



# High School Graduation Requirements Emergency Waiver Program: Graduation Class of 2023

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**Authorizing Legislation: RCW 28A.230.320**

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## Executive Summary

Engrossed House Bill 1121 of 2021 authorized the State Board of Education (SBE) to establish an emergency waiver program to allow school districts to waive certain high school graduation requirements on an individual student basis after the district makes a good faith effort to help the student meet the requirements. [RCW 28A.230.320](#) requires the Office of the Superintendent of Public Instruction (OSPI) to provide SBE with data on the total number of emergency waivers requested and issued, by school districts, including an indication of what requirement or requirements were waived for high school graduates.

For the class of 2023, 159 school districts and local education agencies (LEAs) waived one or more course and/or pathway requirements for an unduplicated total of 7,811 high school graduates in the final adjusted graduation cohort. The class of 2023 adjusted cohort consisted of 85,306 students, of which, 71,329 students were identified as graduates. Of the 277 school districts and local education agencies (LEAs) granting high school diplomas, 252 school districts and LEAs applied and were approved to grant waivers for certain graduation requirements for the graduation class of 2023.

School districts and local educational agencies reported to the OSPI that approximately 9,600 courses were waived for 4,988 students (7.0 percent of the graduates) through the Graduation Requirement Emergency Waiver (GREW). Social Sciences/History and English language arts (ELA) courses or credits were the most commonly waived. Art, Physical Education (PE)/Health, and World Language courses or credits requirements were less frequently waived for students.

School districts and local educational agencies reported to the OSPI that 4,333 students (6.1 percent of the high school graduates) were granted the ability to waive one or more graduation pathway requirements. Native American or Alaskan, Black African American, Hispanic, or Hawaiian or Pacific Islander students were more likely to need a credit/course and/or pathway waiver to meet graduation requirements as compared to students identifying with another race or ethnicity.

Of the 73,329 graduates in the class of 2023, 63,518 students (89 percent) graduated without the use of GREW waivers. 3,478 graduates (4.9 percent) were granted one or more credit/course waivers without a pathway waiver, while 2,823 students (4.0 percent) were granted a pathway waiver without a credit/course waiver. 1,510 graduates (2.1 percent) were granted one or more credit/course waivers and one or more pathway waivers.

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## ***AUTHORITY***

Engrossed House Bill 1121 was signed into law during the 2021 Legislative session. Codified in RCW 28A.230.320, the law provides the State Board of Education (SBE) the authority to establish an emergency waiver program to allow school districts and LEAs to waive certain high school graduation requirements on an individual student basis after the district make a good faith effort to help the student meet the requirements. In July 2021, the Board adopted final rules ([Chapter 180-111 WAC](#)) to implement the waiver program and developed a process for school districts to certify their compliance with the waiver program rules prior to use of the waiver. Section 2(3)(a) of EHB 1121 directs the Office of the Superintendent of Public Instruction (OSPI) to provide data pursuant to the emergency waiver program to the SBE by November 1, 2021 and annually thereafter.

## ***BACKGROUND ON WAIVING GRADUATION REQUIREMENTS***

Under the emergency waiver program, subject area credits and graduation pathway options may be waived for eligible students. An eligible student needed to have:

1. Been reasonably expected to graduate in the year the waiver is awarded,
2. Experienced significant disruption in their education due to the pandemic that prevented them from meeting graduation requirements, and
3. Demonstrated preparation for their postsecondary plan as stated in their High School and Beyond Plan.

Prior to considering awarding a waiver, school districts and LEAs need to have made a “good faith effort” to support the student in meeting graduation requirements ([WAC 180-111-050](#)). The final rules adopted by the State Board of Education ([Chapter 180-111 WAC](#)) on the emergency waiver states that waived credits must be limited to the student’s classes that were impacted by disruptions, and that school district and LEA must prioritize student completion of coursework related to the student’s High School and Beyond Plan.

The waiver program permits districts to waive up to two core or flexible credits, if the student earns at least 20 credits and no more than one credit may be waived in the same core subject area. The waiver program also permits school districts to waive graduation pathway options. Graduation pathways include both course-based options and assessment-based options, as shown in Table 1.

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Table 1: shows the graduation pathway options for the class of 2022 final adjusted graduation cohort.

<b>Graduation Pathway</b>	<b>Course-based</b>	<b>Assessment Score Identified by SBE</b>	<b>Assessment Score in Statute</b>
Dual Credit Courses	Yes	n/a	n/a
AP/IB/Cambridge Courses	Yes	n/a	n/a
Transition Course	Yes	n/a	n/a
CTE Sequence*	Yes	n/a	n/a
State Assessment	n/a	Yes	n/a
SAT/ACT	n/a	Yes	n/a
ASVAB*	n/a	Yes	n/a
AP/IB/Cambridge Tests	n/a	n/a	Yes

\*CTE (Career and Technical Education) and ASVAB (Armed Services Vocational Aptitude Battery) are “stand-alone” pathways. In the other pathways, students must meet the standard in both English language arts and math; combinations of pathways may be used. Note: n/a means not applicable.

The graduation class of 2023 experienced some of the most severe obstructions to meeting the State Test graduation pathway in ELA and math. Students in the 2023 graduation cohort did not have the opportunity to meet the State Test graduation pathway until the fall of their junior year (Table 2).

Table 2: shows the COVID-related impacts to the class of 2023 opportunities to meet the State Test graduation pathway through the four years of high school.

<b>School Year</b>	<b>Grade Level</b>	<b>COVID Emergency</b>
2019-20	9	COVID-related school closure of school buildings, remote instruction, and no testing for 9 <sup>th</sup> graders.
2020-21	10	COVID-related school closure of some school buildings, remote instruction in places, spring 2021 statewide HS assessment postponed. 10 <sup>th</sup> graders did not have the opportunity to meet the State Test graduation pathway requirement.
2021-22	11	Post-pandemic. Current 11 <sup>th</sup> graders (10 <sup>th</sup> graders from the prior year) sit for the high school SBA for the first time in fall 2021. The 11 <sup>th</sup> graders not meeting standard retest in spring 2022.
2022-23	12	Post-pandemic. All schools are physically open and face-to-face instruction is the norm. In spring 2023, 12 <sup>th</sup> graders have another opportunity to meet the State Test graduation pathway requirement.

### **LIMITATIONS AND DATA ISSUES**

The final data file includes the records for 2,042 graduates with no pathways identified no GREW waivers reported, and no other appeals to account for the absence of meeting graduation pathways. For the purposes of this analysis these students are assumed to have met the pathway requirement. This issue occurs because the school district has evidence of a student

meeting the requirements of one or more graduation pathway and reports the student as a graduate, but the OSPI does not have the supporting evidence. For example, a student may have met the required score on the ACT out of state, transferred to a Washington school and into the adjusted cohort, and provided a paper copy of the ACT result to a counselor. In this scenario, the district has evidence of the student meeting the graduation pathway but the OSPI does not. This is but one of the possible scenarios resulting in missing information in the state-level data.

### **KEY FINDINGS**

This research brief is based on the final data files provided by the OSPI and reflects information only for students identified as high school graduates.

- Per the school districts reporting to the OSPI, 7,811 unduplicated students (11.0 percent of the 2023 high school graduates) were granted a credit waver and/or a graduation pathway waiver.
- 252 school districts and LEAs applied and were approved to grant waivers for certain graduation requirements for the graduation class of 2023, which consisted of 85,306 students. However, only 159 school districts and LEAs granted GREW waivers.
- A total 8,451 total courses were waived for 4,988 students, 7.0 percent of the high school graduates. English language arts (ELA) and Social Sciences/History courses/credits were the most commonly waived courses (41.4 percent of all credit and courses waived).
- School districts and local educational agencies reported to the OSPI that 4,333 students (6.1 percent of the high school graduates) were granted the ability to waive one or more graduation pathway requirements through the GREW program.
- Students identifying as Native American or Alaskan, Black African American, Hispanic, or Hawaiian or Pacific Islander were granted credit/course waivers and/or graduation pathway waivers at rates higher than the state rate.

### **Emergency Waiver Usage by School Districts**

For the graduation class of 2023, 276 school districts and LEAs granted high school diplomas. Of those, 252 school districts and LEAs applied and were approved to grant waivers for certain graduation requirements for the class of 2023. However, only 159 school districts and LEAs actually granted one or more GREW waivers (Table 3).

Table 3: summary of the number of districts or LEAs granting waivers under the GREW program.

<b>Measure</b>	<b>Number of School Districts and LEAs</b>
Districts or LEAs granting high school diplomas	276
Districts or LEAs approved to grant waivers under GREW	252
Districts or LEAs reporting credit/course waivers in the student file from the OSPI	131
Districts or LEAs reporting pathway waivers in the student file from the OSPI	105
Districts or LEAs reporting any GREW waiver in the student file from the OSPI	159

### **CREDIT OR COURSE WAIVERS GRANTED BY SCHOOL DISTRICTS AND LEAS**

This analysis is based on high school graduates identified in the final graduation file for the class of 2023 adjusted cohort. Of the 85,306 students in the adjusted cohort, 71,329 are identified as graduates. School districts and LEAs reported to the OSPI that 8,451 courses were waived for 4,988 students from 131 school districts and LEAs through the GREW program (Table 4).

Most school districts award credits and report course completion on transcripts for each semester. A typical waived course represents one semester of a yearlong course (or a one-semester course) for one-half credit. Of the nearly 5,000 graduates using a GREW credit/course waiver, an average of 1.9 courses were waived for an average of 0.96 credits. In other words, the average recipient waived two courses at one-half credit each.

School districts and LEAs used GREW authority to different degrees, school districts and LEAs granted credit or course waivers for up to 274 students, while other school districts and LEAs granted few or no credit/course waivers. Statewide, school districts and LEAs waived one or more credit requirements for approximately 7.0 percent of high school graduates in the final adjusted graduation cohort. ELA and Social Studies/History courses were the most commonly waived courses, while courses attributed to the Arts, PE/Health, and World Languages content areas were less frequently waived for students (Table 4).

Table 4: shows the total number and percentage of courses waived for high school graduates by content area.

<b>Content Area</b>	<b>Number of Courses Waived</b>	<b>Percentage of Total Courses Waived</b>
English Language Arts	1,712	20.3
Math	1,263	14.9
Science	1,030	12.2
Social Studies and History	1,781	21.1
PE and Health	695	8.2
Arts	544	6.4
World Languages	144	1.7
Other Courses*	1,282	15.2
Total	8,451	100

\*Note: this includes courses identified as "Miscellaneous" in the OSPI file and other courses mostly falling into the broad group of career tech (e.g. construction, human services, business, others, and "missing").

### **GRADUATION PATHWAY WAIVERS GRANTED BY SCHOOL DISTRICTS AND LEAS**

Per the OSPI data files, 105 school districts and LEAs granted 4,333 students a waiver of graduation pathway requirements. Approximately 6.1 percent of the graduates comprising the final adjusted graduation cohort were granted a pathway waiver. Like the credit waiver usage, the district-level percentage of waiver grantees range from not being used to more than one-half of the students in the district graduation cohort using the graduation pathway waiver.

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## **DEMOGRAPHICS OF WAIVER RECIPIENTS**

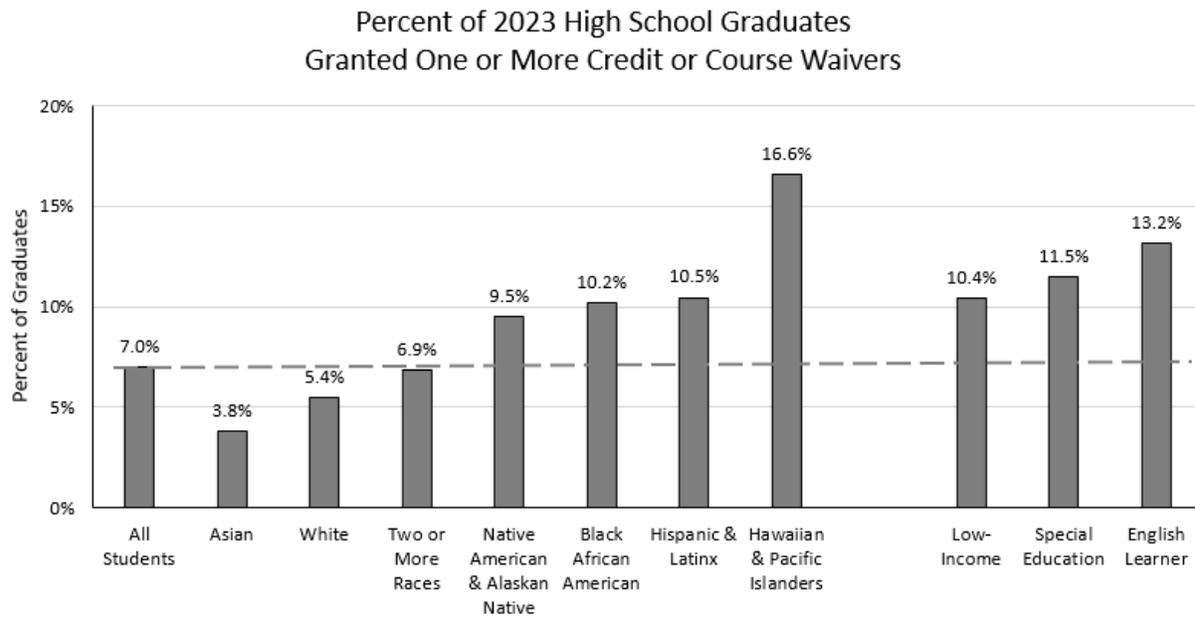
Well before the COVID-19 pandemic, many students of color, students from low-income households, and students participating in other federal programs experienced and continue to experience disparities in educational opportunity, which contribute to disparate educational outcomes. Students of color and other systemically marginalized student groups were more likely to lose a parent or caregiver to COVID than White students and more likely to have experienced a significant loss of income and resources than White students throughout the pandemic. Students of color also were more likely to face challenges connecting to remote learning. The data reviewed in this report suggest that the pre-existing disparities in educational opportunity widened for students of color.

The enabling legislation for the waiver program (EHB 1121) notes the purpose of the waiver program is to “prevent students from being unduly impacted by unforeseen disruptions to coursework and assessments that are beyond the student's control.” Given that students of color were disproportionately impacted by the disruptions associated with the ongoing pandemic and based on previous analyses of waiver use, we expect to see students of color disproportionately represented among waiver recipients.

After considering the longstanding pre-pandemic disparate educational opportunity and the additional pandemic-related impacts to students of color, we do not find it inconsistent that students identifying as Native American or Alaskan, Black African American, Hispanic, or Hawaiian or Pacific Islander accessed the GREW program at a rate higher than the groups’ representation in the graduation cohort. Disparate use of GREW credit/course waivers is evident in Figure 1.

- High school graduates identifying as Native American or Alaskan, Black African American, Hispanic, or Hawaiian or Pacific Islander were granted credit/course waivers at rates higher than the state rate of 7.0 percent for graduates.
  - Graduates identifying as Asian, White, or Two or More races were granted credit/course waivers at rates below or similar to the state rate.
  - Graduates from low-income households, or those receiving special education services or in bilingual education were granted credit/course waivers at a higher rate than the state rate of 7.0 percent.
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Figure 1 shows the granting of credit/course waivers by race, ethnicity, and program participation for the 2023 graduates.

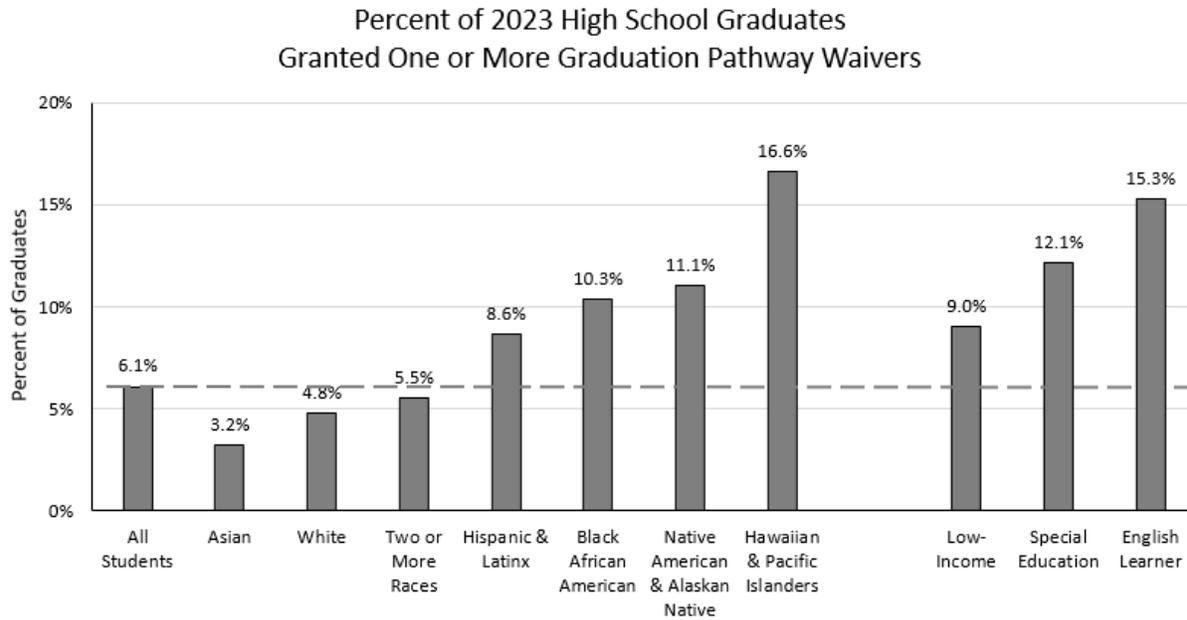


Note: the dashed line represents the All Graduates rate of 7.0 percent granted one or more credit/course waivers.

Disparate use of GREW pathway waivers is evident in Figure 2.

- Students identifying as Native American or Alaskan, Black African American, Hispanic, or Hawaiian or Pacific Islander were granted graduation pathway waivers at rates higher than the state rate of 6.1 percent.
- Students identifying as Asian, White, or Two or More races were granted graduation pathway waivers at rates below the state rate for graduates.
- High school graduates from low-income households or those receiving special education services or in bilingual education were granted graduation pathway waivers at a higher rate than the state average 6.1 percent.

Figure 2: shows the granting of graduation pathway waivers by race, ethnicity, and program participation.



Note: the dashed line represents the All Graduates rate of 6.1 percent granted one or more graduation pathway waivers.

Figure 3 and Table 5 show more disparate use for the GREW waiver program and shows which waivers were the most commonly granted.

- By a large margin, it was most common for students to have been granted one waiver type, a credit/course waiver or a graduation pathway waiver. It was far less common for a student to be granted both a credit/course waiver or a graduation pathway waiver.
- Approximately 13 to 15 percent of the Native American or Alaskan Natives and Hispanic students in the graduation cohort were granted one or more GREW waivers, which was higher than the rate for the All Students group.
- Approximately 17 to 18 percent of the Black African American and Hawaiian or Pacific Islander students in the graduation cohort were granted one or more GREW waivers, which was much higher than the rate for the All Students group.
- Students identifying as Asian or White were granted GREW waivers at rates (7.5 and 9.0 percent respectively) lower than the all Students group.
- Students identifying with Two or More Races were granted GREW waivers at a rate (11.9 percent) which is similar to the all Students group.
- Students identified for the Free and Reduced Price Lunch Program (low-income), receiving special education services, or in bilingual education programs (English learners) were granted GREW waivers at rates (approximately 15 to 16 percent) higher than the rate for the All Students group.

Figure 3: shows the percentage of graduates using the credit waiver, pathway waiver, and a credit and pathway waiver in combination by student group.

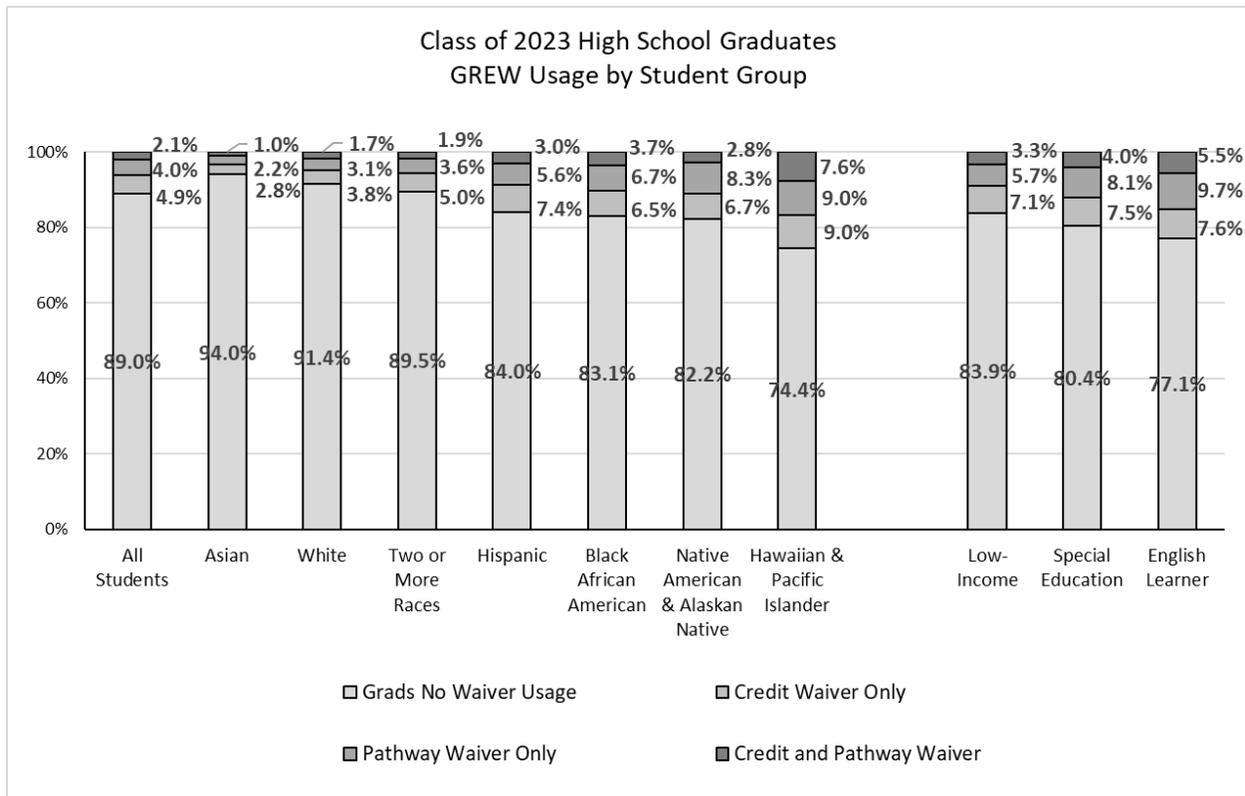


Table 5: shows the unduplicated number and percentage of graduates using the credit waiver only, pathway waiver only, and a credit and pathway waiver in combination.

Student Group	Number and (Percent) of Credit Waiver-Only Grantees	Number and (Percent) of Pathway Waiver-Only Grantees	Number and (Percent) of Credit and Pathway Waiver Grantees	Unduplicated Number and Percent of Graduates with a GREW Waiver
Native American/Alaskan	51 (6.7%)	63 (8.3%)	21 (2.8%)	135 (17.8%)
Asian	191 (2.8%)	148 (2.2%)	67 (1.0%)	406 (6.0%)
Black/African American	214 (6.5%)	219 (6.7%)	120 (3.7%)	553 (16.9%)
Hispanic	1,259 (7.4%)	949 (5.6%)	514 (3.0%)	2,722 (16.0%)
Hawaiian/Other Pacific Isl.	80 (9.0%)	80 (9.0%)	68 (7.6%)	194 (25.6%)
White	1,405 (3.8%)	1,162 (3.1%)	617 (1.7%)	3,184 (8.6%)
Two or More Races	278 (5.0%)	202 (3.6%)	103 (1.9%)	583 (10.5%)

<b>Student Group</b>	<b>Number and (Percent) of Credit Waiver-Only Grantees</b>	<b>Number and (Percent) of Pathway Waiver-Only Grantees</b>	<b>Number and (Percent) of Credit and Pathway Waiver Grantees</b>	<b>Unduplicated Number and Percent of Graduates with a GREW Waiver</b>
Low-Income	2,475 (7.1%)	1,977 (5.7%)	1,138 (3.3%)	5,590 (16.1%)
Special Education	551 (7.5%)	597 (8.1%)	291 (4.0%)	1,521 (19.6%)
English Learner	506 (7.6%)	647 (9.7%)	368 (5.5%)	1,616 (22.9%)
<b>All Graduates</b>	<b>3,478 (4.9%)</b>	<b>2,823 (4.0%)</b>	<b>1,510 (2.1%)</b>	<b>7,811 (11.0%)</b>

**Closing Summary for the Class of 2023**

It is virtually impossible to attribute the greater use of GREW by students identifying as Native American or Alaskan, Black African American, Hispanic, or Hawaiian or Pacific Islander to any single factor or condition. Rather, it is most logical to attribute the greater use of GREW by Native American or Alaskan, Black African American, Hispanic, or Hawaiian or Pacific Islander to the combination of pre-pandemic disparate educational opportunity and the additional pandemic-related impacts. The greater waiver usage by Native American or Alaskan, Black African American, Hispanic, or Hawaiian or Pacific Islander is, more than likely, a reflection of an inequitable educational system and disparate impacts resulting from the COVID pandemic rather than inequitable program administration.

**A Look Ahead to Class of 2024**

The current rules grant district authority to use the waiver for the class of 2024. For the class of 2024, districts will be able to waive one core or flexible credit for students who complete at least 21 total credits and the pathway waiver is not available. The SBE is currently considering rules that would allow for waiver of the pathway requirement, provided the student did not also receive a waiver for a credit in the same subject matter. The Board will consider final rules in April 2024. To inform that discussion the following table summarizes the relationship between course and pathway waivers. As noted, the state reporting does not capture subject area for the pathway waivers, but course information is available and may be informative in the Board’s discussion:

Table 6: summarizes the GREW waiver usage by content area.

<b>Content Area</b>	<b>Number of Graduates Receiving a Credit/Course Waiver</b>	<b>Number of Graduates who also Received a Pathway Waiver</b>
Any Content	4,988	1,510
English Language Arts	1,712	509
Math	1,263	471
Science	1,030	347
Social Studies and History	1,781	491
PE and Health	695	262
Arts	544	167
World Languages	144	43
Other Courses*	1,282	436
Course/Credit Waiver Only	3,478	0
Pathway Waiver Only	0	2,823

\*Note: this includes courses identified as "Miscellaneous" in the state file and other courses mostly falling into the broad group of career tech (e.g. construction, human services, business, others, and "missing").

- 89 percent of the high school graduates met credit/course and pathway graduation requirements without a GREW waiver.
- Of the 4,333 graduates granted one or more pathway waivers, only one of every three (35 percent) also needed a credit/course waiver to graduate.
  - Of the 1,712 students who received an ELA course waiver, 509 also received a pathway waiver.
  - Of the 1,263 students who received a math course waiver, 471 also received a pathway waiver.
- Of the 4,988 graduates granted one or more credit/course waivers, only one of every three (30 percent) also needed a pathway waiver to graduate.