
ENGROSSED 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) Maintain records as necessary and as required by rule of the
30 state board of education to document compliance with subsection
31 (1)(b) of this section;

32 (d) Report student level emergency waiver data to the office of
33 the superintendent of public instruction in a manner determined by
34 the superintendent of public instruction in consultation with the
35 state board of education;

36 (e) Determine if there is disproportionality among student
37 subgroups receiving emergency waivers and, if so, take appropriate
38 corrective actions to ensure equitable administration. At a minimum,
39 the subgroups to be examined must include those referenced in RCW

1 28A.300.042(3). If further disaggregation of subgroups is available,
2 the school district shall also examine those subgroups; and

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

7 (3)(a) By November 1, 2021, and annually thereafter, the office
8 of the superintendent of public instruction shall provide the data
9 reported under subsection (2) of this section to the state board of
10 education.

11 (b) The state board of education, by December 15, 2021, and
12 within existing resources, shall provide the education committees of
13 the legislature with a summary of the emergency waiver data provided
14 by the office of the superintendent of public instruction under this
15 subsection (3) for students in the graduating classes of 2020 and
16 2021. The summary must include the following information:

17 (i) The total number of emergency waivers requested and issued,
18 by school district, including an indication of what requirement or
19 requirements were waived. Information provided in accordance with
20 this subsection (b)(i) must also indicate the number of students in
21 the school district grade cohort of each student receiving a waiver;
22 and

23 (ii) An analysis of any concerns regarding school district
24 implementation, including any concerns related to school district
25 demonstrations of good faith efforts as required by subsection (1)(b)
26 of this section, identified by the state board of education during
27 its review of the data.

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

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

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

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

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

40 (5) For purposes of this section:

1 (a) "Emergency" has the same meaning as "emergency or disaster"
2 in RCW 38.52.010. "Emergency" may also include a national declaration
3 of emergency by an authorized federal official.

4 (b) "School district" means any school district, charter school
5 established under chapter 28A.710 RCW, tribal compact school operated
6 according to the terms of state-tribal education compacts authorized
7 under chapter 28A.715 RCW, private school, state school established
8 under chapter 72.40 RCW, and community and technical college granting
9 high school diplomas.

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

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

15 (i) Satisfying the graduation requirements established by the
16 state board of education under RCW 28A.230.090 and any graduation
17 requirements established by the applicable public high school or
18 school district;

19 (ii) Satisfying credit requirements for graduation;

20 (iii) Demonstrating career and college readiness through
21 completion of the high school and beyond plan as required by RCW
22 28A.230.090; and

23 (iv) Meeting the requirements of at least one graduation pathway
24 option established in this section. The pathway options established
25 in this section are intended to provide a student with multiple
26 pathways to graduating with a meaningful high school diploma that are
27 tailored to the goals of the student. A student may choose to pursue
28 one or more of the pathway options under (b) of this subsection, but
29 any pathway option used by a student to demonstrate career and
30 college readiness must be in alignment with the student's high school
31 and beyond plan.

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

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

1 (ii) Complete and qualify for college credit in dual credit
2 courses in English language arts and mathematics. For the purposes of
3 this subsection, "dual credit course" means a course in which a
4 student qualifies for college and high school credit in English
5 language arts or mathematics upon successfully completing the course;

6 (iii) Earn high school credit in a high school transition course
7 in English language arts and mathematics, an example of which
8 includes a bridge to college course. For the purposes of this
9 subsection (1)(b)(iii), "high school transition course" means an
10 English language arts or mathematics course offered in high school
11 where successful completion by a high school student ensures the
12 student college-level placement at participating institutions of
13 higher education as defined in RCW 28B.10.016. High school transition
14 courses must satisfy core or elective credit graduation requirements
15 established by the state board of education. A student's successful
16 completion of a high school transition course does not entitle the
17 student to be admitted to an institution of higher education as
18 defined in RCW 28B.10.016;

19 (iv) Earn high school credit, with a C+ grade, or receiving a
20 three or higher on the AP exam, or equivalent, in AP, international
21 baccalaureate, or Cambridge international courses in English language
22 arts and mathematics; or receiving a four or higher on international
23 baccalaureate exams. For English language arts, successfully
24 completing any of the following courses meets the standard: AP
25 English language and composition literature, macroeconomics,
26 microeconomics, psychology, United States history, world history,
27 United States government and politics, or comparative government and
28 politics; or any of the international baccalaureate individuals and
29 societies courses. For mathematics, successfully completing any of
30 the following courses meets the standard: AP statistics, computer
31 science, computer science principles, or calculus; or any of the
32 international baccalaureate mathematics courses;

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

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

39 (vii) Meet standard in the armed services vocational aptitude
40 battery; and

1 (viii) Complete a sequence of career and technical education
2 courses that are relevant to a student's postsecondary pathway,
3 including those leading to workforce entry, state or nationally
4 approved apprenticeships, or postsecondary education, and that meet
5 either: The curriculum requirements of core plus programs for
6 aerospace, maritime, health care, information technology, or
7 construction and manufacturing; or the minimum criteria identified in
8 RCW 28A.700.030. Nothing in this subsection (1)(b)(viii) requires a
9 student to enroll in a preparatory course that is approved under RCW
10 28A.700.030 for the purposes of demonstrating career and college
11 readiness under this section.

12 (2) While the legislature encourages school districts to make all
13 pathway options established in this section available to their high
14 school students, and to expand their pathway options until that goal
15 is met, school districts have discretion in determining which pathway
16 options under this section they will offer to students.

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

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

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