EQUAL ACCESS TO SECONDARY SCHOOL FACILITIES

Community Relations

Use of School Facilities: Student Groups and Boy Scouts

1. Equal Access to Student Groups. In the event any of the secondary schools (grades 6-12) have a limited open forum as defined in the Equal Access Act, such school(s) shall not deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings. A limited open forum for this purpose exists if the secondary school grants an offering to or opportunity for one or more non-curriculum related student groups to meet on school premises during non-instructional time.

   All such student meetings at school are subject to the following requirements:
   a. the meeting must be voluntary and student-initiated;
   b. there must be no sponsorship of the meeting by the school or its agents or employees;
   c. employees or agents of the school are present at religious meetings only in a non-participatory capacity;
   d. the meeting must not materially and substantially interfere with the orderly conduct of educational activities within the school; and
   e. non-school persons may not direct, conduct, control, or regularly attend activities of the school group.

   The administration shall in all respects maintain the District in compliance with the Equal Access Act.
2. Equal Access to Boy Scouts. If the District provides an opportunity for one or more outside youth or community groups to meet on school premises or in school facilities before or after school hours, the District shall not deny equal access or a fair opportunity to meet to, or discriminate against, any group officially affiliated with the Boy Scouts of America. The same principles apply to any other youth group listed in Title 36 of the United States Code as a “patriotic society.” The administration shall in all respects maintain the District in compliance with the Boy Scouts of America Equal Access Act.

The use of school facilities for student meetings and Boy Scouts as provided above shall be subject to the same provisions as other community, non-school groups and may be required to complete a community use application as and to the same extent as other non-curriculum related student groups (in the case of student meetings) and other outside youth or community groups (in the case of the Boy Scouts).

Legal Reference: 20 U.S.C. §§ 4071-4074 (Equal Access Act)
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act) & 34 CFR
Part 108

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