

CONCURRENCE IN SENATE AMENDMENTS

CSA1 Bill Id:AB 1369 Author:(Ramos)

As Amended Ver:June 23, 2025

Majority vote

SUMMARY

Clarifies the existing authorization for students to wear specified adornments at school graduation ceremonies by explicitly authorizing students and their families to determine what adornments are deemed to be traditional tribal regalia or recognized objects of religious or cultural significance. Prohibits local educational agencies (LEAs) from (1) requiring students to undergo a preapproval process in order to exercise the right described above and (2) requiring students to wear a graduation cap if it is incompatible with the specified adornment.

Senate Amendments

- 1) Revises the definition of "adornment" to mean either of the following:
 - a) Something attached to, worn with, or worn in place of the cap customarily worn at school graduation ceremonies; or
 - b) Something attached to or worn with, but not replacing, the gown customarily worn at school graduation ceremonies.

COMMENTS

California law authorizes wearing of certain graduation adornments. A 2018 law authorizes a pupil enrolled in a California public school to wear tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies. However, current law does not limit an LEA's discretion and authority to prohibit items that are likely to cause a substantial disruption of, or material interference with, the ceremony. In 2024, the Superintendent of Public Instruction (SPI) issued a letter to superintendents and principals urging them to both implement policies that embrace culturally inclusive ceremonies and preserve the rights of our Native students and review the relevant California *Education Code* in order to explore opportunities for students to honor their heritage, which is crucial for creating an inclusive and supportive environment.

Native American Graduation Adornments Task Force (NAGAT). AB 945 (Ramos) Chapter 285, Statutes of 2021 requires the California Department of Education (CDE) to convene a task force to develop recommendations for best practices, protocols, and other policies that will address how to comprehensively implement all aspects of a student's authority to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies. According to the CDE website, the NAGAT was to hold at least four public meetings between September 2023 and May 2024 and to submit a report to the Legislature that includes its findings and policy recommendations to ensure full implementation of the law regarding graduation adornments. The CDE website provides guidance on filing complaints with the CDE on the basis of discrimination based upon a protected class, or with the U.S. Department of Education's Office of Civil Rights under title VI on the basis of a policy that disproportionately and negatively affects students of a particular race, ethnicity, or national origin.

Research identifies violations of graduation dress code. A report by the American Civil Liberties Union Foundation (ACLU) and the California Indian Legal Services (Mendoza, 2024) identified violations of Indigenous students' rights regarding graduation dress codes in the high schools of the 50 LEAs studied. 56% of the LEAs require students to undergo a pre-approval process to wear tribal regalia or cultural or religious adornments at graduation. This pre-approval timeline ranges from five to 14 days before graduation. The study also found significant inconsistencies between district policies and individual high school handbooks, with many handbooks either not aligning with district policies or providing no information about graduation dress codes. Schools that received federal Title VI funds designated for the education of Native American students were found to have a higher likelihood of explicitly permitting tribal regalia. The study reports that districts with higher suspension rates for Native American students tended to have stricter graduation attire policies, suggesting that districts with more punitive approaches to discipline might also be less accommodating of cultural or religious expressions.

California has nation's highest concentration of Native American/Alaska Native people. According to the most recent census data, California is home to more people of Native American/ Alaska Native heritage than any other state in the country. There are currently 109 federally recognized Indian tribes in California and several non-federally recognized tribes petitioning for federal recognition through the Bureau of Indian Affairs. According to the California Department of Education (CDE), in 2023-24, there were 25,424 pupils enrolled in California public schools identified as American Indian or Alaska Natives, representing .4% of the total enrollment statewide.

According to the Author

"In 2018, the state passed legislation that recognized a student's right to wear traditional tribal regalia or recognized objects of religious or cultural significance at school graduation ceremonies. Despite the law and subsequent statutory reaffirmation of students' rights, they and their families continue to face obstacles to exercising this legal prerogative. For our tribal communities, high school graduations are times of great celebration. Eagle feathers and other symbols of Native American significance are often presented by a proud community to the student as a way to recognize personal achievement. It is a means for the tribe not only to honor the student but also to share in and express pride in the graduate's achievements. AB 1369 aims to add additional clarity in law to help reinforce all students' rights to freedom of expression."

Arguments in Support

The California Indian Legal Services (CILS) writes, "The right to wear Tribal regalia and culturally significant adornments at graduation is not only a matter of cultural identity and pride but is enshrined in the United States and California Constitutions. This is affirmed by California Education Code 35183.1, added into law by AB 1248 (Gloria, 2018). Of course, in 2021, you [Assemblymember Ramos] authored AB 945 to strengthen school districts' compliance with this law. However, CILS continues to receive complaints from our statewide Tribal community that local school officials continue to object when Native students wish to wear items such as eagle feathers, Native American sashes, beaded or basket caps, or other items reflecting their culture and heritage, in violation of state law. CILS believes that AB 1369 can help address a host of challenges Native students confront as they seek to exercise the benefits existing law promotes and protects.

Arguments in Opposition

None on file

FISCAL COMMENTS

This bill has been keyed non-fiscal by the Office of Legislative Counsel.

VOTES:**ASM EDUCATION: 9-0-0**

YES: Muratsuchi, Hoover, Addis, Alvarez, Bonta, Castillo, Garcia, Lowenthal, Patel

ASM JUDICIARY: 12-0-0

YES: Kalra, Dixon, Bauer-Kahan, Bryan, Connolly, Harabedian, Macedo, Pacheco, Papan, Sanchez, Stefani, Zbur

ASSEMBLY FLOOR: 77-0-2

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
ABS, ABST OR NV: Nguyen, Stefani

UPDATED

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