JJAB Limited Open/Closed Forum

Issued 7/03 Draft/19

Purpose: To establish the basic structure for the open (or closed) forum for non-curriculum related student groups to meet on school premises.

A limited open forum provides the opportunity for one or more non-curriculum related student groups to meet on school premises during non-instructional time.

The district will provide limited open forums in compliance with the Equal Access Act.

The district has the option of not providing a limited public forum.

The district will provide equal access and a fair opportunity to all designated youth groups to organize and to meet on school premises in accordance with federal law.

The Equal Access Act requires that public secondary schools grant equal access to student groups who wish to meet for religious, political or philosophical purposes if the school allows other types of non-curriculum related student groups to meet. The district will provide a limited open forum for secondary student non-curriculum related groups to meet on school premises.

Secondary schools may not deny equal access to or discriminate against those students conducting meetings that may contain religious, political or philosophical speech or ideas with which the school disagrees. These meetings must not be otherwise unlawful or materially or substantially interfere with the orderly conduct of educational activities within the schools.

The principal will establish the time for such meetings either before or after school or during the lunch hour in order to ensure equal access to student groups wishing to meet.

The principal may approve student groups' use of facilities to conduct a meeting during the open forum provided that the following conditions are met:

The meeting will take place during the open forum at a time the principal designates.

The meeting is voluntary and student initiated. The principal must be assured that students are the ones promoting such activities and that they are participating of their own volition. Only students enrolled in the school may request the meetings.

Neither school authorities nor district employees may promote, lead, or participate in such meetings. Principals may assign personnel to supervise these meetings. This action does not constitute sponsorship by the district of such meetings.
School employees may, however, hold meetings that are held as part of a curriculum related or other school sponsored activity such as a school play or an athletic activity.

The meeting does not in any way interfere with the conduct of the regular instructional activities of the schools. Since the education of the student is the prime responsibility of the school, any other activities are secondary. The school may deny facilities to students on the basis that such activities or meetings interfere with the instructional program.

Student meetings are not controlled, conducted or directed by persons or groups not affiliated with the school. The principal must approve visitors to the school for such meetings prior to the meeting.

The meeting must be open to all students without regard to race, gender, religion, immigrant status or English-speaking status, or national origin. The school may not in any way limit the meetings to a particular number of students.

This limited open forum policy does not apply to elementary and middle schools in the District.

**Discrimination Complaints**

The district will use the grievance procedures set forth in policy to process complaints based on alleged violations of this policy.

The following person has been designated to handle inquiries, questions, and grievances regarding the district’s nondiscrimination policy:

{Job Title Only}

Address:
Telephone:
Email:

In the event that the [Job Title] is unavailable or is the subject of a grievance that would otherwise be made to the [Job Title], reports should instead be directed to:

{Job Title Only}

Address:
Telephone:
Email:

Adopted 1/22/80; Revised 7/1/03.
Legal references:

A. Federal Law:
   3. Title IV of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000c-6 - Prohibits discrimination on the basis of race, color, or national origin, among other factors, by public elementary and secondary schools.
   4. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d - Prohibits discrimination by recipients of federal financial assistance on the basis of race, color, or national origin.

B. S.C. Code, 1976, as amended:
   2. Section 59-63-270 - Regulation or prohibition of clubs or like activities.

United States Statutes at Large:

The Equal Access Act, Public Law 98-377 - Providing for equal access by students to limited open forums.

S.C. Code, 1976, as amended:


Section 59-63-270 - Regulation or prohibition of clubs or like activities.

State Board of Education Regulations:

R-43-140 - Organizational Plan - South Carolina schools classified as junior high schools and schools classified as senior high schools are secondary schools.