

# Policy Introduction

## OSBA Model Sample Policy

Code: IKFB  
Adopted: 4/24/00  
Revised:

### OSBA Summary

The 2021 Oregon Legislature passed House Bill 2052 that allows student to wear Native American items of cultural significance to school events.

### Graduation Exercises

The Board believes that completion of the requirements for a diploma, a modified diploma, an extended diploma or an alternative certificate from public schools is an achievement that improves the community as well as the individual. The Board wishes to recognize this achievement in a publicly, celebrated graduation exercise.

Accordingly, appropriate graduation programs may be planned by the [school] on the date selected by [the Board] school.

The [district][school]'s valedictorian(s), salutatorian(s) or others, at the discretion of the principal or designee, may be permitted to speak as part of the district's planned graduation program. All speeches will be reviewed and approved in advance by the building principal or designee.

All students [in good standing]<sup>1</sup> who have successfully completed the requirements for a high school diploma, or ~~qualifies~~ qualify to receive or receives a modified diploma, an extended diploma or an alternative certificate, including [a student participating in a district-sponsored alternative education program and] a student with disabilities receiving a document certifying successful completion of program requirements, shall have the option to participate in graduation exercises.

A student shall be allowed to wear a dress uniform issued to the student by a branch of the U.S. Armed Forces if the student:

1. Qualifies to receive a high school diploma, a modified diploma, an extended diploma or an alternative certificate; and
2. Has completed basic training for, and is an active member of, a branch of the U.S. Armed Forces.

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<sup>1</sup> [A student may be denied participation in graduation exercises for conduct that violates board policy, administrative regulation and/or code of conduct provisions.]

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[Graduating students will be allowed to wear Native American [or other] items of cultural significance<sup>{1}</sup>, in accordance with consistently-enforced rules established by the principal or designee.<sup>{3,4}</sup>]

END OF POLICY

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**Legal Reference(s):**

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<sup>2</sup> {HB 2052 (2021) requires that districts allow students to wear Native American items of cultural significance to graduation and other school events. Districts can choose to allow students to wear items of significance to other cultures.} “Native American items of cultural significance” means items or objects that are traditionally associated with Native American or that have religious or cultural significance to a Native American.

<sup>3</sup> The district may prohibit an item or object that: a) is likely to cause a substantial disruption of, or material interference with the graduation ceremony, or b) replaces a cap or gown customarily worn at a graduation ceremony.

<sup>4</sup> [See [letter from ODE regarding Graduation Ceremonies](#) (click on [Year] Graduation Ceremonies).] *{This could cause some controversy. OSBA recommends communicating with community cultural leaders and high school administration prior to adopting this language. If one group of students is allowed to wear an item of cultural significance, the same rule must be applied to other students in a non-discriminatory manner.}* ¶¶

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[ORS 329](#).451  
[ORS 332](#).107  
[ORS 339](#).505  
[ORS 343](#).295

[OAR 581](#)-021-0050  
[OAR 581](#)-021-0055  
[OAR 581](#)-021-0060  
[OAR 581](#)-022-2000  
[OAR 581](#)-022-2010

[OAR 581](#)-022-2015  
[OAR 581](#)-022-2020  
[OAR 581](#)-022-2505

31 OR. ATTY. GEN. OP. 428 (1964)

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Kay v. David Douglas Sch. Dist. No. 40,1987); cert. den., 484 U.S. 1032 (1988).

Doe v. Madison Sch. Dist. No. 321, 177 F.3d 789 (9th Cir. 1999).

Lee v. Weisman, 505 U.S. 577 (1992).

Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).