



Book	Ogdensburg City School District
Section	4000
Title	GRADUATION CEREMONIES
Code	4772
Status	First Reading

**(X) Required**

(x) Local  
(x) Notice

*NEW NOTE: We are clarifying that the district's obligations to provide special education and related services to students with disabilities until they turn twenty-two only applies to those students so classified under the IDEA (as opposed to Section 504 only). There are no changes necessary to our sample regulation 4772-R.*

*OLD NOTE: This policy, and the accompanying administrative regulation, reflects the requirements of Education Law §3204(4-b) that school boards "establish a policy and adopt procedures" to allow students to participate in the graduation ceremony (and related activities) of their 9<sup>th</sup> grade cohort if they earn either a Career Development and Occupational Studies Commencement Credential (CDOS) or Skills and Achievement Commencement Credential (SACC). Note that the CDOS can be earned by students with or without disabilities, but the SACC is reserved for students with severe disabilities. Optional language is provided regarding students with disabilities participating in graduation ceremonies, in the absence of earning a CDOS/SACC. Consistent with state regulations, this policy reflects that districts can set other conditions for participation which would apply to all students.*

*Additionally, this policy reflects the district's obligations to provide special education and related services to students with disabilities, as clarified by the State Education Department's Formal Opinion of Counsel No. 242, until the student's 22<sup>nd</sup> birthday.*

The graduation or commencement ceremony is a time to celebrate the honors and achievements of the graduating class. The Administration will establish the date for graduation ceremonies, the place and program details, including attire. Academic and other awards and scholarships may be presented along with diplomas.

*NOTE: We have not included a specific process for selecting graduation speakers, due to the wide variation in practices among schools. Such process does not need to be included in Board policy. Options include: designating the Valedictorian and/or Salutatorian; allowing the senior class to select one of their own; establishing a selection committee of staff members; designating the senior class president; allowing the senior class to choose someone from outside the school. Another consideration is prior review and approval of speeches by school administrators.*

Participation in the graduation ceremony and related activities will be predicated on satisfactory completion of all graduation requirements, or as otherwise described in this policy. Exceptions may be made under extraordinary circumstances with the permission of the Superintendent of Schools. Students who have earned either a Career Development and Occupational Studies Commencement Credential (CDOS) or Skills and Achievement Commencement Credential (SACC) without meeting the requirements for a high school diploma by the time their ninth-grade cohort reaches graduation may, but are not required to, participate in that graduation ceremony and related activities.

*NOTE: The following paragraph addresses the ability of the district to prohibit students from participating in graduation activities. The first sentence reflects a provision of state regulations which allows for students to be barred from the graduation ceremony and related activities. The second sentence covers other conditions for*

participation. Such other conditions that impact student participation in the graduation ceremony would apply to all students. The third sentence regarding notice is not required, but represents good practice, although if it is included in policy it must be followed. Some districts exclude students from graduation participation based on attendance, disciplinary violations, unpaid fees or fines, or dress code violations. The district's Code of Conduct would likely address provisions for notice, opportunity to respond, and appeal.

However, students may be denied participation in the graduation ceremony and related activities as a consequence of violations of the Code of Conduct. The Building Principal may set other rules and conditions for participation in the graduation ceremony and related activities. All such rules will be provided to students and parents/guardians in advance. Students who have met the requirements for a diploma but are barred from participating in the graduation ceremony will be given their diplomas separately.

*REVISED NOTE: While not required by law, the district may wish to address allowing students with disabilities to participate in the graduation ceremony with their 9<sup>th</sup> grade cohort without having earned a diploma or a CDOS/SACC. Because students with disabilities under the IDEA are entitled to special education services until their 22<sup>nd</sup> birthday, the district should consider scenarios under which a student participates in graduation and subsequently earns a CDOS/SACC/diploma, or completes their final year in school, all of which could be marked by participation in the graduation ceremony. The district could require students to choose one ceremony in which to participate. State law and regulations only require schools to permit students who have earned a CDOS/SACC to participate in the graduation ceremony of their ninth-grade cohort.*

**Optional, select/modify as appropriate:]** "Students with disabilities who have attended high school for four years, but who have not met the requirements for a CDOS/SACC/high school diploma, may participate in the graduation ceremony and related activities with their ninth-grade cohort, and receive a certificate of attendance and/or course completion and any other awards they have earned. Such students who subsequently meet the requirements for a CDOS, SACC, or high school diploma may participate in the graduation ceremony of that graduating class. Students with disabilities who have not previously participated in a graduation ceremony may do so at the end of their final year in school."

*NOTE: The law does not specify how to address students who participate in the graduation ceremony by earning a CDOS/SACC only, and subsequently earn a diploma. We have included the optional paragraph below to reflect that a student who earns a diploma may participate in graduation ceremonies. Alternately, the Board could limit a student's participation to one graduation ceremony. In that case, use the following text instead: "Under this policy, students are allowed to participate in only one graduation ceremony, upon earning either a CDOS/SACC or a high school diploma."*

**[Optional language:** Students who participate in the graduation ceremony by earning only a CDOS or SACC, who subsequently meet the requirements for either a Regents or local high school diploma, may participate in the graduation ceremony of that graduating class as well.

*NEW NOTE: The paragraph below clarifies the district's obligations to provide special education services for students with disabilities under the IDEA until their 22<sup>nd</sup> birthday or until they receive a diploma, whichever comes first.*

Students with disabilities receiving services pursuant to the Individuals with Disabilities Education Act who ~~participate in graduation ceremonies~~ who earn a CDOS or SACC without receiving a diploma are entitled to continue their educational programs until their 22<sup>nd</sup> birthday, or until receipt of a Regents of local high school diploma, whichever comes first.

*NOTE: Usually, the Superintendent is charged to develop, approve, and promulgate regulations, which Boards usually do not adopt. However, under this law, Boards are required to adopt procedures to effectuate this policy.*

*The law also requires annual written notice to all students and their parents/guardians about the district's policy and procedures.*

The Board directs the Superintendent to develop regulations to implement this policy, to be adopted by the Board. The district will provide annual written notice to all students and their parents/guardians of the requirements of this policy and associated regulations.

**Cross-ref:**

4321, Programs for Students with Disabilities Under the IDEA and New York's Education Law Article 89

4321.9, Declassification of Students with Disabilities

4773, Diploma and Credential Options for Students with Disabilities

5300, Code of Conduct

Ref:

Education Law §3204(4-b)

8 NYCRR §§100.2(o); 100.5; 100.6

*A.R. v. Connecticut State Board of Education*, 5 F.4th 155 (2021)

*Formal Opinion of Counsel No. 242* (7/6/2023), NYSED

Adoption date: