

Decatur County Board of Education

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| Monitoring: Review: Annually, in December | Descriptor Term: Student Equal Access (Limited Public Forum) | Descriptor Code: 4.802 | Issued Date: 07/13/17 |
| | | Rescinds: 4.802 | Issued: 07/10/14 |

1 **STUDENT MEETINGS**

2 Schools may allow students to form clubs or groups that meet before, during, and/or after the school day.
3 Requests to form such clubs or groups shall not be denied based upon the religious nature or beliefs of
4 proposed club or group. If permitted, school administrators shall ensure that all clubs and groups have
5 the same abilities to access facilities and advertise their meetings.^{1,2,3,5}

6 No funds shall be expended by the school for any such meeting beyond the incidental costs associated
7 with providing meeting space. Groups meeting under this policy may be required to pay a reasonable fee
8 for compensating school personnel in the supervision of the activity.

9 No student may be compelled to attend or participate in a meeting under this policy.

10 A student or a group of students who wish to conduct a meeting under this policy must file an application
11 with the principal at least three days prior to the proposed date.

12 The principal shall approve the meeting if he/she determines that:

- 13 1. The meeting is voluntary and student-initiated;
- 14 2. There is no sponsorship of the meeting or its content by the school, the board, or its employees;
- 15 3. The meeting will not materially and substantially interfere with the orderly conduct of the
16 school's educational activities or conflict with other previously scheduled meetings;
- 17 4. Employees of the district are to be present in a non-participatory monitoring capacity; however,
18 no employee shall be required to attend in this capacity if the content of the meeting is contrary
19 to the beliefs of the employee; and
- 20 5. Non-school persons will not direct, control or regularly attend.

21 Subject to the act's provisions, a student shall be permitted to voluntarily:

- 22 1. Pray in a public school, vocally or silently, alone or with other students to the same extent and
23 under the same circumstances as a student is permitted to vocally or silently reflect, meditate, or
24 speak on non-religious matters alone or with other students in such public school;
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- 26 2. Express religious viewpoints in a public school to the same extent and under the same
27 circumstances as a student is permitted to express viewpoints on non-religious topics or subjects
28 in such school;

- 1 3. Speak to and attempt to share religious viewpoints with other students in a public school to the
2 same extent and under the same circumstances as a student is permitted to speak to and attempt
3 to share non-religious viewpoints with other students; and
4
- 5 4. Possess or distribute religious literature in a public school, subject to reasonable time, place, and
6 manner restrictions to the same extent and under the same circumstances as a student is permitted
7 to possess or distribute literature on non-religious topics or subjects in such school.

8 **SCHOOL SPONSORED EVENTS⁴**

9 If the board or a school principal authorizes an event at which a student is to speak, a limited public
10 forum shall be established for such student speakers. The appropriate administrators shall ensure that:

- 11 1. The forum is provided in a manner that does not discriminate against a student's voluntary
12 expression of a religious viewpoint, if any, on an otherwise permissible subject;
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- 14 2. There is an appropriate method of selecting student speakers which is based on neutral criteria;
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- 16 3. Student speakers do not engage in speech that is obscene, vulgar, offensively lewd, indecent
17 or promotes illegal drug use.
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19 To the extent possible and practical, prior to events in which students will speak, notice shall be provided
20 orally and/or in writing that the student's speech does not reflect the endorsement, sponsorship, position,
21 or expression of the board and its employees.
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23 Beginning with the 2015-2016 school year, notice of this policy shall be provided in student
24 handbooks and staff handbooks.

Legal References

1. 20 USCS § 4071
2. *Bd. Of Educ. v. Mergens ex rel. Mergens*, 496 U.S. 226 (1990)
3. TCA 49-6-2904
4. TCA 49-6-1803
5. TCA 49-6-1805

Cross References

- Recognition of Religious Beliefs 4.803
Prayer and Period of Silence 4.805