
HOUSE BILL 1121

State of Washington

67th Legislature

2021 Regular Session

By Representatives Santos, Ybarra, Ortiz-Self, Gregerson, Paul, Stonier, Pollet, Bergquist, and Harris-Talley; by request of State Board of Education

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1 AN ACT Relating to the waiver of certain high school graduation
2 requirements in times of emergency; amending RCW 28A.655.250; adding
3 a new section to chapter 28A.230 RCW; creating a new section; and
4 declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that the
7 COVID-19 pandemic illuminated the need for an emergency waiver
8 program that would prevent students from being unduly impacted by
9 unforeseen disruptions to coursework and assessments that are beyond
10 the student's control. The legislature finds that a new and ongoing
11 emergency waiver program would ensure the state is better prepared to
12 respond to future emergencies at both the state and local levels.

13 (2) Therefore, the legislature intends to provide the state board
14 of education with the authority to establish an emergency waiver
15 program to allow school districts to waive certain graduation
16 requirements on an individual student basis after the district makes
17 a good faith effort to help the student meet the requirements. The
18 legislature further intends for the emergency waiver program to be
19 administered in an equitable manner and in furtherance of the
20 opportunity for students to graduate ready for success in
21 postsecondary education, gainful employment, and civic engagement,

1 and equipped with the skills to be a lifelong learner, consistent
2 with the purpose of the high school diploma as established in RCW
3 28A.230.090(1).

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.230
5 RCW to read as follows:

6 (1) Beginning with the class of 2020, the state board of
7 education may authorize school districts to grant individual student
8 emergency waivers from credit and subject area graduation
9 requirements established in RCW 28A.230.090, the graduation pathway
10 requirement established in RCW 28A.655.250, or both if:

11 (a) The student's ability to complete the requirement was impeded
12 due to a significant disruption resulting from a local, state, or
13 national emergency;

14 (b) The school district demonstrates a good faith effort to
15 support the individual student in meeting the requirement before
16 considering an emergency waiver;

17 (c) The student was reasonably expected to graduate in the school
18 year when the emergency waiver is granted; and

19 (d) The student has demonstrated skills and knowledge indicating
20 preparation for the next steps identified in their high school and
21 beyond plan under RCW 28A.230.090 and for success in postsecondary
22 education, gainful employment, and civic engagement.

23 (2) A school district that is granted emergency waiver authority
24 under this section shall:

25 (a) Maintain a record of courses and requirements waived as part
26 of the individual student record;

27 (b) Include a notation of waived credits on the student's high
28 school transcript;

29 (c) Report student level emergency waiver data to the office of
30 the superintendent of public instruction in a manner determined by
31 the superintendent of public instruction in consultation with the
32 state board of education;

33 (d) Determine if there is disproportionality among student
34 subgroups receiving emergency waivers and, if so, take appropriate
35 corrective actions to ensure equitable administration. At a minimum,
36 the subgroups to be examined must include those referenced in RCW
37 28A.300.042(3). If further disaggregation of subgroups is available,
38 the school district shall also examine those subgroups; and

1 (e) Adopt by resolution a written plan that describes the school
2 district's process for students to request or decline an emergency
3 waiver, and a process for students to appeal within the school
4 district a decision to not grant an emergency waiver.

5 (3) The office of the superintendent of public instruction shall
6 provide the data reported under subsection (2) of this section to the
7 state board of education.

8 (4) The state board of education shall adopt and may periodically
9 revise rules for eligibility and administration of emergency waivers
10 under this section. The rules may include:

11 (a) An application and approval process that allows school
12 districts to apply to the state board of education to receive
13 authority to grant emergency waivers in response to an emergency;

14 (b) Eligibility criteria for meeting the requirements established
15 in subsection (1) of this section;

16 (c) Limitations on the number and type of credits that can be
17 waived; and

18 (d) Expectations of the school district regarding communication
19 with students and their parents or guardians.

20 (5) For purposes of this section:

21 (a) "Emergency" means a natural event, mechanical failure, or an
22 action or inaction by one or more persons, including negligence and
23 threats, that (i) is beyond the control of both a school district and
24 its employees and (ii) has the direct or indirect effect of rendering
25 one or more school district facilities unsafe, unhealthy,
26 inaccessible, or inoperable. An emergency does not include any labor
27 dispute between a school district board of directors and any employee
28 of the school district.

29 (b) "School district" means any school district, charter school
30 established under chapter 28A.710 RCW, tribal compact school operated
31 according to the terms of state-tribal education compacts authorized
32 under chapter 28A.715 RCW, private school, state school established
33 under chapter 72.40 RCW, and community and technical college granting
34 high school diplomas.

35 **Sec. 3.** RCW 28A.655.250 and 2019 c 252 s 201 are each amended to
36 read as follows:

37 (1)(a) Beginning with the class of 2020, except as provided in
38 section 2 of this act, graduation from a public high school and the
39 earning of a high school diploma must include the following:

1 (i) Satisfying the graduation requirements established by the
2 state board of education under RCW 28A.230.090 and any graduation
3 requirements established by the applicable public high school or
4 school district;

5 (ii) Satisfying credit requirements for graduation;

6 (iii) Demonstrating career and college readiness through
7 completion of the high school and beyond plan as required by RCW
8 28A.230.090; and

9 (iv) Meeting the requirements of at least one graduation pathway
10 option established in this section. The pathway options established
11 in this section are intended to provide a student with multiple
12 pathways to graduating with a meaningful high school diploma that are
13 tailored to the goals of the student. A student may choose to pursue
14 one or more of the pathway options under (b) of this subsection, but
15 any pathway option used by a student to demonstrate career and
16 college readiness must be in alignment with the student's high school
17 and beyond plan.

18 (b) The following graduation pathway options may be used to
19 demonstrate career and college readiness in accordance with (a)(iv)
20 of this subsection:

21 (i) Meet or exceed the graduation standard established by the
22 state board of education under RCW 28A.305.130 on the statewide high
23 school assessments in English language arts and mathematics as
24 provided for under RCW 28A.655.070;

25 (ii) Complete and qualify for college credit in dual credit
26 courses in English language arts and mathematics. For the purposes of
27 this subsection, "dual credit course" means a course in which a
28 student qualifies for college and high school credit in English
29 language arts or mathematics upon successfully completing the course;

30 (iii) Earn high school credit in a high school transition course
31 in English language arts and mathematics, an example of which
32 includes a bridge to college course. For the purposes of this
33 subsection (1)(b)(iii), "high school transition course" means an
34 English language arts or mathematics course offered in high school
35 where successful completion by a high school student ensures the
36 student college-level placement at participating institutions of
37 higher education as defined in RCW 28B.10.016. High school transition
38 courses must satisfy core or elective credit graduation requirements
39 established by the state board of education. A student's successful
40 completion of a high school transition course does not entitle the

1 student to be admitted to an institution of higher education as
2 defined in RCW 28B.10.016;

3 (iv) Earn high school credit, with a C+ grade, or receiving a
4 three or higher on the AP exam, or equivalent, in AP, international
5 baccalaureate, or Cambridge international courses in English language
6 arts and mathematics; or receiving a four or higher on international
7 baccalaureate exams. For English language arts, successfully
8 completing any of the following courses meets the standard: AP
9 English language and composition literature, macroeconomics,
10 microeconomics, psychology, United States history, world history,
11 United States government and politics, or comparative government and
12 politics; or any of the international baccalaureate individuals and
13 societies courses. For mathematics, successfully completing any of
14 the following courses meets the standard: AP statistics, computer
15 science, computer science principles, or calculus; or any of the
16 international baccalaureate mathematics courses;

17 (v) Meet or exceed the scores established by the state board of
18 education for the mathematics portion and the reading, English, or
19 writing portion of the SAT or ACT;

20 (vi) Meet any combination of at least one English language arts
21 option and at least one mathematics option established in (b)(i)
22 through (v) of this subsection (1);

23 (vii) Meet standard in the armed services vocational aptitude
24 battery; and

25 (viii) Complete a sequence of career and technical education
26 courses that are relevant to a student's postsecondary pathway,
27 including those leading to workforce entry, state or nationally
28 approved apprenticeships, or postsecondary education, and that meet
29 either: The curriculum requirements of core plus programs for
30 aerospace, maritime, health care, information technology, or
31 construction and manufacturing; or the minimum criteria identified in
32 RCW 28A.700.030. Nothing in this subsection (1)(b)(viii) requires a
33 student to enroll in a preparatory course that is approved under RCW
34 28A.700.030 for the purposes of demonstrating career and college
35 readiness under this section.

36 (2) While the legislature encourages school districts to make all
37 pathway options established in this section available to their high
38 school students, and to expand their pathway options until that goal
39 is met, school districts have discretion in determining which pathway
40 options under this section they will offer to students.

1 (3) The state board of education shall adopt rules to implement
2 the graduation pathway options established in this section.

3 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of
5 the state government and its existing public institutions, and takes
6 effect immediately.

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