



SCHOOL BOARD ACTION REPORT

DATE: March 19, 2021
FROM: Denise Juneau, Superintendent
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For Introduction: April 7, 2021
For Action: April 21, 2021

1. TITLE

Adoption of School Board Resolution No. 2020/21-24, Emergency Waiver of High School Graduation Requirements

2. PURPOSE

This Board Action Report would adopt a resolution to authorize emergency waivers of state graduation requirements for seniors in the Class of 2021 (and seniors in the Class of 2020 who did not graduate last year). House Bill 1121 permits school districts to waive certain graduation requirements for individual students once the school district's application has been approved by the State Board of Education and the local school board has adopted a resolution authorizing use of the waivers.

3. RECOMMENDED MOTION

I move that the School Board adopt School Board Resolution No. 2020/21-24, Emergency Waiver of High School Graduation Requirements, as attached to the Board Action Report.

4. BACKGROUND INFORMATION

- a. **Background:** House Bill 1121, which authorizes districts to waive graduation requirements on an emergency basis, was passed by the legislature in February, and signed into law by Governor Inslee on March 2, 2021. The State Board of Education (SBE) developed [rules for the emergency waivers](#), which were released on March 11, 2021. As required by the SBE rules, SPS is applying to the State for permission to grant these emergency waivers to individual students. The SBE rules also require that the SPS School Board adopt a resolution to authorize use of the waivers.

Last year, the Board passed Resolution 2019/20-33 Suspending State and Local Graduation Requirements in response to the novel coronavirus (COVID-19) for seniors in the class of 2020. Last year's waiver allowed students to waive credits only, not graduation pathways, and expired on July 31, 2020. The new emergency waiver of state

graduation requirements created in HB 1121 allows students to waive both credit and graduation pathway requirements. Only 2 credits can be waived, with no more than one credit in each core subject area. Combined with the 2 Credit Waiver of elective/personal pathways credits allowed in Policy 2415, this waiver allows students to graduate with no fewer than 20 credits. The Class of 2021 is the first class required to earn 24 credits to graduate, up from 21 credits. The Board already approved a partial waiver of Policy 2415 to suspend the service-learning requirement for all students in the Class of 2021 on February 10, 2021.

Students are only eligible to apply for the emergency waiver if they were reasonably expected to graduate this school year, have demonstrated postsecondary preparation, and have experienced a significant disruption to their ability to complete graduation requirements due to the COVID-19 emergency. The SBE emergency rules include a list of ways to demonstrate postsecondary preparation, and district staff may also approve other ways to demonstrate preparation that are not included in that list.

- b. **Alternatives:** The alternative is to not adopt this resolution, which would prevent the district from granting emergency waivers to students. This alternative is not recommended, as many SPS seniors have been negatively impacted by the pandemic and may not be able to graduate without the emergency waiver. Students who have demonstrated postsecondary preparation should not be prevented from graduating and pursuing their college and/or career plans.
- c. **Research:** Data on the Class of 2021 indicates that a significant number of students may not be able to graduate without use of this emergency waiver. Table A (below) shows the majority of our seniors currently have at least 21 credits, which means that they are very likely to reach the 24 credit requirement by the end of semester 2. However, 316 students have between 19 and 21 credits, which means they will likely need either the 2 Credit Waiver of elective credits and/or this emergency waiver (depending on whether they need to waive 2 core and/or elective credits) in order to graduate on time. Another 115 students have between 17 and 19 credits, which means they will likely need both the 2 Credit Waiver and the emergency waiver in order to graduate on time. These number are not exact indicators of how many students will be approved for the emergency waiver, as students may not all be eligible for the waiver. Counselors will work closely with individual students to determine who is in fact eligible for the waiver and will advise eligible students on the pros and cons of using the waiver.

Please note that the analysis below does not account for credit requirements by subject area. Some students may have enough overall credits to graduate, but will need the emergency waiver to waive particular core requirements. Also note that nearly 300 students have already applied for the 2 Credit Waiver of elective/personal pathway courses. As a point of reference, last year just under 300 students applied for the emergency waiver, and all but 13 were approved. It is important to recall that last year's seniors were not part of the 24 credit graduation requirement cohort. The Class of 2021 is the first class that is expected to earn 24 credits (minus any waived credits).

Table A: Total Credits Earned by 12th Graders in Class of 2021

Credits	All Students	African American Males	Students of Color Furthest from Educational Justice
21 or more	2981	176	1044
At least 19 but less than 21	316	33	133
At least 17 but less than 19	115	17	59
Less than 17	224	37	136
Any Credit Amount (Student Totals)	3636	263	1372

*Excludes Bridges, Open Doors, Non Public Agencies

**Excludes 12th graders from other graduation classes, as they have different graduation requirements.

Source: Atlas ABC Indicators Report, March 18. 2021

As stated above, this year's emergency waiver allows students to waive the graduation pathways requirement as well as credit requirements. Many students are still in the process of completing their graduation pathways by taking AP/IB/other dual credit courses as seniors. When they pass those courses and/or the associated exams, they will complete their graduation pathways. Other students are completing CTE coursework that needs to be evaluated by a counselor to determine if it meets requirements as a graduation pathway. Even so, Table B (below) shows nearly 2600 of our students have already completed a pathway. Of the approximately 1000 students who have not yet met a pathway or who are in progress with a pathway, the expectation is that many will complete a pathway by the end of the year. However, some of these students will need the emergency waiver. It is critical to note that the pandemic has significantly impacted student access to graduation pathways. One main way that students are able to complete the pathway is by earning certain scores on SBA, SAT, or ACT exams. Students have had very limited ability to sit for these exams.

Table B: Grad Pathway Status of Students in the Class of 2021

Status	All Students	African American Males	Students of Color Furthest from Educational Justice
Already Met Pathway	2594	87	700
Not Yet Met/In Progress	1042	176	672
All Statuses (All Students)	3636	263	1372

*Excludes Bridges, Open Doors, and Non Public Agencies

**Excludes 12th graders from other graduation classes, as they have different graduation requirements.

Source: Atlas Graduation Pathways Report, March 18 2021

5. FISCAL IMPACT/REVENUE SOURCE

There is no fiscal impact.

Expenditure: ☐ One-time ☐ Annual ☐ Multi-Year ☒ N/A

Revenue: ☐ One-time ☐ Annual ☐ Multi-Year ☒ N/A

6. **COMMUNITY ENGAGEMENT**

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

☐ Not applicable

☒ Tier 1: Inform

☐ Tier 2: Consult/Involve

☐ Tier 3: Collaborate

Given the urgency to approve this resolution, it has been determined that this action merits Tier 1 engagement. After the Board votes on this resolution, all students who may be eligible for this waiver will be informed, and they will meet individually with their counselors to discuss the pros and cons, and to reach a decision about the waiver that meets the needs of the student. No student will be required to use a waiver. Students who determine that they would benefit from additional coursework at SPS will be welcomed back to their schools to complete graduation requirements.

7. **EQUITY ANALYSIS**

As you can see in tables A and B in section 4C above, significant numbers of African American male students and Students of Color Furthest from Education Justice (SoCFFEJ) are likely eligible for this emergency waiver and will not be able to graduate on time without it. In fact, students in those groups are disproportionately more likely to need the emergency waiver, compared to the district average. Across the district, 82% of our seniors are on track with overall credit earning, but that percentage drops to 67% for African American males, and 76% for SoCFFEJ. These numbers can be partially explained by the disproportionate impact of the pandemic. According to the Centers for Disease Control and Prevention¹ and multiple other sources, the COVID-19 pandemic has disproportionately impacted people of color. SPS students of color are more likely to be suffering from the negative health and economic impacts of the pandemic, and perhaps more likely to be working to support their families, and thus less able to fully engage in school. Given this reality, the most compassionate response from the district is to recognize the harm caused to our students of color as a result of COVID-19 and allow impacted students to waive graduation requirements.

It is critical to balance compassion with rigor in these circumstances, and not to allow students to graduate without being prepared for post high school life. The SBE rules require that students demonstrate postsecondary preparation in order to receive the waiver, so that balance is maintained. Under the waiver rules, our students of color who are ready for college and/or career will be able to graduate and move forward on their chosen path, while our students of color who need more preparation will return to SPS in September to complete their requirements and prepare for their futures with the support of their teachers and counselors.

¹ Health Equity Considerations and Racial and Ethnic Minority Groups (<https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/race-ethnicity.html>)

8. STUDENT BENEFIT

This action will benefit students because it will allow students who have demonstrated postsecondary preparation to waive graduation requirements and earn their SPS diplomas. Students who are ready to graduate and work or enroll in postsecondary education should not be held back due to emergency circumstances caused by the COVID-19 pandemic.

9. WHY BOARD ACTION IS NECESSARY

- ☐ Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- ☐ Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- ☐ Adopting, amending, or repealing a Board policy
- ☐ Formally accepting the completion of a public works project and closing out the contract
- ☒ Legal requirement for the School Board to take action on this matter
- ☐ Board Policy No. _____, [TITLE], provides the Board shall approve this item
- ☐ Other: _____

10. POLICY IMPLICATION

This resolution will allow district staff to waive graduation requirements outlined in Board Policy No. 2415, High School Graduation Requirements.

11. BOARD COMMITTEE RECOMMENDATION

This motion was not discussed at a SSC&I Committee meeting.

12. TIMELINE FOR IMPLEMENTATION

Upon approval of this motion, College and Career Readiness staff will immediately inform school staff and seniors, initiate a process for approving waivers, and train counselors on the process. Counselors will then meet with students to discuss the waiver and help them apply. Waivers will need to be approved by June, except for those students who are planning to take summer classes and then graduate.

13. ATTACHMENTS

- School Board Resolution No. 2020/21-24, Emergency Waiver of High School Graduation Requirements (for approval)

**Seattle School District #1
Board Resolution**

Resolution No. 2020/21-24



Resolution – Emergency Waiver of High School Graduation Requirements

BOARD RESOLUTION No. 2020/21-24

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 Seattle Public Schools School Board has adopted Policy 2415 – 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, and 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 2415 – High School Graduation Requirements. 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 Seattle Public Schools School Board 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 this _____ day of _____, 2021

Chandra N. Hampson, President

Brandon K. Hersey, Vice President

Lisa Rivera-Smith, Member-at-Large

Zachary DeWolf

Erin Dury

Leslie Harris

Liza Rankin

ATTEST: _____
Denise Juneau, Superintendent
Secretary, Board of Directors
Seattle School District No. 1
King County, WA