

Dear Ms. Lewis,

Thank you for your waiver submission on Monday, January 3, 2022.

The commissioner of education may consider waivers related to 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 Gestalt Community Schools is **approved** at this time.

The rationale for this approval is:

- The positivity rate and number of cases among staff
- The district does not have the substitute capacity to adequately staff classrooms

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 that reads "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. 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.

Shelby County Schools

Local Education Agency
 Gestalt Community Schools 2650 Thousand Oaks, Blvd, Suite 2200
 Memphis, TN 38118

Street _____ City _____ Zip _____
 _____ January 3, 2022

Director of Schools (Signature) _____ Date _____

1. Number of **classrooms** for which you are requesting a waiver: 20

Grade of Classroom	Name of School	In Quarantine or Isolation					
		# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
Grades 3 - 5	Power Center Academy Elementary – Hickory Hill	12	36%	15	27%	0	0

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

Of the 20 teachers in grades 3 through 5, 12 teachers are currently positive. As a result, in-person instruction is not feasible.

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

Name of School	In Quarantine or Isolation					
	# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
Power Center Academy Middle – Hickory Hill	9	47%	11	32%	0	0

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

Of the nineteen teachers in the school, 9 are currently positive. The positive cases impacts each grade levels. This impedes our ability to hold in-person learning. Further, like many schools in the the state, we are experiencing challenges getting substitute teachers.