

LIMITED OPEN/CLOSED FORUM

Code **JJAB** Issued **9/04**

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

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

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 center will provide a limited open forum for secondary student non-curriculum related groups to meet on center 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 school.

The director 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 director 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 director designates.
- The meeting is voluntary and student initiated. The director 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 center may request the meetings.
- No center employees may promote, lead or participate in such meetings. The director may assign personnel to supervise these meetings. This action does not constitute sponsorship by the center of such meetings. Center employees may, however, hold meetings that are held as part of a curriculum related or other center sponsored activity such as a play.
- The meeting does not in any way interfere with the conduct of the regular instructional activities of the center. Since the education of the student is the prime responsibility of the center, any other activities are secondary. The center 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 center. The director must approve visitors to the center 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 center may not in any way limit the meetings to a particular number of students.

Adopted 9/14/04

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Legal references:

A. United States Statutes at Large:

1. The Equal Access Act, Public Law 98-377 - Providing for equal access by students to limited open forums.
2. Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; and Title IX of the Educational Amendments of 1972, 20 U.S.C. Section 1681, et seq.

B. S.C. Code, 1976, as amended:

1. Section 59-1-150 - “Kindergarten,” “elementary school,” “middle school,” “secondary school,” “junior high school,” and “high school” defined.
2. Section 59-63-270 - Regulation or prohibition of clubs or like activities.