

Hardeman County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Student Equal Access (Limited Public Forum)	Descriptor Code: 4.802	Issued Date: 08/14/14
		Rescinds: 4.802	Issued: 07/21/95

1 STUDENT MEETINGS

2 Schools may allow students to form clubs or groups that meet before, during, and/or after the school
3 day. Requests to form such clubs or groups shall not be denied based upon the religious nature or
4 beliefs of proposed club or group. If permitted, school administrators shall ensure that all clubs and
5 groups have 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
8 fee 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
11 application 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 SCHOOL SPONSORED EVENTS ⁴

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

- 24 1. The forum is provided in a manner that does not discriminate against a student's voluntary
25 expression of a religious viewpoint, if any, on an otherwise permissible subject;
- 26 2. There is an appropriate method of selecting student speakers which is based on neutral criteria;

1 3. Student speakers do not engage in speech that is obscene, vulgar, offensively lewd, indecent
2 or promotes illegal drug use.

3
4 To the extent possible and practical, prior to events in which students will speak, notice shall be
5 provided orally and/or in writing that the student’s speech does not reflect the endorsement,
6 sponsorship, position, or expression of the Board and its employees.

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8 Beginning with the 2015-2016 school year, notice of this policy shall be provided in student
9 handbooks and staff handbooks.

Legal References

1. 20 U.S.C.A § 4071
2. *Westside Community Schools v. 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