

WSR 22-12-025

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed May 23, 2022, 5:23 p.m., effective June 23, 2022]

Effective Date of Rule: Thirty-one days after filing.

Purpose: In response to the COVID-19 pandemic, the legislature authorized the state board of education (SBE) to adopt rules (chapter 180-111 WAC) for an emergency waiver program. The program permits districts to waive certain graduation requirements so that students whose education has been disrupted by the pandemic may earn a diploma. The waiver may be granted after the district has made a good faith effort to support students in meeting all graduation requirements, and after the student has demonstrated preparation for their next step after high school.

These rules extend the emergency waiver of graduation requirements to students graduating in the 2022-23 and the 2023-24 school years.

Citation of Rules Affected by this Order: Amending WAC 180-111-050.

Statutory Authority for Adoption: RCW 28A.230.320, 28A.230.090, 28A.150.220(7), 28A.195.040.

Adopted under notice filed as WSR 22-07-112 on March 23, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 12, 2022.

Randy Spaulding
Executive Director

OTS-3690.1

AMENDATORY SECTION (Amending WSR 21-16-059, filed 7/28/21, effective 8/28/21)

WAC 180-111-050 Emergency waiver of certain graduation requirements in response to novel coronavirus. This section is for the novel coronavirus emergency, in response to the gubernatorial declaration of emergency on February 29, 2020. It applies to the classes of 2020 through ((2022)) 2024 beginning in the 2020-21 school year. ((The state board of education will consider what, if any, flexibility should be provided to subsequent classes of students no later than its May 2022 board meeting.)) Beginning from the date of approval of a

school district's emergency waiver application, in accordance with WAC 180-111-040:

(1) Waived credit graduation requirements are limited to the student's classes impacted by the novel coronavirus disruption. The school district shall prioritize student completion of core coursework and coursework related to the student's high school and beyond plan under RCW 28A.230.090. School districts may waive credits for eligible students in the classes of 2020 to ~~((2022))~~ 2024. In addition to existing waiver authorities as described in WAC 180-111-040 (2) (a):

(a) For the classes of 2020 to 2023, school districts may waive up to two additional credits under this emergency waiver, provided that students graduate with no fewer than a total of ~~((twenty))~~ 20 credits. ~~((The terms "core" and "flexible" credits used in this subsection are defined in WAC 180-51-210.))~~

(b) For the class of 2024, school districts may waive up to one additional credit under this emergency waiver, provided that students graduate with no fewer than a total of 21 credits.

(2) For the class of 2020, 2021, ~~((and))~~ 2022, and 2023: The emergency waiver may be applied to core credits or flexible credits, provided that no more than one credit in each core subject area is waived. The terms "core" and "flexible credits" used in this section are defined in WAC 180-51-210.

(3) For the class of 2024: The emergency waiver may be applied to core or flexible credits.

(4) A student's graduation pathway requirement may be waived for eligible students in the classes of 2020 to ~~((2022))~~ 2023 after a school district has made a good faith effort to help the student meet their pathway requirement, as defined in WAC 180-111-020.

~~((4))~~ (5) The graduation pathway requirement may also be waived for a student so that the student may earn a diploma before their planned graduation year, provided that:

(a) The student may not be granted an emergency waiver of credit requirements; and

(b) The student must meet all other state graduation requirements including credit requirements under WAC 180-51-210.

~~((5))~~ (6) This emergency waiver may apply to individual students participating in the international baccalaureate diploma programme as defined in RCW 28A.230.122 to enable these students to earn a Washington high school diploma.

~~((6))~~ (7) Schools operating under the waiver defined in WAC 180-18-055 may waive graduation requirements in a manner consistent with this section.

[Statutory Authority: RCW 28A.195.010, 28A.230.090, 28A.150.220 (7). WSR 21-16-059, § 180-111-050, filed 7/28/21, effective 8/28/21. Statutory Authority: 2020 c 7 § 10-12 and RCW 28A.195.010, 28A.230.090, 28A.150.220 (7). WSR 21-01-077, § 180-111-050, filed 12/10/20, effective 1/10/21.]