INSTRUCTION

Equal Access - Public Secondary Schools

Non-School-Sponsored Student Clubs, Groups or Organizations – Limited Open Forum

I. Under the Equal Access Act (The Act), it is unlawful for any public secondary school to deny equal access or a fair opportunity or discriminate against any students who wish to conduct a meeting on non-instructional time on the basis of the religious, political, philosophical, or other content of the speech at such meeting.

II. Secondary school grades in Virginia are defined as Grades 6-12. The term "non-instructional time" means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. Student clubs, groups, or organizations that are not sponsored by the Prince William County Public Schools may conduct activities in the schools or on school property, but only if such use complies with the provisions of this regulation. No funds shall be expended by the school for any such meeting beyond the incidental costs associated with providing meeting space.

III. The following guidelines are outlined in the Equal Access Act:

A. The meeting must be voluntary and student-initiated.
B. There shall be no sponsorship of the meeting by the school, the government, or its agents or employees. The term "sponsorship" includes the act of promoting, leading, or participating in a meeting. The presence of a teacher, administrator, or other school employee at a meeting for custodial purposes does not constitute sponsorship of the meeting.
C. Volunteer employees or agents of the school or government are present at religious or other meetings only in a custodial non-participatory capacity.
D. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school nor violate the policies and regulations of the Prince William County School Board or the Code of Behavior of the Prince William County Public Schools.
E. Non-school persons shall not direct, conduct, control, or regularly attend activities of such student groups.

IV. Nothing in The Act shall be construed to authorize the United States or any state or political subdivision thereof, including the Prince William County Public Schools:

A. To influence the form or content of any prayer or other religious activity.
B. To require any person to participate in prayer or other religious activity.
C. To expend public funds beyond the incidental cost of providing the space for student-initiated meetings.
D. To compel any school agent or employee to attend a school meeting if the content of the speech at the meeting is contrary to the beliefs of the agent or employee.
E. To sanction meetings that are otherwise unlawful.

F. To limit the rights of groups of students which are not of a specified numerical size.

G. To abridge the constitutional rights of any person.

V. Nothing in The Act shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on school premises, to protect the well being of students and faculty, and to ensure that attendance of students at meetings is voluntary.

VI. Non-School Sponsored, Non-Curriculum Related Student Clubs, Teams, Groups, or Organizations are student organizations at the secondary school level which are not sponsored by the Prince William County Public Schools, whose activities are not directly related to the school curriculum, and whose primary interest is to foster student interest in political, religious, philosophical, community service, or recreational activities.

A. Participation of students in such organizations or activities is voluntary and is neither discouraged nor encouraged by the school. Such clubs, teams, groups, and organizations are not recognized in school publications. Individuals supervising such groups or meetings are not compensated by the Prince William County Public Schools. Supervisory adults are Prince William County School employees approved by the principal who serve in a custodial/supervisory capacity only. They shall not direct, determine agendas, plan events, or run these meetings.

B. The activities of such organizations and the conduct of their members shall not materially and substantially interfere with the orderly conduct of educational activities within the school. Such clubs, teams, groups, and organizations and their members shall also be subject to the policies and regulations of the Prince William County School Board, the Code of Behavior, and any rules or restrictions imposed by the area associate superintendent or principal.

VII. The principal and area associate superintendent shall approve the meeting and assign space if it is determined that:

A. The principal has received a written request set forth on the Registration of Non-School Sponsored Student Clubs, Groups or Organizations form (Attachment I) from students to conduct a meeting.

B. The form includes the description and purpose of the club, group, or organization, the projected number of students attending, the name and position of any outside speakers, space requirements, time of the meeting, the date requested, and other information designated on Attachment I.

C. Upon receipt of the request, the principal has determined the guidelines outlined under the Equal Access Act have been met. This includes the following:
1. There is a volunteer staff member available to supervise the meeting. The staff member shall be informed that the Equal Access Act does not allow the staff member to direct, promote, lead, or participate in the meeting. A single staff member may supervise more than one group if the groups meet in the same space.

2. There is space available.

3. The time and/or date fall under the definition of non-instructional time as that time immediately preceding or following the instructional day on a regular school day. All student group meetings must be completed by 6:00 p.m.

4. The meeting does not require any resources or cost other than the provision of space and other resources as provided in subdivision VIII of this regulation.

5. It is determined that no non-school person is regularly attending the meeting or is directing or conducting the meeting. Approval of the meeting is conditioned upon the continuing requirement that no non-school person is regularly attending the meeting(s) or is directing or conducting the meeting(s).

VIII. Once a student club, group, or organization has registered and is approved for use of school facilities by the area associate superintendent, the club, group, or organization may continue to use school facilities, provided that the association remains in compliance with all provisions of this regulation and all other applicable regulations and policies of the School Board and the Prince William County Public Schools’ Code of Behavior.

IX. Student clubs, groups, or organizations which are not school-sponsored and which comply with the provisions of this regulation shall have access on an equal basis with school-sponsored groups to the following resources of the school. This involvement by student organizations shall include a disclaimer of school sponsorship or endorsement.

1. Room space, based on size of the group and first-come, first served;
2. Bulletin boards, with space allocated evenly between school-sponsored and non-school-sponsored groups;
3. Web page, limited to time and place of meeting and contact person;
4. Yearbook, for groups that have been active for at least one semester;
5. School public address system limited to one announcement per week of the time and place of meeting (however, the principal may terminate public address usage for all student organizations, both school-sponsored and student-sponsored, if the cumulative effect of these announcements impacts the educational mission of the school);
6. Distribution of materials in a central location selected by the principal; and
7. Participation in back-to-school night and similar events held by the school.
Students participating in after-school events may ride the activity bus. The schedule of the activity bus shall be determined by the Transportation Department in consultation with the school.

Non school sponsored student clubs, groups, or organizations shall not receive the following:
1. Funding;
2. School sponsorship by staff member;
3. Recognition of participation in the form of a “school letter”, certificate, or other symbols, such as a pin; or
4. Transportation other than access to activity bus.

Only students enrolled at the school where the group meets may regularly attend the group’s meetings at the school, except with the principal’s approval based on goals and missions of the group.

The area associate superintendents are responsible for implementing and monitoring this regulation.

Legal Reference:
Equal Access Act, 20 USC § 4071 et seq.
REGISTRATION OF NON-SCHOOL-SPONSORED STUDENT CLUBS, GROUPS, OR ORGANIZATIONS

School: ________________________  Faculty Representative: ________________________

Name of Club, Group, or Organization: ____________________________________________

1. Provide a brief description of the club, group, or organization activity. ________________

________________________________________________________________________________

2. State the primary purpose of the club, group, or organization. ______________________

________________________________________________________________________________

3. Identify the individuals who initiated the organization or formation of this club, group, or organization and state whether any such individuals are not students at this school.

________________________________________________________________________________

________________________________________________________________________________

4. State the projected number of members and the grade level. ______________________

5. State the number of anticipated meetings per year and the frequency of such meetings.

________________________________________________________________________________

6. Identify the location in which you would like to have your club, group, or organization meet.

________________________________________________________________________________

7. Describe the number and type of activities that your club, group, or organization anticipates for the upcoming school year. Identify all adults or non-students (of this school) who will attend the meetings or activities of your club, group, or organization and for each, state the following:
   a) Name, address, and age.
   b) Whether this individual is an employee of the Prince William County Public School division, and if so, his or her title and occupation.
c) Number of meetings to be attended by such adults or other non-student(s) and/or the frequency of presence at meetings.

d) Identify the exact nature of this person’s participation in the meetings or activities of your club, group, or organization. (Attach additional sheets, if necessary.)

___________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

8. If a school employee or agent will be present at the meeting of any religious group or any meeting for religious purposes, please provide a written affirmation by that person that he or she will not participate in the meeting or activity.

Principal’s Signature                        Date

Area Associate Superintendent’s Signature    Date
PARENTAL PERMISSION FOR STUDENT IN NON-SCHOOL SPONSORED, STUDENT CLUB, GROUP, OR ORGANIZATION

I am the parent or guardian of ___________________________, who is currently enrolled in the Prince William County Public Schools and desires to participate in the activities of the following non-curriculum related, non-school sponsored, student club, group, or organization: __________________________.

___________________________________________
Date                                             Signature of Parent or Guardian

I do not wish the above-named student to participate in this activity.

___________________________________________
Date                                             Signature of Parent or Guardian