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**HOUSE BILL 1121**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Representatives Santos and Ybarra; by request of State Board of Education

Prefiled 01/08/21.

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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