

BOARD POLICY 5127: GRADUATION CEREMONIES AND ACTIVITIES

Comparison Matrix

Section: Students

SUMMARY OF UPDATE

Summary of Update: Policy updated to provide optional language providing that passage of any of the three high school equivalency tests approved by the State Board of Education is not equivalent to completing all graduation requirements for participation in graduation ceremonies. Option for student-initiated, student-led prayer at graduation ceremonies deleted consistent with court decisions which suggest that such prayer could be unconstitutional. Policy also reflects NEW LAW (AB 1248) which permits students to wear tribal regalia or recognized religious or cultural adornments to the cap and gown, unless the district determines that an item is likely to cause substantial disruption of the ceremony.

CURRENT VERSION			REVISED VERSION	CSBA MODIFICATIONS and/or NOTES	
PARA	Section	Sub-Section	December 14, 2010		March 2019
1			High school graduation ceremonies shall be held to recognize those students who have earned a diploma by successfully completing the required course of study, satisfying district standards, and passing any required assessments. The Governing Board believes that these students deserve the privilege of a public celebration that recognizes the significance of their achievement and encourages them to continue the pursuit of learning throughout their lives.	No change	CSBA NOTE: The following optional policy is for use by any district that maintains a high school and should be modified to reflect district practice.
2			At the discretion of the Superintendent or designee, a student who will complete graduation requirements during the summer may participate in graduation exercises without receiving his/her diploma. When the requirements have been satisfied, a diploma shall be sent to the student.	At the discretion of the Superintendent or designee, a student who will complete graduation requirements during the summer may <i>be allowed to</i> participate in graduation exercises without receiving <i>a</i> diploma. When the requirements have been satisfied, a diploma shall be sent to the student.	
3			High school students who have passed the California High School Proficiency Examination or the General Education Development Test	High school students who have <i>passed a high school equivalency test</i> or the California High School Proficiency Examination must also	CSBA NOTE: There are three high school equivalency tests that are approved by the State Board of Education for the purpose of

		must also meet district graduation requirements in order to participate in graduation ceremonies.	meet district graduation requirements in order to participate in graduation ceremonies.	receiving a California High School Equivalency Certificate: the General Educational Development Test (GED), the High School Equivalency Test, and the Test Assessing Secondary Completion. In addition, students age 16 or older may take the California High School Proficiency Examination (CHSPE) for the purpose of receiving a Certificate of Proficiency, which is equivalent to a high school diploma. On its web site, the California Department of Education (CDE) indicates that a student's successful completion of a high school equivalency test or the CHSPE is not equivalent to completing all coursework required for regular graduation from high school. The following optional paragraph provides that students receiving such certificates are not eligible to participate in graduation ceremonies and may be revised to reflect district practice.
4		The school or district shall not direct invocations, prayers or benedictions at graduation ceremonies.	<i>Invocations, prayers, or benedictions shall not be included in graduation ceremonies. The school or district shall not sponsor other ceremonies or programs for graduates that include prayer.</i>	CSBA NOTE: School-sponsored and school-directed prayer at public high school graduation ceremonies has been ruled unconstitutional by both the U.S. Supreme Court (Lee v. Weisman) and the California Supreme Court (Sands v. Morongo Unified School District). However, the law is unclear as to whether student-led, student-initiated prayer at graduation ceremonies is constitutional. In Cole v. Oroville Union High School District, the 9th Circuit Court of Appeals found that it would be unconstitutional for a district to allow a student to give a sectarian and proselytizing invocation at graduation. In that case, the district had developed a policy whereby students determined whether an invocation would be granted and, if so, would then select

				<p>a fellow student to deliver it. The principal would then review the content of the student invocation for proselytizing messages. The court upheld the policy authorizing principal review, but did not rule on the underlying policy allowing the invocation. Some attorneys have argued that the U.S. Supreme Court's decision in Santa Fe Independent School District v. Doe, which found unconstitutional a district policy allowing student-led, student-initiated prayers at football games, would also apply to student-led, student-initiated prayer and invocations at graduation ceremonies. In Workman v. Greenwood Community School Corporation, a federal district court in Indiana relied on the holdings in Lee and Santa Fe to grant a preliminary injunction prohibiting the district from permitting students to lead a prayer during the graduation ceremony even though the invocation was chosen through election by the senior class. The court reasoned that attendance at the graduation was functionally obligatory and the election was school sponsored. Because this issue has not been authoritatively resolved by the courts, it is strongly recommended that districts consult legal counsel prior to adopting policies or procedures allowing prayer at graduation. See also the U.S. Department of Education's Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools.</p>	
			<u>Honors and Awards</u>	No change	
1			To honor superior academic achievement, graduation ceremonies shall include recognition of valedictorian(s) and salutatorian(s). Valedictorian(s) and salutatorian(s) shall be selected based on	No change	CSBA NOTE: The following optional section may be modified to reflect district practice. Districts that choose to recognize students for outstanding academic performance should adopt procedures for selecting honorees and

		established criteria and procedures that use multiple measures of academic performance.		notifying students and their parents/guardians. Such rules, procedures, and criteria may be added to this section.
2		The Superintendent or designee shall identify other school-sponsored awards which may be given during graduation exercises. A separate awards program may be held to recognize graduating students receiving other school and non-school awards.	No change	
		Conduct at Graduation Ceremonies	<u><i>Graduation Attire</i></u>	
1		Any student participating in a graduation ceremony shall comply with district policies and regulations pertaining to student conduct.	Delete	
2		The Superintendent or designee may require graduating students to wear ceremonial attire, such as cap and gown, at the ceremony.	No change	CSBA NOTE: Under the authority granted the Governing Board to regulate student conduct, the Board may require graduating students to wear ceremonial attire, such as cap and gown, at the ceremony. In its Fiscal Management Advisory 17-01, Pupil Fees, Deposits, and other Charges, CDE advises that a district that requires its students to wear a cap and gown as a condition of their participation in the high school graduation ceremony may not require such students to purchase the cap and gown. CDE recommends that such districts provide the graduates with a cap and gown for their use at the graduation ceremony and inform them that those interested may purchase a cap and gown from a vendor. See AR 3260 - Fees and Charges.
3		However, any graduating student who has completed basic training and is an active member of any branch of the United States Armed Forces may, at his/her option, wear his/her military dress uniform at the ceremony.	Any graduating student who has completed basic training and is an active member of any branch of the United States Armed Forces may, at <i>the student's</i> option, wear <i>a</i> military dress uniform at the ceremony.	

			<i>Students shall be permitted to wear tribal regalia or recognized objects of religious or cultural significance as an adornment to the customary ceremonial attire, as long as the adornment does not cause a substantial disruption of, or material interference with, the graduation ceremony.</i>	New paragraph added CSBA NOTE: The following optional paragraphs may be revised to reflect district practice. Education Code 35183.1, as added by AB 1248 (Ch. 804, Statutes of 2018), permits students to wear tribal regalia or recognized objects of religious or cultural significance as an adornment to the customary cap and gown. However, the district may exercise discretion to prohibit any item that is likely to cause a substantial disruption of, or material interference with, the ceremony.
			<i>Students who desire to wear such adornments shall seek permission from the Superintendent or designee at least 14 days before the graduation ceremony.</i>	
		<u>Disciplinary Considerations</u>	No change	
1		<i>In order to encourage high standards of student conduct and behavior, the principal may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. Prior to denial of the privilege, the student, and where practicable his/her parent/guardian, shall be made aware of the grounds for such denial and shall be given an opportunity to respond. If a privilege is to be denied, the student and parent/guardian shall receive written notice of the denied privilege and the means whereby he/she may appeal this decision.</i>	<i>Students are expected to comply with district and school policies, regulations, and rules throughout the school session, including during graduation and related events. Students shall not be denied the privilege of participating in graduation ceremonies and activities except as discipline in cases of serious misconduct. In no event shall a student be denied participation in graduation ceremonies unless the principal or designee has informed the student and the student's parents/guardians of the misconduct and has given them an opportunity to respond.</i>	CSBA NOTE: The following optional section may be revised to reflect district practice. The withholding of a diploma is governed by Education Code 48904 and is separate from the denial of participation in graduation ceremonies; see AR 5125.2 - Withholding Grades, Diploma or Transcripts and BP 6161.2 - Damaged or Lost Instructional Materials. Even though the graduation ceremony is not an essential component to the granting of a diploma, it is an important symbolic event. Therefore, it is recommended that districts provide some due process before denying a student the privilege of participating in the ceremony.
			<i>During the graduation ceremony, a student may be removed from the ceremony for conduct that is disruptive or that poses a risk to safety.</i>	New paragraph added

			<i>High school seniors shall be notified of this policy in advance, through the student handbook or other means, and shall be required to acknowledge receiving it.</i>	New paragraph added
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Created: 11/25/24