



26920 Pioneer Highway, Stanwood, WA 98292-9548
www.stanwood.wednet.edu

MEMORANDUM

TO: Board of Directors
DATE: April 8, 2021
FROM: Lloy Schaaf, Ed.D.
RE: Emergency Waiver for High School Graduation Credits
TYPE: Action Item

Attached, please find the resolution approving an emergency waiver of high school graduation credits. This waiver will allow students who were on track to graduate prior to the pandemic to have flexibility in some of the credits they need to have for high school graduation. Last year a similar resolution was signed by the board. Once this resolution is approved, we will be able to submit our application to the State School Board.

The rules supporting this waiver are also attached for your review

Recommendation: That the Board approve Resolution 2020/21-004 Emergency Waiver of High School Graduation Credits.

/th

**STANWOOD-CAMANO SCHOOL DISTRICT NO. 401
SNOHOMISH AND ISLAND COUNTIES, WASHINGTON
RESOLUTION 2020/2021-004
EMERGENCY WAIVER OF HIGH SCHOOL GRADUATION CREDITS**

WHEREAS, Chapter 28A.320 RCW authorizes local school boards to govern their respective districts, including adopting, revising, and suspending local board policies;

WHEREAS, Chapter 28A.230.090 authorizes the State Board of Education to set graduation requirements and authorizes local districts to decide whether a student has met the graduation requirements.

WHEREAS the Stanwood-Camano School Board/Public Schools (“Board”) has adopted Policy 2410 – High School Graduation Requirements], which establishes that the board will establish graduation requirements that at a minimum satisfy those established by the State Board of Education.

WHEREAS, the Board has adopted and, as appropriate, implemented Policy 2418 – Waiver of High School Graduation Credits, which authorizes the Superintendent or designee to grant waivers of a maximum of two elective credits required for high school graduation based on an individual student’s circumstances.

WHEREAS, sections 2 through 3, chapter 7, Laws of 2021 (EHB 1121) authorized the State Board of Education to administer a new and ongoing emergency waiver program, which program is separate from and in addition to the waiver of two elective credits addressed in Policy 2418 – Waiver of High School Credits]. The purpose of the emergency waiver program is to provide an equitable mechanism that prevents students from being unduly impacted by unforeseen disruptions to coursework and assessments resulting from an emergency as defined in RCW 38.52.010 or as declared by an authorized federal official. The State Board of Education has adopted emergency rules that respond to the gubernatorial declaration of emergency of February 29, 2020 and apply to the Classes of 2020 and 2021 in the 2020-2021 school year. The emergency rules allow the district to seek waivers for both subject area credit and pathway graduation requirements for eligible students on an individual student basis after the district completes all the emergency waiver program requirements.

WHEREAS, the Board wishes to ensure that the district comply with Chapter 180-111 WAC, which constitutes the State Board of Education’s emergency waiver program, so that any district students who would be eligible for a waiver of credits or the graduation pathway or both under the emergency waiver program may thereby benefit.

NOW, THEREFORE BE IT RESOLVED, that the Stanwood-Camano School Board/Public Schools hereby authorizes/has authorized the Superintendent or designee to implement an emergency waiver program consistent with WAC 180-111 as the Superintendent or designee determines appropriate. The district will demonstrate a good faith effort, as defined in WAC 180-111-020, to help individual students meet credit-based and pathway graduation requirements through other options before considering the emergency waiver. The district will consult with the individual student, and make a reasonable effort to consult with a parent or guardian of the student, and will make a reasonable effort to provide information about this waiver in the preferred languages of the student, and of the parent or guardian of the student if applicable. This information includes what is being waived for the individual student, potential benefits and limitations that could result from receiving the waiver, including impacts on postsecondary plans, the option for the individual student to decline the waiver and for the student to be provided with the

opportunity to earn the credits needed to complete graduation requirements through continued enrollment beyond the planned graduation date. The district will grant emergency waivers to eligible students who desire the waiver and have demonstrated postsecondary preparation, as defined in WAC 180-111-020. The district will maintain a record of courses and requirements waived as part of the individual student record and will report to the State Board of Education as specified in WAC 180-111-040(4).

BE IT FURTHER RESOLVED that the district will ensure equity in administering the emergency waiver. The district’s plan will include culturally responsive ways, based on the district’s local community, to communicate with students and families about the waiver and the process to request, appeal, or decline the waiver. The district’s plan will also include a process for further review and recommendations by a panel under WAC 180-111-040(1) after an initial decision was made to decline an individual student’s waiver. The district will review disaggregated waiver data and take appropriate actions to ensure equitable administration if disproportionality is found, including supports under WAC 180-111-020(4) to help students meet requirements before the conclusion of the school year.

BE IT FURTHER RESOLVED that execution of this Resolution is conclusive evidence of the Board’s approval of this action and of the authority granted herein. The Board warrants that it has, and at the time of this action had, full power and lawful authority to adopt this instrument. This resolution pertains to the 2020-2021 school year and expires on August 31, 2021, which is the last day the district may seek emergency waiver for the 2020-2021 school year under Chapter 180-111 WAC.

Adopted and approved this _____ day of _____.

**STANWOOD-CAMANO SCHOOL DISTRICT NO. 401
SNOHOMISH AND ISLAND COUNTIES,
WASHINGTON**

President and Director

Vice President and Director

Director

Director

Director

ATTEST:

Jean Shumate, E.D., Superintendent and
Secretary to the Board of Directors

State Board of Education Adopts Emergency Rules on Emergency Waiver Program

1 message

Washington State Board of Education <alissa.muller@k12.wa.us>

Thu, Mar 11, 2021 at 4:18 PM

Reply-To: alissa.muller@k12.wa.us

To: lschaaf@stanwood.wednet.edu



The Washington State BOARD OF EDUCATION

State Board of Education Adopts Emergency Waiver Program, Allowing Waiver of Certain High School Graduation Requirements For the Class of 2021 Due to COVID-19

Emergency rules were adopted Thursday, March 11 that allow flexibility and local approval for the waiver of certain high school graduation requirements due to the COVID-19 pandemic.

At its March 11 meeting, the State Board of Education (SBE) adopted emergency rules that allow school districts to waive certain graduation requirements for individual students due to the impacts of the COVID-19 pandemic. These emergency rules apply immediately to the graduating Class of 2021.

The State Legislature recently approved a law (EHB 1121) that provides SBE the authority to create an Emergency Waiver Program for high school graduation. After a school district has tried all appropriate options to help a student meet credit and pathway graduation requirements, and determined that the student has shown preparation for success after high school, a school district may grant an individual student a waiver of some of those requirements.

"Talking to my peers, I know that students have been through so much this past year," said Margarita Amezcua, SBE Western Washington Student Representative. "We students have developed resiliency and grit that will uniquely prepare us for the future. It is a relief to know the state has taken action to help support us in moving on to our next steps."

Districts must work with students individually, give guidance on options to the student, consult with the family if possible, and then decide jointly with the student whether a waiver is right for that student. Use of the waiver must be documented in the student's records, including how the student demonstrated preparation for plans after high school.

"Many of our state's high school students, especially in the Class of 2021, are impacted by the ongoing COVID-19 pandemic for reasons beyond their control," said State Board of Education Chair, Peter Maier. "The new state law and the emergency rules allow local school districts to address these impacts on an individual student basis and to help students stay on-track for their postsecondary plans. The waiver program is an extra tool school districts can use to help, tailored to what is best for each individual student."

The emergency rules require school districts to collect and review data on the use of waivers and take appropriate steps to address any inequities. This data will be reported to the Office of Superintendent of Public Instruction and the State Board of Education.

School districts may apply online to the SBE for the Emergency Waiver Program beginning in late March.

Chapter 180-111 WAC

EMERGENCY WAIVER OF CERTAIN GRADUATION REQUIREMENTS

WAC 180-111-010 Authority and purpose.

(1) The purpose of this chapter is to establish an emergency waiver program to allow school districts as defined in WAC 180-111-020, and private schools, to waive certain graduation requirements on an individual student basis and emergency waiver of certain requirements for private schools in WAC 180-111-060. The intent is to help prevent students from being unduly impacted by unforeseen disruptions to coursework and assessments resulting from an "emergency or disaster" as defined in RCW 38.52.010. "Emergency" may also include a national declaration of emergency by an authorized federal official.

(2) These emergency rules are for the novel coronavirus emergency, in response to the gubernatorial declaration of emergency on February 29, 2020. They apply to the Classes of 2020 and 2021 in the 2020-2021 school year.

WAC 180-111-020 Definitions. The definitions in this section apply throughout this chapter.

(1) "Demonstrated postsecondary preparation" means the student has demonstrated skills and knowledge indicating preparation for the next steps identified in their high school and beyond plan under RCW 28A.230.090 and for success in postsecondary education, gainful employment, and civic engagement.

(a) The school district shall review the individual student's completed and planned coursework and other information applicable to the individual student and determine if the student has demonstrated postsecondary preparation.

(b) This individual student review may include, but is not limited to, whether the following considerations apply to that student:

(i) The student has completed a graduation pathway option in accordance with RCW 28A.655.250 and WAC 180-51-230.

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(ii) The student has completed activities consistent with the criteria for "Career Prep" or has participated in an approved "Career Launch" program through Career Connect Washington.

(iii) The student has completed a preparatory career and technical education course or a course that meets the preparatory standards as defined in RCW 28A.700.030.

(iv) The student has developed and practiced leadership and employability skills through a job, volunteer position, or a Career and Technical Student Organization that would enable them to advance in their chosen career field and has obtained external validation from an employer, tribal elder, CTE business or industry advisory committee member, or other community member that can attest to the student's preparation for their next steps.

(v) The student is a participant in a recognized apprenticeship preparation program or registered apprenticeship program or has signed an apprenticeship agreement with an employer.

(vi) The student has earned college credit in a core subject area.

(vii) The student has earned an industry recognized credential.

(viii) The student has completed minimum college admission standards for four-year institutions of higher education, in accordance with RCW 28B.77.020(7)(a).

(ix) The student placed into a college-level math or English course at an institution of higher education.

(x) The student completed a summer bridge program or a senior transition course (Bridge to College).

(xi) The student has completed an option permissive under RCW 28A.655.065(5)(c)(i), including:

(A) a college-level class in the relevant subject area;

(B) admission to a higher education institution or career preparation program;

(C) award of a scholarship for higher education; or

(D) enlistment in a branch of the military.

(2) "Eligible student" means:

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(a) The student was reasonably expected to graduate in the school year when the emergency waiver is being considered;

(b) The student has demonstrated postsecondary preparation as defined in (1) of this subsection; and

(c) The student experienced a significant disruption to their ability to complete graduation requirements due to the emergency, which could include, but is not limited to: inability for the student to access the school building or other education facility due to closure or, if online learning is a part of the school program, the student did not have a reliable internet connection or sufficient technology within their household, had to support their family by working during the emergency, had to care for family members during the emergency, illness of the student or student's household member, or other circumstances that directly compromised the student's ability to complete the credit requirements or a graduation pathway option.

(3) "Emergency" means the same as the definition for "emergency or disaster" in RCW 38.52.010. "Emergency" may also include a national declaration of emergency by an authorized federal official.

(4) "Good faith effort" means the school district considered and implemented options, determined appropriate by the school district, to support each individual student in meeting credit and pathway requirements.

(a) For each student who is being considered for the emergency waiver, school districts shall provide individual student advising to help each student determine: what supports they need to be successful; how they might meet the graduation requirements, including the feasibility of summer or a partial or full additional year of high school enrollment; and whether the emergency waiver is appropriate for the individual student.

(b) Options for supporting students to meet credit and course-based graduation pathway requirements include, but are not limited to:

(i) Provision of additional academic supports to aid student completion.

(ii) Awarding credits based on the student's demonstrated proficiency/mastery of the state's learning standards under WAC 180-

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51-050, 180-51-051, and 392-410-300, including credits, grades, and courses transcribed on the high school transcript.

(iii) Awarding credit through expanded learning opportunities, dual credit programs, work-based learning (WAC 392-410-315), traditional online, summer learning, CTE course equivalencies, and other local credit options for awarding credit outside of school.

(b) Options for supporting students to meet the exam-based graduation pathway requirement include, but are not limited to: efforts to ensure students are aware of, and can access, online or by other alternative access options, the SAT, ACT, ASVAB, AP, IB, Cambridge International, and state assessments (if applicable). School districts are encouraged to reduce or eliminate any cost to students in using these options.

(5) "Reasonably expected to graduate" means the individual student's earned credits and current or planned enrollment would have been sufficient, as determined by the school district, for the student to meet the applicable state minimum graduation requirements (as defined in WAC 180-51-056, 180-51-067, 180-51-068, and 180-51-210) by the end of the school year when the emergency waiver is granted if not for the impact of the novel coronavirus disruption.

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

WAC 180-111-030 Application and approval process for public school districts.

(1) The state board of education will make an application available to school districts seeking the emergency waiver of certain graduation requirements for the novel coronavirus emergency. A school district may apply to the state board of education for the authority to waive pathway and credit-based graduation requirements for individual students. The state board of education will accept

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applications through a deadline to be determined by the state board of education.

(2) To be granted the waiver authority, the school district must certify it will administer the waiver in accordance with program rules as stated in this chapter.

(3) The application must be certified by the school district superintendent or equivalent personnel with authority to sign on behalf of the school district.

(4) The state board of education may approve applications that meet the criteria stated in subsections (2) and (3) of this section. The board may delegate this authority to its executive director for efficiency per RCW 28A.305.130(7).

(5) The state board of education will promptly post on its public website a list of all approved applications.

WAC 180-111-040 School District Implementation of the Emergency Waiver of Certain Graduation Requirements.

(1) Before granting any emergency waivers, the school district board or equivalent governing body shall adopt by resolution a plan that describes the school district's process for granting and declining emergency waivers for students. The plan must include:

(a) a process for school district staff to initiate a waiver and a process for students to request a waiver if not initiated by the district;

(b) a school district process if an initial decision is made to decline a waiver for an individual student, for further review and recommendations by a panel with at least one counselor and educators with expertise in trauma-informed instruction and culturally responsive education, and if appropriate, special education, instruction for multilingual/English Language Learners, and a migrant graduation specialist or migrant student advocate;

(c) a process for students to appeal within the school district a decision to not grant an emergency waiver; and

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(d) culturally responsive ways, based on the school district's local community, to communicate with students and families about the waiver and the process to request, appeal, or decline the waiver.

(2) Beginning from the date of approval of its waiver, in accordance with WAC 180-111-030, through August 31, 2021, a school district may waive subject area credit and pathway graduation requirements stated in WAC 180-111-050 for eligible students on an individual student basis after completing all of the following requirements:

(a) Before use of this waiver for graduation credit requirements, school districts shall consider using their existing authority to waive credits through the following ways:

(i) Local graduation requirements under WAC 180-51-020 may be waived at local discretion without approval of the state board of education.

(ii) Two-credit waiver of flexible credits may be granted for individual student circumstances, in accordance with WAC 180-51-068(13) and WAC 180-51-210(2).

(iii) Students may be excused from physical education in accordance with the applicable requirements in 180-51-067(6), 180-51-068(6), and 180-51-210(4)(f).

(iv) The noncredit requirement of Washington state history may be waived in accordance with WAC 180-51-067 (4)(b), 180-51-068 (4)(b)(i) and (ii), and 180-51-210 (4)(d)(iv)(A) and (B).

(b) The school district shall review the individual student's completed and planned coursework and determine that the student was reasonably expected to graduate as defined in WAC 180-111-020 and that the student has demonstrated postsecondary preparation as defined in WAC 180-111-020.

(c) The school district shall demonstrate a good faith effort, as defined in WAC 180-111-020, to help the individual student complete coursework, address credit deficiencies, and meet core course and graduation pathway option requirements through other options that align with their High School and Beyond Plan. The school district

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shall document the steps taken to demonstrate this good faith effort in the individual student record.

(d) The school district shall consult with the individual student, and make a reasonable effort to consult with a parent or guardian of the student, and shall make a reasonable effort to provide information about this waiver in the preferred languages of the student, and of the parent or guardian of the student if applicable. The information must include, but is not limited to:

(i) In the consideration of whether waiver(s) are appropriate for an individual student, and if so what waiver(s), the school district shall advise the student to waive only those credit(s) that are least applicable to the student's postsecondary plans as articulated in the student's high school and beyond plan;

(ii) The potential benefits and limitations that could result from receiving the waiver including impacts on postsecondary plans and, if applicable to their high school and beyond plan, the recommendation to contact the student's intended postsecondary institutions or apprenticeship provider regarding potential impacts; and

(iii) The option for the individual student to decline the waiver and for the student to be provided with the opportunity to earn the credits needed or meet their intended pathway option to complete graduation requirements which may include continued enrollment beyond the planned graduation date.

(3) The school district shall ensure equity in administering the emergency waiver. The school district shall disaggregate waiver data by student subgroups as referenced in RCW 28A.300.042(3) and shall conduct further disaggregation of subgroups if data are available to do so. If disproportionality is found, the school district shall take appropriate actions to ensure equitable administration. This consideration must further be designed to identify and mitigate potential disparate impacts of the emergency waiver and to determine if any changes to the school district's approach in administering the emergency waiver, including supports under WAC 180-111-020(4) to help

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students meet the requirements, are needed before the conclusion of the school year.

(4) The school district shall:

(i) Maintain a record of the following in the individual student record: actions taken under the good faith effort to help the student meet the graduation requirements, courses (including the term and amount of credit) and requirements waived, and how the student demonstrated postsecondary preparation;

(ii) Include a notation of waived credits and graduation pathway on the student's high school transcript in accordance with RCW 28A.230.125;

(iii) Keep a record of the number of waivers requested and not granted;

(iv) Report on administration of the emergency waiver to the state board of education in a manner determined by the state board of education; and

(v) Report student level emergency waiver data to the office of superintendent of public instruction in a manner determined by the superintendent of public instruction in consultation with the state board of education.

WAC 180-111-050 Emergency waiver of certain requirements in response to novel coronavirus.

(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. Beginning in the 2020-2021 school year, school districts may waive credits for eligible students in the Classes of 2020 and 2021:

(a) In addition to existing waiver authorities as described in WAC 180-111-040(2)(a), school districts may waive up to two additional credits under this emergency waiver, provided that students graduate with no fewer than a total of 20 credits.

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(b) The emergency waiver in (a) may be applied to core credits or flexible credits as defined in WAC 180-51-210, provided that no more than one credit in each core subject area is waived.

(2) A student's graduation pathway requirement may be waived for eligible students in the Classes of 2020 and 2021 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.

(3) This 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.

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

WAC 180-111-060 Emergency waiver of certain requirements in response to novel coronavirus for private schools.

(1) This section applies to private schools approved to operate in Washington for the 2020-21 school year under chapter 180-90 WAC.

(2) Private schools may waive credit-based graduation requirements for individual students who have demonstrated postsecondary preparation as defined in WAC 180-111-020, in a manner consistent with the provisions of WAC 180-111-040 and WAC 180-111-050. Private schools are exempted from the reporting requirements listed in WAC 180-111-040(4)(iv).

(3) Private schools that have implemented an online education program consistent with the provisions of RCW 28A.195.090 will be considered to have met the instructional hour requirements. Private schools have discretion to determine whether the curriculum has been adequately satisfied.

(4) For the 2020-2021 school year, the State Board of Education will maintain a private school's status as an approved private school if, due to a significant disruption caused by the novel coronavirus, the school is unable to fulfill the requirements of RCW 28A.195.010 of

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a full school year of one hundred eighty days or are unable to fulfill the annual average total instructional hours requirements.

(5) Each private school shall notify the state board of education in a format provided by the board whether the private school is waiving requirements under this section.