



September 7, 2021

Dear Dr. Lee,

Thank you for your waiver submission on September 7, 2021.

The commissioner of education may consider waivers related to of the provisions of Tenn. Comp. R. & Regs. Chapters 0520-01-03 and 0520-01-13 related to remote instruction to the extent necessary to allow students affected at the classroom or school level by COVID-19 isolation or quarantine to participate in remote instruction. As stated, your district still has the authority to quarantine students and staff on an individual case-by-case basis (not in the aggregate). Waivers will only be considered when a LEA can document and demonstrate a significant impact of COVID-19 quarantine or isolation on school operations, impacting students, teachers, and/or staff. Please note, if a waiver request is granted to a school, all extracurricular activities for that school must also be cancelled for the duration of the waiver period.

The waiver submitted by Arrow Academy of Excellence for 2 classrooms **is approved (1<sup>st</sup> grade) conditionally approved (5<sup>th</sup> grade), pending more information.**

The rationale for this is:

- The teacher in the first-grade classroom tested positive and exposed all students, who now need to individually quarantine. This is approved without conditions.
- A student in the 5<sup>th</sup> grade classroom tested positive and exposed classmates and the teacher, who now need to quarantine. That being said, our understanding is that Shelby County Health has a universal mask mandate and the CDC recommends quarantine for those not wearing a mask when around an infected person. Can you clarify whether or not you are implementing the universal mask mandate in Shelby County, and if so, any additional information that may be helpful (even if it is just that the school is taking a more conservative position than the CDC on this issue)?

If not already in place, the department also continues to encourage all districts to implement as many mitigation strategies as possible to contain the spread of COVID-19, limit quarantines, and remain in-person, such as utilizing:

- The same or enhanced mitigation strategies used last school year such as temperature checks, physical distancing, frequent handwashing, etc.
- Seating charts in all settings, including classrooms, cafeteria/meals, bus routes, etc.
- Proactively stocking non-perishable items for breakfasts/lunches to account for meal staff absences
- Cohorting students to limit close contacts
- The consideration of masking

I continue to be incredibly grateful for the work of your district, educators, students and families as we collectively address and respond to COVID-19.

Sincerely,

A handwritten signature in black ink, appearing to read 'Penny Schwinn'.

Penny Schwinn, PhD, MAT

Commissioner, Tennessee Department of Education

### Local Education Agency Waiver Request Application: COVID-19 Relief

Upon application by the local education agency (LEA) for one (1) or more of its classrooms or schools, pursuant to Tenn. Code Ann. § 49-1-209 (d), the commissioner of education will consider waivers of the provisions of Tenn. Comp. R. & Regs. Chapters 0520-01-03 and 0520-01-13 related to remote instruction to the extent necessary to allow students affected at the classroom or school level by COVID-19 isolation or quarantine to participate in remote instruction. This waiver process is not required for individual students on quarantine.

Waivers will only be considered when a LEA can document and demonstrate a significant impact of COVID-19 quarantine or isolation on school operations, impacting students, teachers, and/or staff. Please note, if a waiver request is granted to a school, all extracurricular activities for that school must also be cancelled.

Please submit completed applications to [Commissioner.Schwinn@tn.gov](mailto:Commissioner.Schwinn@tn.gov). Following review by the commissioner or designee, the local education agency will be notified in writing if the waiver request application is approved or denied. If approved, the waiver will only be valid for seven (7) calendar days. If conditions warranting a waiver persist, then the LEA may submit additional waivers.

Arrow Academy of Excellence

Local Education Agency

645 Semmes

Memphis.

38111

Street

City

Zip

*Dr. Bridget C. Lee*

09/06/2021

Director of Schools (Signature)

Date

1. Number of **classrooms** for which you are requesting a waiver: 2

Grade of Classroom	Name of School	In Quarantine or Isolation					
		# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
First Grade	Arrow Academy of Excellence	1	100%	0		18	100%
Fifth Grade	Arrow Academy of Excellence	1	100%	0		14	100%

My first-grade teacher tested positive for COVID-19 a positive test was sent on Monday Sept. 6. All 18 students were exposed. Also received a positive test for a 5<sup>th</sup> grade student all classmates and teacher were exposed.

Please explain why this waiver is necessary and in-person instruction is not feasible at this time:

2. Number of **schools** for which you are requesting a waiver: \_\_\_\_\_

Name of School	In Quarantine or Isolation					
	# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students

Please explain why this waiver is necessary and in-person instruction is not feasible at this time:

