

ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 6240

PAGE: 1 OF 8

CATEGORY: **Students, Rights and Responsibilities**

EFFECTIVE: 1-29-62

SUBJECT: **School Clubs, General**

REVISED: 3-15-2002

A. PURPOSE AND SCOPE

1. To outline laws, regulations, and criteria governing school authorization and operation of student clubs in schools. This procedure does not apply to students joining off-campus youth clubs and organizations.
2. **Related Procedures:**

Student free speech	6210
Release of student information	6525
Interscholastic athletic program eligibility requirements	4171
Criteria for instruction and for adoption and use of instructional materials	4050
Individuals with exceptional needs	4230
Nondiscrimination on the basis of sex in district programs and activities	0112
Employee complaints alleging harassment or discrimination	7110
Controversial issues in schools	4910
Civic Center use of buildings, grounds, and equipment	9205
Activities by foundations, booster clubs, and other nondistrict organizations	9325
Administration of student body funds	2225
Student body budget	2227
Student body fund raising	2265
Banquets, dances, and parties	4370

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: H-5000, H-5100, H-5150, H-5200, H-5400, H-6000; Education Code Sections 32050, 32051, 51520, 51521, 51530; California Code of Regulations, Title V, Section 5800.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Institute for Learning.

2. **Definitions**

- a. **Extra-class activity:** Out-of-classroom educationally related pursuits, supervised and usually financed by the school, in which students have some degree of freedom in selection, planning, and control including, but not limited to, athletics, dramatics, student government, and school clubs.
- b. **School club:** A group of students participating in extra-class activities organized and conducted under direct control of the school (refer to Procedure 4171 for regulations governing "club sports").
- c. **School club (community affiliate):** A group of students organized as a school club, which receives support, financial assistance and/or encouragement from, but which is not under control or direct influence of, a community organization.
- d. **Faculty advisor:** A certificated member of the school faculty who supervises and is responsible for the school club activities.

3. **Laws and Regulations Affecting Clubs Generally**

- a. **On-campus solicitation--limitation.** During school hours, and within one hour before school opening and within one hour after school closing, students shall not be solicited on school premises by teachers or others to subscribe or contribute to the funds of, to become members of, or to work for, any organization not directly under control of school authorities, unless the organization is a nonpartisan, charitable organization, organized for charitable purposes by an act of Congress or under the laws of the state, the purpose of the solicitation is nonpartisan and charitable, and has been approved by the Board of Education (Education Code Section 51520), e.g., American Red Cross Youth Services. This does not prohibit solicitation of students of the school on school premises by students of that *same* school for any otherwise lawful purpose, i.e., activities under direct control of school authorities.
- b. **Unauthorized solicitations.** No person shall solicit any other person to contribute to any fund, or to purchase any item of personal property, upon representation that money received is to be used for the benefit of the school or student body without *prior* written approval of the governing board or its designee. This prohibition does not apply to any solicitation or contribution the total proceeds of which are delivered to the school, nor to the solicitation or transfer to be effected by a testamentary act (Education Code Section 51521).

- c. **Responsibility for supervision and control of school clubs.** Accountability and responsibility for supervision and control of school clubs rests with the principal, who operates under delegated authority of the superintendent and the Board of Education (California Code of Regulations, Title V, Section 5800).
- d. **Criteria for evaluation of requests to establish school clubs.** The purpose, objective and conduct of school club activities should be in accord with:
- (1) Approved district educational goals and district program and course objectives (Procedure 4050).
 - (2) Laws and district policies prohibiting discrimination on the basis of race, religion, color, national origin or ancestry, sex and handicap (Procedures 0112, 7110, and 4230).
 - (3) Laws prohibiting the undermining of the government of the United States and this State (Education Code Section 51530).
 - (4) Restrictions on free use of public school property for pro-religious or anti-religious purposes (U. S. Constitution, First Amendment; Johnson vs Huntington Beach Union High School District).
 - (5) District regulations restricting use of public school property during the school day for partisan political purposes, including support of or opposition to candidates or ballot propositions. (Free speech rights and district regulations governing controversial issues in schools are defined in Procedures 6210 and 4910, respectively.)
 - (6) Maturity level of students solicited for membership.
- e. **Use of public school property.** Nothing herein shall prohibit any such organization, if otherwise qualified, from utilizing public school property in accordance with the Civic Center Act and rules and regulations of San Diego Unified School District in implementing the Civic Center Act (Procedure 9205).
- f. **Initiations/hazing.** Initiations which are not school-sponsored and hazing in any form are strictly prohibited. Violation of the law prohibiting hazing is a misdemeanor. (Education Code Sections 32050 and 32051)

- e. May sell on school premises tickets or bids to special activities sponsored by the club consistent with ASB governing body rules.

6. **Rules and Regulations Governing Operation of School Clubs**

- a. **Finances.** All moneys collected by an organization must be deposited with the school's account clerk, and disbursed according to school and district regulations. All groups having funds deposited in the student body account, with exception of classes using materials for instructional purposes, shall submit a request for fund-raising activities and/or budget allocation. (Procedures 2225, 2227, 2265, and 9325)
- b. **Club Conduct.** Activities of a school club that are likely to substantially disrupt or materially interfere with the educational program, infringe on rights of others, or that solicit, encourage, or promote disorder, shall constitute grounds for immediate revocation of district authorization to function on public school grounds. Student members, individually, shall be held responsible for their actions and be subject to discipline for violations of laws and regulations governing clubs.
- c. **Supervision by school staff as required law**
 - (1) Principal and faculty advisor are responsible for maintenance of order, protection of school facilities, provision of assistance in planning a realistic club budget, and approval of a schedule of fund-raising activities which assures equality of opportunity for such activities among all school clubs.
 - (2) Club requests for activities must be submitted in writing to the proper school administrator well in advance. Such requests should include (a) type of activity, (b) date and time, (c) tentative expenses and admission charges, and (d) faculty advisor or advisors. Appropriate supervision must be provided for all approved activities.
 - (3) It is the responsibility of the principal or designee to see that all pertinent state and local laws are observed, as well as school standards and district regulations.
- d. **Social Activities** (For details regarding banquets, dances, and parties, see Procedure 4370.)

- e. **Club and organization meetings** held on school nights shall close no later than 9 p.m.
- 7. No group of students may be organized, or operate as a school club, school club community affiliate, chapter, branch, or unit under the control or direct influence of an off-campus or community organization.

D. IMPLEMENTATION

1. School Club Approval

a. Students seeking approval of school club

- (1) Through student representative, complete "Request for Organization of a School Club" form declaring the aims or statement of purpose of proposed club, proposed membership source, and requesting approval as a school club.
- (2) Present above form to person or group designated by the ASB constitution and bylaws.

b. Person or group designated by ASB constitution and bylaws

- (1) Receives completed "Request for Organization of a School Club" form from student representative.
- (2) Reviews request for approval.
- (3) Approves or disapproves and forwards to principal.

c. Principal or agent of principal

- (1) Receives completed "Request for Organization of a School Club" form from person or group designated by ASB constitution and bylaws to review requests.
- (2) Reviews request for approval.
- (3) Approves or disapproves (using criteria outlined in C.3. with particular emphasis on C.3.d.).

- (4) Notifies applicants of decision.
- (5) Approves faculty advisor.
- (6) Establishes procedure for periodic review and approval of activities of all school clubs.
- (7) Revokes school authorization of any club that does not operate within district policy.
- (8) Advises applicant that decision may be appealed to appropriate instructional leader.

d. **Authorized school clubs**

- (1) Develop charter, constitution, or statement of purpose for review and approval by person or group designated by ASB constitution and bylaws and by the school administration.
- (2) When approved, a copy of charter, constitution, or statement of purpose will be kept on file in the school office.

e. **Faculty advisor**

- (1) If circumstances do not permit advisor's attendance at a club meeting, an approved alternate faculty advisor must be selected before the meeting is held.
- (2) Advisor maintains contact through administration-approved procedure for the purpose of maintaining a flow of information to the principal relative to the club's activities.
- (3) As principal's designee, supervises club activities for compliance with provisions of the law, district regulations, and club charter, constitution or bylaws.
- (4) Advisor acknowledges receipt of "Club Advisor Checklist" (E.2., Attachment). A signed copy of the "Club Advisor Checklist" must be on file in the school's financial office.

2. Activity Approval

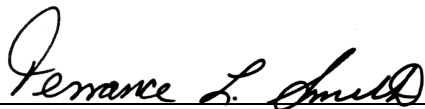
- a. School club submits request in writing to proper administrator well in advance. Such request should include:
 - (1) Type of activity.
 - (2) Date and time.
 - (3) Tentative expenses and admission charges.
- b. Principal or designee approves or disapproves proposed function and organizes appropriate supervision. If disapproved, advises parties concerned that the decision may be appealed to appropriate instructional leader who shall render a decision within ten (10) school days.

E. FORMS AND AUXILIARY REFERENCES

1. Request for Organization of a School Club, available from the Institute for Learning
2. Club Advisor Checklist, Attachment

F. REPORTS AND RECORDS

G. APPROVED BY



Chief of Staff, Terrance L. Smith
For the Superintendent of Public Education