end of the first marking period, a copy of its proposed or actual constitution and/or bylaws, and a copy of the constitution and/or bylaws of any off-campus organization with which it may be affiliated. The district reserves its right to invite those student groups whose messages are consistent with the District Priorities, Core Values, and Board of Education policies as determined by the building administration to assist in the dissemination of information. Examples may include having students aid the district in dispensing anti-drug or anti-drinking messages as well as anti-discrimination and bullying prevention themes.

All student groups must abide by administrative regulations established pursuant to this policy. Failure to do so can result in the revocation of privileges to operate.

Ref: Education Law §§207; 1709-a; 2503-a; 2554-a

Equal Access Act, 20 U.S.C. §§4071-4074

8 NYCRR Part 172

Hsu v. Roslyn, 85 F.3d 839 (2nd Cir. 1996), *cert. denied*, 519 U.S. 1040 (1996)

Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990)
Garnett v. Renton School Dist. No. 403, 865 F.2d 1121 (9th Cir., 1989)
Thompson v. Waynesboro Area School Dist., 673 F. Supp. 1379 (M.D. Pa. 1987)
Student Coalition v. Lower Merion School Dist. Bd., 633 F. Supp. 1040 (E.D. Pa. 1986)
Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503, 89 S.Ct. 733 (1969)
Healy v. James, 408 U.S. 169, 92 S.Ct. 2338 (1972)
Adopted: September 14, 2004

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STUDENT ORGANIZATIONS REGULATION

The following regulations govern the registration and management of student groups at the secondary level.

The district will register and officially recognize any group organized for a purpose not prohibited by Board of Education policy or by law, if such group complies with all provisions of this regulation. Any group that has been found to violate this policy and regulation may be subjected to losing its rights to meet on school premises as otherwise guaranteed under the Equal Access Act.

I. Initial Classification

The Building Principal shall determine whether a given group is curriculum-related or not. In order to qualify as “curriculum-related,” the relationship between the student group and the curriculum must meet one of the following criteria:

- A. The subject matter of the group must directly and consistently relate to a specific course or subject, including a balanced representation where applicable.
- B. Participation in the group is a course requirement; or
- C. Academic credit is earned for participation in the group.

Any student group that does not meet at least one of the above criteria shall be classified as “noncurriculum-related.”

II. Curriculum-related Student Groups

Because curriculum-related student groups have a direct relationship to the school program, such groups are subject to greater control by the district and may receive financial support from the district.

Role of Faculty Advisors

For curriculum-related groups, faculty advisors will have the authority to provide in-depth guidance and teaching to students, and shall act on behalf of the district to ensure that the group’s activities are aligned with the district’s objectives. All such faculty advisors must teach a subject in the district whose content is directly related to the group’s activities, or have sufficient experience or expertise related to that subject, as determined by the administration.

III. Noncurriculum-related Student Groups

A noncurriculum-related student group has a purpose and concerns a subject matter not directly related to the body of courses offered by the school. Pursuant to the federal Equal Access Act, all meetings and activities of noncurriculum-related student groups must be initiated, directed and controlled by students of the district and not by other individuals, including school personnel, parents, and all other non-school persons (persons with no official affiliation or relationship to the school).

Non-school persons may not regularly attend meetings or activities of noncurriculum-related student groups. Notification of the attendance of a non-school person at a meeting must be submitted to the advisor and Principal in writing, usually no less than seven school days prior to the meeting. The district reserves the right to deny access to non-school persons when such attendance is determined to be materially and substantially disruptive to the educational process or intrude on the rights of others. No district funding shall be supplied to noncurricular student groups other than the incidental costs of providing a meeting place and adult supervision.

Faculty Advisors. For noncurriculum-related student groups, the faculty advisor shall act as a monitor for the students, and may provide assistance in facilitating logistics when requested. However, the students must retain control of such meetings and activities. Faculty advisors for noncurriculum related groups may not assume leadership, direction or control of student groups, and may not speak on behalf of student groups. At times, it is permissible and in fact, helpful for a faculty advisor to facilitate group discussion or share expertise without violating the guidelines in this section. In such instances, the objective is for the students to ultimately be self-governing and to serve as their own facilitators. Unless specifically stated otherwise, sections IV through XIII below apply to all student groups.

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IV. Student Group Registration

Students wishing to form a group must register with the Building Principal on forms provided for this purpose. At that time and each year thereafter, student groups will be required to:

- A. Submit a list of its members and officers by the end of the first marking period;
- B. Submit a copy of its proposed constitution and/or bylaws; and
- C. Submit a copy of the constitution and bylaws of any off-campus organization with which it may be affiliated.

V. Parental Notification

A list of current student organizations will be included in the GHS Student Handbook along with directions for parents to address any concerns which they may have regarding their child's participation in a student organization. If parents notify the principal that they do not want their child to be a part of one or more student organizations, school officials will honor such requests. However, parents will not be required to give their consent for their child to participate in a specific student organization.

VI. District Authority

The Superintendent of Schools, the Building Principal and/or designee has full authority to prohibit otherwise unlawful meetings; maintain discipline and order on school premises; prevent the material and substantial interference with the orderly conduct of the educational activities; and/or protect the well-being of students and other members of the school community.

VII. Scheduling Meetings

Based upon availability and advance request, properly registered student groups may conduct meetings on school premises before and after school. Barring extraordinary circumstances as allowed by the Principal or his/her designee, requests for permission to schedule meetings of all student groups shall be submitted to the faculty advisor in writing no later than three days prior to the meeting.

VIII. Presence of Faculty Advisors

To ensure appropriate levels of safety, the district requires the presence of a faculty advisor for all meetings and activities of student groups, whether curriculum-related or not. Pursuant to the Equal Access Act, if a student group is unable to secure a faculty advisor on its own, the district will ensure that one is provided for the group. No school employee shall be expected to attend or monitor a meeting if the content of the speech at the meeting is contrary to the employee's beliefs. For responsibilities of faculty advisors, see the appropriate section under curriculum-related or noncurriculum-related student groups listed previously.

IX. Meeting/Activity Announcements

The Board allows all student groups, whether curriculum-related or not, to have their meetings and activities announced through district-owned media channels. The Board shall allow the use of media channels such as bulletin boards, morning announcements on the P.A. system, school television program, school calendar, school newspaper, and the use of school hallways for announcement posters, subject to the following requirements:

- A. Announcements for student group meetings and activities, whether curriculum-related or not, may only include the name of the group, the date, time, and place of the meeting or activity, and the general subject of the meeting or activity. Announcements shall not advocate a particular position or promote a specific viewpoint.

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B All announcements must be submitted to the Principal or faculty member in charge of the media channel at least one (1) school day in advance of such meeting or activity. The Principal or his/her designee will ensure that all announcements adhere to these provisions, and shall decide how such announcements shall be displayed and/or conveyed.

X. Distribution of Information

In keeping with the Board's policy on ensuring student free expression within the context of the Equal Access Act, student communication for noncurriculum-related student groups within meetings and activities will be undisturbed except when such meetings and activities are determined to be materially and substantially disruptive to the educational process or intrude on the rights of others. However, the district maintains its right to limit student groups' access to school facilities and/or the student body when it comes to the distribution or broadcasting of student group viewpoints outside of their meeting room since the Equal Access Act itself provides no such rights.

XI. Freshman Rush

All student groups will have the opportunity to invite prospective members to join its organization at the "Freshman Rush" which takes place each fall in the gymnasium foyer. Each student organization will be assigned a display table and have available a one page description of its group. The description must be submitted one week in advance for review by the administration in order to be included in the Freshman Rush program. The information should include the name of the organization and advisor; date, time and location of the first meeting; and a general description of the group and its purpose. No other literature about the group or incentives to participate shall be included at this time. Provided that there are no health and safety concerns, students are generally free to display and distribute a broad array of materials within the confines of the meeting rooms at future meetings.

XII. Display Cases

Display cases are maintained by the district for the dissemination of information consistent with the goals and objectives of the district. The district reserves its right to invite those student groups whose messages are consistent with District Priorities, Core Values and Board of Education policies to assist in the dissemination of the district's messages, as determined by the building administration. Examples may include having students aid the district in dispensing anti-drug or anti-drinking messages as well as anti-discrimination and bullying prevention themes.

XIII. Dissemination of Regulations

Copies of this regulation will be made available to students, parents, teachers and administrators during regular business hours at the Principal's office. A summary of these regulations will be annually provided to parents and students in a manner consistent with district practices regarding the dissemination of other general information. Additionally, a copy of this regulation will be provided to the student members and faculty advisors of all student groups upon initial registration and annually thereafter. Each member of a student group will be asked to sign a statement indicating that he/she has read, understands, and agrees to abide by this regulation.

Failure to abide by the administrative regulations can result in the revocation of privileges to operate.

Reviewed: September 14, 2004

STUDENT ORGANIZATIONS EXHIBIT

Every student member of a student organization in the school district will receive, at the time they join the organization, a copy of district regulation 5210-R concerning Student Organizations. Each student member must acknowledge that he/she has read, understands, and agrees to abide by the provisions of that policy and regulation by signing this form.

I, _____, as a member of the student organization
_____, have read district regulation
5210-R concerning Student Organizations.

I understand and agree to abide by the provisions of that regulation, and understand that if the organization violates those provisions, it may lose its right to meet on school premises as otherwise guaranteed under the federal Equal Access Act.

Student signature _____ Date _____

Reviewed: September 14, 2004