



# Pomp and circumstance: Legal issues for graduation

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# First amendment and graduation



- Venue selection
- Invocations and benedictions

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## Establishment clause

### First Amendment of U.S. Constitution

- Prohibits laws “respecting an establishment of religion.”

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## Venue

Can a district use a church or other religious facility as a venue for its graduation ceremony?

- It depends.



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## Considerations for venue

- Can the district articulate a secular purpose?
- Does using the religious venue have the “primary effect” of advancing religion?
- Is there “excessive entanglement” of the district and religion?

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## Invocations and benedictions

- School districts inviting religious leader to lead prayers at graduation ceremonies.
- Public school controls the ceremony.
- Attendance and participation may not be “voluntary” because of the importance of the occasion.

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# Student-led religious speech

Unconstitutional if in a context with the appearance of school support.

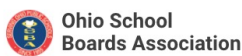
- Employees direct/advise students;
- Large audience at a school-sponsored function;
- Broadcast over a system in the control of the district.

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### THE LEGAL LEDGER

#### New email management training modules

Posted by Sara C. Clark on 4/22/2022

The Ohio Electronic Records Committee (OhioERC) recently pushed out a new online training series for state and local governmental officials and employees. The training provides information and best practices on managing email as a public record and includes four training modules:

...

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