

**BYLAW – LIMITED PUBLIC FORUM**

**SUBJECT:** Bylaw Regarding the Use of School Facilities During Non-instructional Time by Students of the School District.

***Purpose:***

The purpose of this bylaw is to set forth the procedure to be followed in relation to the use of school facilities by students of the district during non-instructional time. This bylaw is enacted in accordance with the Federal statute known as **The Equal Access Act** and applies only to the limited public forum provisions of the Act, and does not apply to meetings held as part of a curriculum-related or other school-sponsored activity such as an academic club, the yearbook committee, a school play or an athletic activity.

***Application for Use of Facilities***

Any secondary students of the school who wish to conduct a meeting during non-instructional time on the basis of religious, political, philosophical or other content of speech shall submit an application in writing to the building principal at least five school days before the event.

***Application shall state, among other things:***

1. The area requested and the date, as well as the beginning and ending time of the activity.
2. The purpose of the meeting.
3. The meeting is voluntary and student-initiated.
4. There is no sponsorship of the meeting by the school, the government or its agents and employees, such as teachers or teachers' organizations.
5. If the purpose of the meeting is religious in nature, whether any employee or agent of the school shall be present and, if so, that person's name and a certification that such person is present only in a non-participatory capacity.
6. The meeting will not materially and substantially interfere with the conduct of educational activities within the school.
7. The area will be returned to its initial condition when the activity ends.
8. The faculty member(s) who will be present at each meeting.

***Restrictions:***

The district, Board of Education, or any members of the Board of Education, administrator (including Superintendent), staff member or employee may not:

1. Influence the form or content of any prayer or religious activity.
2. Require any person to participate in prayer or other religious activity.

3. Expend funds beyond the incidental cost of providing the space for student-initiated meetings.
4. Compel any school agent or employee to attend a school meeting if the content of the speech at the meeting is contrary to beliefs of the agent or employee.
5. Sanction any meetings that are otherwise unlawful.
6. Limit the rights of groups of students which are not of a specified numerical size.
7. Abridge the constitutional rights of any person.

***Maximum Number at a Meeting***

The principal or superintendent may establish a maximum number of persons who may attend the activity. In establishing the maximum number, the principal or superintendent shall consider the size of the room to be utilized and other relevant health and safety factors.

***Denial***

The building principal, within two school days, must notify the applicant in writing whether the application has been accepted or rejected. If the application is rejected, the building principal shall immediately notify the superintendent in writing of the rejection and the superintendent or designee shall review the rejection and notify the applicant in writing within one school day of the superintendent's decision. If the superintendent rejects the application, the applicant may request the Board of Education to review the application by written notice given to the Clerk of the Board. The Board shall review such request and, if it accepts the application, a new date for the activity may be established by the Board of Education.

***Maintenance of Order***

Nothing in this bylaw shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline of the school premises under the rules for maintenance of public order enacted under the provisions of Education Law § 2801, to protect the well-being of students and faculty, to assure that the attendance of students at the meetings is voluntary and to assure that such meetings do not materially and substantially interfere with the orderly conduct of the educational activities within the school.

Amendment approved  
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December 11, 2000 Board of Education Meeting