

**Provo City School District**  
**Policy Series 3000: Students**

**3540 P1**

## **Secondary School Clubs**

### Definitions

- a. “Administrator” means the school principal or assistant principal responsible for implementing this Policy in each school.
- b. “Board” means the Provo City School District Board of Education.
- c. “Closed forum” means allowing only curriculum clubs.
- d. “Club” means any student organization that meets during non-instructional time.
- e. “Curriculum club” means a club:
  - i. whose subject matter is taught or will soon be taught in a regular course;
  - ii. whose subject matter concerns the body of courses as a whole;
  - iii. in which participation is required for a particular course; or
  - iv. in which participation results in academic credit.
- f. “District” means the Provo City School District.
- g. “Limited open-forum” means allowing both curriculum and lawful non-curriculum clubs.
- h. “Monitor” means the faculty member assigned by the administrator to a religious club to ensure compliance with this policy. The assignment of a monitor does not constitute sponsorship of the club.
- i. “Non-curriculum club” means any club whose subject or purpose is not included in the definition of curriculum club.
- j. “Non-instructional time” means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends.
- k. “Sponsor” means the school faculty member assigned by the administrator to work with a curriculum club.
- l. “Sponsorship” includes the act of promoting, leading, or directing a curriculum club or its meetings.
- m. “Supervisor” means the faculty member assigned by the administrator to a non-curriculum non-religious club to ensure compliance with this policy. The assignment of a supervisor does not constitute sponsorship of the club.
- n. “Superintendent” means the Superintendent of Provo City School District.

### Application for Authorization for Curriculum and Non-Curriculum Clubs

- a. Authorization for Curriculum Clubs Faculty members or students proposing curriculum clubs must submit written application for authorization on the District Club Authorization Form no later than October 15 of the year of the club’s inception. Clubs whose membership is determined by student body election, and clubs which are governed by the Utah High Schools Athletic Association, are exempt from the authorization requirements. Written application for authorization of curriculum clubs must include:
  - i. Recommended club name;
  - ii. Statement of the club’s purpose, goals, and activities;
  - iii. Recommended meeting times, dates, and places; and
  - iv. The proposed club charter, constitution, or bylaws, which shall include at least:

- A. the rules of organization,
- B. the election of officers,
- C. objective membership criteria,
- D. meeting rules of order,
- E. procedures for amending the rules, and
- F. a statement that the club will comply with all applicable Utah laws, rules, and policies,
- G. A budget showing the amount and source of any outside (non-District) funding provided or to be provided to the club and its proposed use.

#### Annual Authorization for Non-Curriculum Clubs

Non-curriculum clubs must be reauthorized annually. Students proposing non-curriculum clubs must submit written application for authorization on the District Club Authorization Form no later than October 15 of each year. Written application for annual authorization of non-curriculum clubs must include:

- Recommended club name;
- ii. Statement of proposed purpose, goals, and activities;
- iii. Recommended meeting times, dates, and places; and
- iv. The proposed club charter, constitution, or bylaws, which shall include at least:
  - A. the rules of organization,
  - B. the election of officers,
  - C. objective membership criteria,
  - D. meeting rules of order,
  - E. procedures for amending the rules, and
  - F. a statement that the club will comply with all applicable Utah laws, rules, and policies,
  - G. A budget showing the amount and source of any funding provided or to be provided to the Club and its proposed use.

#### Review of Applications by the Administrator for Curriculum and Non-Curriculum Clubs

The administrator shall review applications for authorization of curriculum clubs on a case-by-case basis. Before granting authorization, the administrator must find:

- (1) that the proposed club meets this policy's definition of curriculum club and
- (2) that the proposed club's purpose and activities comply with this policy.

The administrator may request additional information from the faculty sponsor, from students proposing the club, or from the District Compliance Officer (Director of Student Services) if desired.

#### a) Determining Curriculum Relatedness

The administrator determines curriculum relatedness by strictly applying this policy's definition of curriculum club to the club application. If the administrator finds that the proposed club is a curriculum club, the administrator shall continue to review the application as an application for a curriculum club. If the administrator finds that the proposed club is a non-curriculum club, the administrator may return the application to the faculty member or students proposing the club for amendment, or review the application as an application for a non-curriculum club.

#### b) Purpose and Activities for Curriculum Clubs

The administrator shall deny authorization to any club or require changes prior to granting authorization if the administrator finds that its purpose or activities would:

1. Violate the law or administrative rules or advocate such imminent violation. This restriction does not apply to appropriate discussions concerning the changing of laws or rules, or to actions taken through appropriate channels or procedures to effectuate such changes.
2. Harass or denigrate any person or advocate such imminent action.
3. Intend to cause a person to fear to freely exercise or enjoy any right secured by the Constitution or laws of the United States or the state of Utah, or advocate such imminent action.
4. Advocate or approve sexual activity outside of marriage, or involve presentations in violation of laws or regulations governing sex education or privacy rights of individuals or families.
5. Include any effort to engage in or conduct mental health therapy, counseling, or psychological services for which a license would be required under Title 58, Chapters 60 or 61 of the Utah Code.

The administrator may request information and shall require changes in a club's proposed purpose or activities which the administrator finds necessary to:

1. Prevent any material or substantial interference with the orderly operation of the school;
2. Protect the well-being of students and faculty;
3. Ensure compliance with all applicable laws, rules, regulations and policies;
4. Maintain order and discipline;
5. Protect the rights of parents and students;
6. Maintain boundaries of socially appropriate behavior; or
7. Restrict activities harmful to the school's educational mission.

In deciding the purpose and activities of clubs, students should consider ways in which the club can be of service to the school or community.

#### c) Names for Curriculum Clubs

The administrator shall approve the names of curriculum clubs consistent with law and policy. b. Procedures for Reviewing Applications for Non-Curriculum Clubs The administrator shall review applications for authorization of non-curriculum clubs on a case-by-case basis. Before granting authorization, the administrator must find:

- (1) the proposed club's purpose and activities are lawful and comply with this policy and
- (2) the proposed name complies with this policy. The administrator may request additional information from the students proposing the club or from the District Compliance Officer (Director of Student Services) if desired; and may request that a school committee made up of faculty, parents, and students make recommendations to the administrator on a case-by-case basis.

#### d) Purpose and Activities of Non-Curriculum Clubs

The administrator shall deny authorization to any club or require changes prior to granting authorization if the administrator finds that its purpose or activities could:

1. Violate the law or administrative rules or advocate such imminent violation. This restriction does not apply to appropriate discussions concerning the changing of laws or rules, or to actions taken through appropriate channels or procedures to effectuate such changes.
2. Harass or denigrate any person or advocate such imminent action.
3. Intend to cause a person to fear to freely exercise or enjoy any right secured by the Constitution or laws of the United States or the state of Utah, or advocate such imminent action.
4. Advocate or approve sexual activity outside of marriage, or involve presentations in violation of laws or regulations governing sex education or privacy rights of individuals or families.
5. Include any effort to engage in or conduct mental health therapy, counseling, or psychological services for which a license would be required under Title 58, Chapters 60 or 61 of the Utah Code.

The administrator may request information and shall require changes in a club's proposed purpose or activities which the administrator finds necessary to:

1. Prevent any material or substantial interference with the orderly operation of the school;
2. Protect the well-being of students and faculty;
3. Ensure compliance with all applicable laws, rules, regulations, and policies;
4. Maintain order and discipline;
5. Protect the rights of parents and students;
6. Maintain boundaries of socially appropriate behavior; or
7. Restrict activities harmful to the school's educational mission.

In deciding the purpose and activities of clubs, students should consider ways in which the club can be of service to the school or community.

#### e) Names for Non-Curriculum Clubs

The administrator shall deny authorization of a club's name, or require changes prior to granting authorization, if the administrator finds that the proposed name:

- A. Does not reasonably reflect the nature, purposes, and activities of the club,
- B. Could result in undue disruption of school operations,
- C. Could subject students to harassment or persecution,
- D. Implies violation of State law or rule, or,
- E. Is deemed vulgar and/or lewd and therefore is inconsistent with the fundamental values of public education. (Bethel v. Frasier, 478 US 675)

#### f) Granting or Denying Authorization

The administrator shall grant authorization to curriculum and non-curriculum clubs whose applications meet the requirements of this policy and shall deny authorization to proposed clubs that do not.

#### g) Review of Authorization

The administrator shall investigate any report or allegation that an authorized curriculum or non-curriculum club is participating in activities beyond the scope of its charter, constitution, or bylaws, or is in violation of any applicable law, rule, regulation, or policy. After meeting with the faculty sponsor, supervisor, or monitor and the students involved, the administrator may do any of the following:

- a. Allow the original charter, constitution, or bylaws to be modified to include the activities if they are in compliance with the law, rules, regulations or policies;
- b. Instruct the sponsor, supervisor or monitor not to allow similar violations in future;
- c. Suspend the club's authorization pending further corrective action as determined by the principal; or
- d. Terminate the club's authorization.

#### Authorized Curriculum and Non-Curriculum Clubs

**Oversight:** The administrator will make faculty or staff assignments for each curriculum and non-curriculum club to provide oversight consistent with this policy and the needs of the school. Those assigned oversight responsibility, or substitute who has been pre-approved by an administrator, shall be in attendance at all Club meetings.

**Curriculum Clubs:** The administrator will annually assign faculty or staff members as sponsors of curriculum clubs. Sponsors organize and direct the purpose and activities of the curriculum club.

**Non-Curriculum Clubs:** The administrator will determine whether the club is a religious club.

- A. **Non-Curriculum Non-Religious Clubs** The administrator will assign faculty or staff members to serve as supervisors for non-curriculum non-religious clubs. Supervisors provide oversight to ensure compliance with the approved club charter, constitution, or bylaws and with applicable laws, rules, and this policy.
- B. **Non-Curriculum Religious Clubs** The administrator will assign faculty or staff members to serve as monitors for religious clubs. Monitors provide oversight to ensure compliance with the approved club charter, constitution, or bylaws, and with applicable laws, rules, and this policy. Monitors and other district or government employees shall not participate in religious clubs in any other capacity. No faculty member or school or district employee shall be required to attend any religious club meeting if the content of the speech at the meeting is contrary to the beliefs of the employee.

**Facilities:** The administrator will determine and assign facilities for curriculum-related and non-curriculum related clubs consistent with the needs of the school.

- A. In assigning facilities, the administrator may give priority to curriculum clubs over non-curriculum clubs.
- B. The school may provide financial or other support to curriculum clubs but not to non-curriculum Clubs.
- C. In assigning facilities, no preference or priority shall be given among non-curriculum clubs.
- D. The school shall provide space for non-curriculum club meetings.

E. Each school may establish the non-instructional times during which non-curriculum clubs may meet (e.g. Non-curriculum club meetings will be scheduled between 2:30 and 6:00 PM Monday through Friday).

F. Each school may set the number of hours non-curriculum clubs may meet per month except that all non-curriculum clubs must be treated equally (e.g. Up to 4 hours of meetings per month may be scheduled for individual non-curriculum clubs).

### Communications

Curriculum Clubs: Each school Administrator shall determine what access curriculum clubs shall be given to the school newspaper, yearbook, bulletin boards, public address system, etc.

Non-Curriculum Clubs: Each school Administrator shall determine what access non-curriculum clubs shall be given to the school newspaper, school yearbook, bulletin boards, public address system, etc.; provided that all non-curriculum clubs are given equal access to communications media.

### Membership

Curriculum Clubs: Membership in individual curriculum clubs is governed by the following guidelines:

A. Membership is limited to students who are currently registered in the District.

Members from schools other than the sponsoring school must have parental permission.

B. Clubs may require that prospective members try out based on objective criteria outlined in the application materials. Try-outs shall not require activities which violate laws, policies, or regulations of the State or District.

C. Other guidelines as determined by the administrator.

Non-Curriculum Clubs: Membership in individual non-curriculum clubs is governed by the following guidelines:

A. Membership is limited to students who are currently registered in the school.

B. Clubs may require that prospective members try out based on objective criteria outlined in the application materials. Try-outs shall not require activities that violate laws, policies, or regulations of the State or District.

C. Membership may not be limited on the basis of race, gender, ethnicity, national origin, or disability.

D. Clubs will begin each year with an informational meeting so prospective members can decide if they wish to join. A parent/guardian signature on the District approval form is required for membership.

E. Attendance or participation in club meetings or activities is limited to members, except that non-school persons may attend on occasion to make presentations if approved in advance by the administrator. Non-school persons shall not direct, conduct, control, or regularly attend meetings or activities of clubs.

### Appeal of Decisions Affecting Curriculum and Non-Curriculum Clubs

Any student directly affected by a decision made under this policy may appeal the decision in writing within the times and as provided in the District's Parent/Patron Grievance Procedure.

### Evaluation

The Board will evaluate the results of the implementation of this policy at the Board meeting closest to one year from the policy's adoption. Factors to be considered shall include, but not be limited to:

- a. The number and types of clubs, including clubs that existed prior to the policy adoption and those authorized thereafter;
- b. Time spent by administrators administering this policy and procedure;
- c. Faculty time spent sponsoring, supervising, and monitoring clubs;
- d. Class time used for club related activities such as announcements;
- e. Value of clubs to the education and leadership of District students.

Legal References:

Utah Constitution Article X, Section 3 b.	Duties and Powers of Local School Boards
Utah Code 53A-3-402 (14) and (17)	
Federal Equal Access Act, 20 U.S.C. §4071	Limitations on Access for Student Clubs
Utah Code 53A-3-419	Authorization of Student Clubs
USBE R277-617	

Procedure Adoption Date:

November 8, 2005