

Clark County School District No. 161

STUDENTS

3225

Student Clubs: Equal Access

The Board of Trustees regards student clubs and organizations as an important part of the education and development of students.

Definitions:

As used in this policy:

- (a) "School" shall mean any school in the Clark County School District.
- (b) "Club" shall mean a sponsored club or a non-sponsored or non-curriculum club of students of the school who wishes to organize and meet form common goals, objectives, or purposes, but does not include school activities.
- (c) "Sponsored Club" shall mean a club which is directly under the sponsorship, direction, and control of the school.
- (d) "Non-sponsored or non-curriculum Club" shall mean a student initiated club which is not under the sponsorship, direction or control of the school or any student initiated club that does not directly relate to the body of courses offered by the school.
- (e) "non-participating capacity" shall mean a person may not promote, lead or participated in any meeting.

The school within the district shall provide equal access and a fair opportunity for clubs to organize and to meet on school premises during the times established for such meetings.

Sponsored clubs shall be sponsored by a member of the faculty, staff, or administration of the school. The District shall not sponsor clubs which advocate particular religious or political beliefs or ideas. Any such clubs shall be non-sponsored or non-curriculum, and must engage a school employee to monitor their activities while on the premises. The school and the school district shall not be identified or associated with the goals, objectives, activities, beliefs, or opinions of any non-sponsored or non-curriculum clubs or its members. Any club whose activities are deemed by the principal to be disruptive of the everyday operations of the school will not be allowed to initiate meetings, nor continue to meet on school premises.

Equal Access Regulations

The following general guidelines will be observed in approving, establishing, and operating student clubs at Clark County School District schools.

1. Each proposed club must complete and submit a request form to the principal or designee stating the name, specific purpose of the club, the membership requirements, the activities of the club and meeting dates and times. Each proposed club shall have the student group perform a risk management assessment of the proposed club activities. The principal or designee will forward the request to the school district. The school district with board approval shall respond to the request, accept or reject the application, and designate the club as either a sponsored club or non-sponsored or non-curriculum club.
2. Student participation in club activities and attendance at club meetings shall be voluntary and shall be limited to those students who are currently enrolled in the school district. All student groups meeting on school premises are required to open membership to all interested and/or eligible students. Clubs shall be allowed to meet on school premises from 7:00 a.m. to 8:00 a.m., during the noon hour, and from 3:30 p.m. to 5:00 p.m. on days when school is in session. The time and place of all club meetings shall be subject to available space, conflicting activities and programs, and the availability of the faculty sponsor or monitor. Students shall be responsible for ensuring the presence of a faculty sponsor or monitor prior to every meeting. Clubs will be allowed to meet on school premises during other times of the day only in extraordinary or exceptional circumstances as may be determined by the principal or designee.
3. All clubs must comply with provisions of the school's student constitution, if applicable.
4. No hazing of students shall be permitted.
5. The principal or designee may deny the opportunity of any club to meet on school premises, and may deny permission of any non-school person to meet with or speak to a club on school premises, when there exists a substantial likelihood of material and substantial interference with the orderly conduct of educational activities within the school, or if the meeting or activities in the meeting are, or will be, in violation of any law or ordinance.
6. The principal, designee, or student council (if appropriate) may temporarily or permanently terminate the opportunity of any club to meet on school premises in the future if the club has materially or substantially interfered with the orderly conduct of educational activities within the school, if the activities of the club have violated any law or ordinance, or if the club has violated any provision of this policy.

For sponsored clubs, the following guidelines will apply:

- A. Each sponsored club will have a faculty or staff member appointed as sponsor. The sponsorship shall be approved by the principal or designee.
- B. All activities of the club must have prior approval of the sponsor.
- C. Club funds shall be subject to deposit, audit and disbursement in accordance with the regulations of the school district.
- D. The content and placement of club posters or advertisements shall be approved by the club sponsor.

For non-sponsored or non-curriculum clubs, the following guidelines will apply:

- A. The formation of non-sponsored or non-curriculum clubs shall be student initiated. Non-school persons may not direct, conduct, control or regularly attend activities.
- B. Recognition by the Clark County School District of a non-sponsored or non-curriculum club is not an endorsement of the aims, policies, or opinions of the student organization or its members.
- C. The school or district's name will not be identified with the aims, policies, or opinions of the student organization or its members.
- D. Notices of meetings of non-curricular student organizations may be posted only on a designated bulletin board used by all nonschool-sponsored organizations. No announcements shall be made over the public address system or in any school-sponsored publications.
- E. No funds will be expended by the school for any such meeting beyond the incidental cost associated with providing a meeting place.
- F. Every club must have a district employee volunteer as a monitor to the club. The monitor shall be responsible for monitoring the meetings to assure that attendance at the meetings is voluntary, to assure that the meetings do not materially and substantially interfere with the orderly conduct of educational activities within the school, and to assure that order and discipline are maintained. Monitors shall attend the meetings of non-sponsored or non-curriculum clubs that are political or religious in nature in a non-participatory capacity.
- G. No school employee shall be compelled to be a monitor of a non-sponsored or non-curriculum club.
- H. Club posters or flyers need to have a disclaimer, and poster content and placement shall be approved by the principal or designee.
- I. The Clark County School District shall not be identified or associated in any way with the goals, objectives, activities, or opinions of any non-sponsored or non-curriculum clubs to raise money.

Legal Reference: 20 U.S.C. §§ 4071-4074 Equal Access Act

Policy History:

Adopted on: 3/12/2012

Reviewed on: 11/11/2013

Revised on:

School Clubs (Background)

What clubs are currently sponsored by your district? Do you have a board policy in place dealing with school clubs? Is there a risk management plan in place for sponsored clubs? Is your district or school name being used by a non-sponsored club in a way that might cause a liability problem for the district?

Proper risk management for school clubs is a key issue for school districts. Clubs can be an excellent way to enhance student learning and provide opportunities for students to explore lifelong hobbies. Unfortunately, they can also present serious potential liability exposures to the district if not properly managed. And, while they may still serve a useful purpose, not all clubs should be sponsored by school districts.

Our goal is to provide a framework and a thought process for properly evaluating and managing school clubs from a risk management standpoint.

Is this club a school sponsored activity?

- The decision of whether or not a club is to be school sponsored should be made at the district level, not at the school site.
- The district should have a policy that includes a process for reviewing applications for school sponsorship.
- The policy should state that clubs that have not received district level approval are not school sponsored activities.

Things to consider in making a decision about sponsorship include:

- Do the club's purpose and activities fit within the school district's mission?
- Are the potential risks associated with the club reasonable and acceptable to the district?
- Is there a risk management plan in place that identifies potential hazards and outlines ways to manage those risks through training, proper equipment, supervision, etc.?
- Who will be responsible for insuring the club? If it is to be the school district, are there any exposures that would be excluded under the district's insurance policies such as:
 - Ownership, operation, maintenance, or use of any aircraft
 - Ownership, operation, maintenance, or use of watercraft
 - Auto racing or demolition contests
- If the club will provide its own insurance are the limits of liability adequate and will the insurance company name the district as an additional insured on the policy and provide the district with a certificate of insurance?

Proper risk management for Non-Sponsored Clubs:

The district may decide not to sponsor the club; but to allow the club to use the district's facilities similar to the way other outside groups do. If so, certain risk management steps should be taken including:

- Requiring a certificate of insurance and an endorsement naming the district as an additional insured under the club's insurance policy.
- Clear communications to staff, students, and patrons that the club is not school sponsored.
- Not allowing the club to use the name of the district or the schools within the district or to infer that the club is school sponsored.