



# Emergency Waiver of Graduation Requirements

## 2021 Legislative Request

### Problem

The COVID-19 public health crisis has jeopardized some high school seniors' ability to complete graduation requirements. School building closures and the abrupt transition to remote learning disrupted testing options, coursework, and other credit-earning opportunities. Last school year, thousands of high school seniors who were otherwise on track would not have been able to graduate without a waiver. This includes nearly 3,000 seniors who were granted an emergency credit waiver and almost 9,000 seniors who used the Expedited Assessment Appeal to waive the graduation pathway requirement. Use of the appeal more than tripled over the previous school year. These waivers are no longer available. The emergency credit waiver was established through legislative action ([EHB 2965](#)) at the end of the 2020 session, and the emergency authority expired July 31, 2020. Likewise, the Expedited Assessment Appeal waiver expired with the Class of 2020.

We expect less reliance on waivers this school year given improvements to continuous learning, but the ongoing public health crisis continues to create obstacles for students to graduate. We expect continued impacts on testing and credit-earning opportunities. **Without an emergency provision in the graduation requirements, the state cannot effectively address the ongoing impact of COVID-19 or future emergencies on students' ability to complete graduation requirements.**

### Solution

Emergency legislation is required to give the State Board of Education authority to establish an emergency waiver program that would allow school districts and private schools to waive certain graduation requirements when necessary given significant disruption caused by a local, state, or national emergency. The emergency waiver is intended for use as a last resort when a student, who has otherwise demonstrated they are ready for their postsecondary plans, is unable to complete the graduation requirement despite the district's good faith effort to help the student. **The bill would allow for waiver of credit graduation requirements (RCW 28A.230.090) and/or the graduation pathway requirement (RCW 28A.655.250) on an individual student basis.**

**"[T]he impact of losing these multiple pathway options could very well stand in the way of allowing many of our seniors to graduate on time...With so much unknown that students, families, and staff are still grappling with, it would be a great relief to know that students in the class of 2021 will have options and flexibility this spring, should it be necessary."**

**– High School Counselors,  
Lake Washington School District**

**"I'm a junior this year, and my entire future is up in the air. It is incredibly stressful knowing that my schedule has changed so much switching to remote learning that some of the classes I need to take to graduate were unavailable this year. COVID has created so many challenges for students this year, and upperclassmen, in particular, are facing unique struggles that are going to require unique solutions."**

**– Student,  
Cashmere School District**

**"This is a situation that needs to be addressed right away – it is an almost impossible situation for both students and schools. It is urgent and requires attention so we can alleviate the stress this is having on our students and families in an already difficult time."**

**– High School Counselor,  
Edmonds School District**

## How would the emergency waiver program work?

School districts would apply to the State Board of Education for the authority to grant waivers in response to an emergency. Once approved, the school district would have limited authority to waive certain graduation requirements on an individual student basis. The district's authority would be limited to the particular emergency. The school district and student would have to meet certain requirements and criteria set in statute (see below). In addition, the State Board of Education may establish an application and approval process, eligibility criteria, limitations on what may be waived, and communication expectations.

### Students would:

- **Have been unable to complete the requirement due to a significant disruption resulting from an emergency**
- **Be reasonably expected to graduate from high school in the year the waiver is granted**
- **Have demonstrated skills and knowledge indicating their preparation for success after high school**



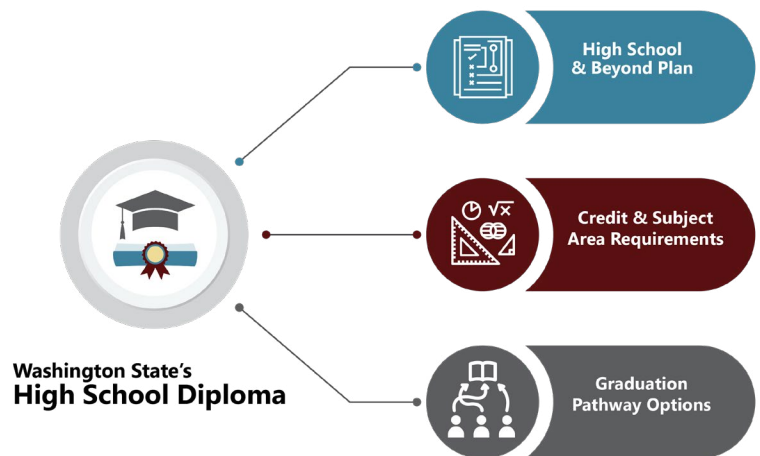
### School districts must:

- **First make a good faith effort to help the student meet the requirement**
- **Note waived credits on the student's transcript and report waiver data to the Office of the Superintendent of Public Instruction**
- **Establish a process for students to request, decline, or appeal a waiver decision**
- **Monitor which students are receiving waivers and ensure equity in administration**



## Background on graduation requirements

Recent legislation (2019 E2SHB 1599) established multiple graduation pathway options. Beginning with the Class of 2020, a student must complete a graduation pathway, in addition to the High School and Beyond Plan and credit and subject area requirements, in order to earn a high school diploma. With the introduction of new requirements, some previous flexibilities were phased out.



## Why not just extend the Expedited Assessment Appeal?

The Expedited Assessment Appeal waiver was designed as an appeal of the assessment requirement for earning the Certificate of Academic Achievement. The graduation pathway requirement replaced the Certificate of Academic Achievement beginning with the Class of 2020. The appeal was kept for one year to help the transition to new requirements. It was used as a "de facto" waiver of the graduation pathway requirement for students in the Class of 2020. But neither the process nor the purpose of that appeal is consistent with the pathway framework, and the appeal is no longer an option. We are requesting the authority to create a new waiver program that is specifically intended to address the graduation pathway and credit requirements under rare emergency circumstances.