

## **Schools Must Give Student-Led Non-Curricular Clubs Equal Access**

Students look to their school community for places where they can engage in productive activities related to their interests, values and talents. Student-led groups also provide an opportunity to develop decision-making, planning and leadership skills while providing students with a place to forge new friendships based on shared goals, interests and activities. In addition, student-led groups have the ability to cultivate a connected atmosphere among students as well as promote overall healthy youth development.

## **U.S. Department Of Education Provides Guidance on Equal Access Act**

All public secondary schools that receive federal funding are required by federal law to afford all student groups the same opportunities to form, convene on school grounds and have access to all the same available resources. The [Equal Access Act](#), (20 U.S.C. §§ 4071 – 4073 (2010)), protects student-led groups from discrimination and harassment, including unequal treatment, based on speech at the group's meetings. According to the U.S. Department of Education [legal guidelines](#), schools that allow at least one student-led non-curricular group may not deny comparable access to any other student group based on the group's "religious, political, philosophical" views as well as any "other content of the speech at [the group's] meetings." However, a school may determine that it will not allow any student-led non-curricular groups.

"We intend for these guidelines to provide schools with the information and resources they need to help ensure that all students, including lesbian, gay, bisexual, transgender (LGBT) students and gender nonconforming students, have a safe place to learn, meet, share experiences, and discuss matters that are important to them," said U.S. Secretary of Education Arne Duncan in a letter announcing the guidelines in June 2011.

## **Is A School Complying With The Equal Access Act?**

In determining whether a school is complying with the act, consider the following questions:

- Does the school offer every student-led group equal time to meet on school grounds during non-instructional hours? Are the school's hours posted in a visible place so that students know at what times they may access the school facilities?
- Does the school provide the same opportunities for all student-led groups to advertise their events in the following: school publications, activity periods such as lunch, school activity bulletin boards and over the public-address system?
- Does the school have equal participation requirements for all student-led groups, such as requiring parental notification or parental permission?

## **Minnesota Department Of Education Offers Technical Assistance on Act**

The Minnesota Department of Education can provide technical assistance to schools and students regarding the Equal Access Act. Contact the [School Safety Technical Assistance](#)

[Center](#) by email, by phone at 651-582-8364 or by mail at School Safety Technical Assistance Center, Minnesota Department of Education, 1500 Highway 36 West, Roseville, MN 55113.