

Opportunities for Learning Capistrano Student-Initiated Group Policy

Purpose

The purpose of this policy is to offer an overview of the law and operational guidelines for student-initiated non-curricular student groups (“Student Groups”) at Opportunities for Learning Capistrano (“School”). A Student Group is any group formed by students whose activities are not directly related to the body of courses offered by the School, e.g. a chess club, baking club. This policy does not apply to curricular and School sponsored and organized groups, such as Associated Student Body.

Overview

The School believes student groups have countless benefits for students including exposure to new interests, enhancing school spirit and providing students with a sense of belonging.

The School has created a limited open forum for Student Groups. Under the Equal Access Act (20U.S.C §§ 4071-74), all Student Groups shall be given equal access to meet on School premises during non-instructional time without regard to their religious, political, philosophical, or other speech content. A Student Group’s meetings, ideas, and activities are not sponsored or endorsed in any way by the School.

The School shall not deny equal access or a fair opportunity to meet, or otherwise discriminate against, any group officially affiliated with the Boy Scouts of America, or with any other youth group listed as a patriotic society in Title 36 of the United States Code, for reasons based on the membership or leadership criteria or oath of allegiance to God and country. (20 U.S.C. § 7905)

Requirements for Student Group Recognition

Students who wish to create a Student Group must first submit a written proposal to the Principal or Assistant Principal in order to gain group recognition. The written proposal must include the following:

1. Proposed Student Group Name
2. Student Contacts
3. Statement of the Student Group’s purpose, goals, and activities;
4. Provide name(s) of any School staff member interested in supervising meetings (if any);
5. Any other information that will help the Principal better understand the Student Group

School Approval

The Board designates the Principal the authority to approve a Student Group or designate another School official to approve a Student Group (e.g., Assistant Principal). Before granting a request to create a Student Group, the Principal or designee may request additional information.

Student Groups must be authorized by the Principal or designee in accordance with this policy before meeting on School grounds.

Scheduling and Supervision

Once the School approves the Student Group, the Principal or Assistant Principal will provide dates and times of available meeting spaces during non-instructional hours for the Student Group to select. Each student group must adhere to their scheduled meeting time and place. Meetings must take place during non-instructional hours and must be supervised as set forth below. Throughout the school year, the Student Group may make additional requests for meeting space. Student Groups shall be given equal access to meeting space, school equipment, and supplies.

Students shall leave the meeting place in a clean, orderly, and secure condition after their meetings.

If the Student Group desires, the School may be able to provide support so meetings can be held virtually during non-instructional hours.

Student Group meetings shall entail no expenditure of public funds beyond the incidental cost of providing the meeting space. (20 U.S.C. § 4071)

The Principal or designee may deny the use of facilities to any Student Group that he/she believes will materially disrupt the School program or threaten the health and safety of students and staff. (20 U.S.C. § 4071)

Generally, Student Group meetings must be supervised by a School staff member in a non-participatory fashion.

Limitations of Student Group Meetings:

- Student Group meetings or events may not interfere with the orderly conduct of the school day or School facility.
- Students must be enrolled at the School to participate in a Student Group.
- Nonschool persons may not conduct, control or regularly attend Student Group meetings.
- School staff must supervise School Group meetings. This supervision must be custodial in nature rather than participatory.
 - A School employee may refuse to attend a Student Group meeting if the content of the speech at the meeting is contrary to the employee's beliefs. (20 U.S.C. § 4071)
- There shall be no sponsorship of the Student Group meeting by the School or staff. The term “sponsorship” means that School staff are promoting, leading, or participating in a meeting. The assignment of a School employee to a meeting for supervision purposes shall not constitute sponsorship of the meeting.
- While School staff cannot curtail or otherwise control School Group meeting content, students should not use School facilities to publish or otherwise disseminate:

- Matter that is obscene to minors or libelous under the law;
- Matter which incites students so as to create a clear and present danger of the imminent commission of unlawful acts or of the substantial disruption of the orderly operation of the School;
- Material which expresses or advocates racial, ethnic, gender or religious prejudice.
- Students shall behave appropriately, treat others with mutual respect, and comply with behavior rules in the Student Handbook during School Group meetings.
- Student Groups are prohibited from conducting fundraising activities at any location.

Curriculum-Related Student Organizations

If the Principal or designee determines a Student Group meets any of the following conditions, the group is considered a “Curriculum-Related Student Organization” and not a “Student Group” for purposes of this policy:

- Student Group’s subject matter is taught or will soon be taught in a regular course;
- Student Group’s subject matter concerns the body of courses as a whole;
- Participation is required for a particular course; or
- Participation results in academic credit.

Unlike non-curricular Student Groups, Curriculum-Related Student Organizations may be sponsored by the School. Curriculum-Related Student Organizations may receive leadership, direction and support from School staff beyond just providing a meeting place during non-instructional time.

The Principal or designee may assign a staff adviser for any Curriculum-Related Student Organization, who will be responsible for ensuring the organization’s activities are aligned to the School’s goals and objectives and providing supervision and leadership of the group.

Adopted by the Governing Board on: June 18, 2020