



January 21, 2022

Dear Director Robertson,

Thank you for your waiver submission on January 20, 2022.

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 **Hamilton County Schools** for Battle Academy for Teaching and Learning, Chattanooga School for the Liberal Arts, East Brainard Elementary School, Lookout Valley Middle/High School, and Wolfever Creek Elementary School is **approved** at this time.

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". The signature is written in a cursive, flowing style.

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. § 49-1-201 (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 for up to five (5) calendar days (in alignment with C.D.C. and Tennessee Department 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 five (5) calendar days. If conditions warranting a waiver persist, then the LEA may submit additional waivers.

Hamilton County Department of Education

Local Education Agency

3074 Hickory Valley Road

Chattanooga

37421

Street

City

Zip

1/20/22

Director of Schools (Signature)

Date

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

Grade of Classroom	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:

Please see attached

2. Number of schools for which you are requesting a waiver: 5

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

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

Please see attached

January 20, 2022 - Requested Remote Learning Waivers

School Name	# Staff Affected	% Staff Affected	# Students Affected	% Students Affected	Additional Info
Battle Academy for Teaching and Learning	8	14.0%	57	12.5%	
Chattanooga School for the Liberal Arts	5	7.6%	130	19.1%	
East Brainerd Elementary School	10	8.8%	219	20.0%	
Lookout Valley Middle/High School	4	8.2%	124	17.4%	
Wolftever Creek Elementary School	12	16.7%	306	54.6%	

Battle Academy for Teaching and Learning
TDOE Local Education Agency Waiver Request Application: COVID-19 Relief

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

- *Risk of School-based COVID Spread* - We are also monitoring trends for linked cases and number of cases within our schools. Our data tracking is very sophisticated as we have been managing our own contact tracing since last school year. As such, we are able to track individual cases and document close contacts that report positive cases as epidemically linked cases. **Currently there are 16 total active cases (student and staff). The school has seen 7 new cases over the last 5 days.**
 - In our experience of keeping schools open 90% of the 2020-2021 school year, shifting schools to remote instruction for a limited number of days is an effective strategy for slowing or stopping the spread of COVID-19 in our facilities.
- *Staffing Shortages* - We are fortunate in Hamilton County that nearly 75% of our teaching staff has been vaccinated. So, we have typically seen as many situations where our teaching staff is having to quarantine or testing positive for COVID-19 in the past. With this current surge, we are seeing a larger number of breakthrough infections for staff than previously encountered. Our board has also established COVID-19 leave for employees that allows them to use a limited number of leave days for themselves or minor children who are positive or experiencing symptoms. **Currently 14.0% (n=7) of the school staff are out of the building for COVID-related reasons and the substitute fill rate at this school is 29%.** Like all districts, we are not able to find enough substitutes to cover classes when we have significant numbers of teachers on leave. Our first option is to try to cover classes with other school-based staff or district-wide staff. When this is not possible, the need to pivot to remote instruction may be necessary - as teachers can then facilitate classes remotely while following recommended CDC guidance.

Chattanooga School for the Liberal Arts
TDOE Local Education Agency Waiver Request Application: COVID-19 Relief

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

- *Risk of School-based COVID Spread* - We are also monitoring trends for linked cases and number of cases within our schools. Our data tracking is very sophisticated as we have been managing our own contact tracing since last school year. As such, we are able to track individual cases and document close contacts that report positive cases as epidemically linked cases. **Currently there are 57 total active cases (student and staff). The school has seen 42 new cases over the last 5 days.**
 - In our experience of keeping schools open 90% of the 2020-2021 school year, shifting schools to remote instruction for a limited number of days is an effective strategy for slowing or stopping the spread of COVID-19 in our facilities.
- *Staffing Shortages* - We are fortunate in Hamilton County that nearly 75% of our teaching staff has been vaccinated. So, we have typically seen as many situations where our teaching staff is having to quarantine or testing positive for COVID-19 in the past. With this current surge, we are seeing a larger number of breakthrough infections for staff than previously encountered. Our board has also established COVID-19 leave for employees that allows them to use a limited number of leave days for themselves or minor children who are positive or experiencing symptoms. **Currently 7.6% (n=5) of the school's staff are out of the building for COVID-related reasons and the substitute fill rate at this school is 33%.**

Like all districts, we are not able to find enough substitutes to cover classes when we have significant numbers of teachers on leave. Our first option is to try to cover classes with other school-based staff or district-wide staff. When this is not possible, the need to pivot to remote instruction may be necessary - as teachers can then facilitate classes remotely while following recommended CDC guidance.

East Brainerd Elementary School
TDOE Local Education Agency Waiver Request Application: COVID-19 Relief

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

- *Continuity of Learning* - We are continuously monitoring the impact on students in terms of active cases and close contacts. As you know, we do not have resources for dedicated teachers to provide synchronous instruction for students observing the recommended CDC guidance above and beyond the teachers we staff for in person schooling. Therefore, based upon our experience implementing synchronous virtual instruction last year, when a school approaches a high number of students at home due to COVID-19, **we are not able to ensure continuity of learning for a sizable portion of the student body with more than 20% of enrolled students currently in quarantine or isolation.** Teachers cannot effectively manage in person and remote students, and the quality of pedagogy erodes for both groups. Therefore, we believe that the most optimal learning model available is for teachers to support all students through virtual learning for a limited number of days. *Risk of School-based COVID Spread* - We are monitoring trends for linked cases and number of cases within our schools. Our data tracking is very sophisticated as we have been managing our own contact tracing since last school year. As such, we are able to track individual cases and document close contacts that report positive cases as epidemically linked cases. **Currently there are 32 total active cases (student and staff). The school has seen 16 new cases over the last 5 days.**
 - In our experience of keeping schools open 90% of the 2020-2021 school year, shifting schools to remote instruction for a limited number of days is an effective strategy for slowing or stopping the spread of COVID-19 in our facilities.
- *Staffing Shortages* - We are fortunate in Hamilton County that nearly 75% of our teaching staff has been vaccinated. So, we have typically seen as many situations where our teaching staff is having to quarantine or testing positive for COVID-19 in the past. With this current surge, we are seeing a larger number of breakthrough infections for staff than previously encountered. Our board has also established COVID-19 leave for employees that allows them to use a limited number of leave days for themselves or minor children who are positive or experiencing symptoms. **Currently 8.8% (n=10) of the school's staff are out of the building for COVID-related reasons and the substitute fill rate at this school is 9%.**

Like all districts, we are not able to find enough substitutes to cover classes when we have significant numbers of teachers on leave. Our first option is to try to cover classes with other school-based staff or district-wide staff. When this is not possible, the need to pivot to remote instruction may be necessary - as teachers can then facilitate classes remotely while following recommended CDC guidance.

Lookout Valley Middle/High School
TDOE Local Education Agency Waiver Request Application: COVID-19 Relief

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

- *Continuity of Learning* - We are continuously monitoring the impact on students in terms of active cases and close contacts. As you know, we do not have resources for dedicated teachers to provide synchronous instruction for students observing the recommended CDC guidance above and beyond the teachers we staff for in person schooling. Therefore, based upon our experience implementing synchronous virtual instruction last year, when a school approaches a high number of students at home due to COVID-19, **we are not able to ensure continuity of learning for a sizable portion of the student body with more than 35% of enrolled students currently in quarantine or isolation.** Teachers cannot effectively manage in person and remote students, and the quality of pedagogy erodes for both groups. Therefore, we believe that the most optimal learning model available is for teachers to support all students through virtual learning for a limited number of days.
- *Risk of School-based COVID Spread* - We are monitoring trends for linked cases and number of cases within our schools. Our data tracking is very sophisticated as we have been managing our own contact tracing since last school year. As such, we are able to track individual cases and document close contacts that report positive cases as epidemically linked cases. **Currently there are 22 total active cases (student and staff). The school has seen 13 new cases over the last 5 days.**
 - In our experience of keeping schools open 90% of the 2020-2021 school year, shifting schools to remote instruction for a limited number of days is an effective strategy for slowing or stopping the spread of COVID-19 in our facilities.
- *Staffing Shortages* - We are fortunate in Hamilton County that nearly 75% of our teaching staff has been vaccinated. So, we have typically seen as many situations where our teaching staff is having to quarantine or testing positive for COVID-19 in the past. With this current surge, we are seeing a larger number of breakthrough infections for staff than previously encountered. Our board has also established COVID-19 leave for employees that allows them to use a limited number of leave days for themselves or minor children who are positive or experiencing symptoms. **Currently 8.2% (n=4) of the school's staff are out of the building for COVID-related reasons and the substitute fill rate at this school is 0%.**

Like all districts, we are not able to find enough substitutes to cover classes when we have significant numbers of teachers on leave. Our first option is to try to cover classes with other school-based staff or district-wide staff. When this is not possible, the need to pivot to remote instruction may be necessary - as teachers can then facilitate classes remotely while following recommended CDC guidance.

Wolftever Creek Elementary School
TDOE Local Education Agency Waiver Request Application: COVID-19 Relief

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

- *Continuity of Learning* - We are continuously monitoring the impact on students in terms of active cases and close contacts. As you know, we do not have resources for dedicated teachers to provide synchronous instruction for students observing the recommended CDC guidance above and beyond the teachers we staff for in person schooling. Therefore, based upon our experience implementing synchronous virtual instruction last year, when a school approaches a high number of students at home due to COVID-19, **we are not able to ensure continuity of learning for a sizable portion of the student body with more than 54% of enrolled students currently in quarantine or isolation.** Teachers cannot effectively manage in person and remote students, and the quality of pedagogy erodes for both groups. Therefore, we believe that the most optimal learning model available is for teachers to support all students through virtual learning for a limited number of days.
- *Risk of School-based COVID Spread* - We are also monitoring trends for linked cases and number of cases within our schools. Our data tracking is very sophisticated as we have been managing our own contact tracing since last school year. As such, we are able to track individual cases and document close contacts that report positive cases as epidemically linked cases. **Currently there are 36 total active cases (student and staff). The school has seen 23 new cases over the last 5 days.**
 - In our experience of keeping schools open 90% of the 2020-2021 school year, shifting schools to remote instruction for a limited number of days is an effective strategy for slowing or stopping the spread of COVID-19 in our facilities.
- *Staffing Shortages* - We are fortunate in Hamilton County that nearly 75% of our teaching staff has been vaccinated. So, we have typically seen as many situations where our teaching staff is having to quarantine or testing positive for COVID-19 in the past. With this current surge, we are seeing a larger number of breakthrough infections for staff than previously encountered. Our board has also established COVID-19 leave for employees that allows them to use a limited number of leave days for themselves or minor children who are positive or experiencing symptoms. **Currently 16.7% (n=12) of the school's staff are out of the building for COVID-related reasons and the substitute fill rate at this school is 44%.**

Like all districts, we are not able to find enough substitutes to cover classes when we have significant numbers of teachers on leave. Our first option is to try to cover classes with other school-based staff or district-wide staff. When this is not possible, the need to pivot to remote instruction may be necessary - as teachers can then facilitate classes remotely while following recommended CDC guidance.

School Name	Active Student Cases	Active Employee Cases	Total Active Cases	Total Active Close Contacts	Total Students Affected	Total Employees Affected	% Students Affected	# of new cases over past 5 days	% Employees Affected	% Employees with Active Cases
Allen Elementary School	8	3	11	114	120	6	30.2%	8	11.3%	5.7%
Alpine Crest Elementary School	5	0	5	16	20	2	6.7%	1	4.8%	0.0%
Apison Elementary School	21	5	26	144	165	5	27.3%	5	9.1%	9.1%
Barger Academy	9	5	14	63	70	9	19.6%	7	15.8%	8.8%
Battle Academy for Teach/Learning	9	7	16	48	57	8	12.5%	7	14.0%	12.3%
Bess T. Shepherd Elementary School	10	3	13	16	26	4	5.1%	6	6.1%	4.5%
Big Ridge Elementary School	21	3	24	61	81	4	16.9%	12	7.5%	5.7%
Brainerd High School	0	5	5	19	18	8	2.6%	0	9.5%	6.0%
Brown Middle School	9	1	10	32	40	3	10.8%	5	5.9%	2.0%
Calvin Donaldson Environmental Science Academy	0	0	0	0	0	1	0.0%	0	1.5%	0.0%
Central High School	11	7	18	23	34	8	4.3%	6	9.0%	7.9%
Chattanooga High Center for Creative Arts	45	4	49	162	207	4	33.3%	27	6.5%	6.5%
Chattanooga School for Liberal Arts	54	3	57	83	136	5	20.0%	42	7.6%	4.5%
Chattanooga School For The Arts and Sciences Lower	20	3	23	103	123	3	33.9%	17	7.0%	7.0%
Chattanooga School For The Arts and Sciences Upper	27	1	28	244	270	3	40.7%	14	4.6%	1.5%
Clifton Hills Elementary School	4	4	8	18	22	5	3.9%	4	6.5%	5.2%
Daisy Elementary School	13	4	17	64	77	5	22.6%	10	9.6%	7.7%
Dalewood Middle School	3	0	3	17	20	0	7.0%	2	0.0%	0.0%
DuPont Elementary School	10	5	15	13	21	7	9.1%	4	15.9%	11.4%
East Brainerd Elementary School	25	7	32	196	220	10	20.1%	16	8.8%	6.2%
East Hamilton High School	34	3	37	33	66	6	5.5%	28	6.1%	3.1%
East Hamilton Middle School	26	3	29	202	226	8	24.1%	18	11.0%	4.1%
East Lake Academy of Fine Arts	7	7	14	41	48	10	9.5%	2	12.2%	8.5%
East Lake Elementary School	4	7	11	6	10	9	1.8%	4	11.5%	9.0%
East Ridge Elementary School	20	8	28	117	137	8	16.0%	14	6.8%	6.8%
East Ridge High School	3	5	8	4	6	7	0.6%	1	8.0%	5.7%
East Ridge Middle School	9	3	12	25	33	4	4.8%	7	5.3%	3.9%
East Side Elementary School	8	7	15	64	71	10	12.2%	6	12.3%	8.6%
Hamilton County Collegiate High at Chatt State	0	0	0	0	0	0	0.0%	0	0.0%	0.0%
Hamilton County Virtual School	1	2	3	5	6	2	1.2%	0	14.3%	14.3%
Hardy Elementary School	1	4	5	2	2	6	0.5%	1	8.6%	5.7%
Harrison Elementary School	21	9	30	133	154	13	18.5%	9	12.7%	8.8%
Hixson Elementary School	18	6	24	31	47	11	11.1%	15	15.9%	8.7%
Hixson High School	34	3	37	19	53	3	5.7%	24	2.9%	2.9%
Hixson Middle School	31	2	33	254	285	2	45.8%	18	2.5%	2.5%
Howard Connect Academy	3	2	5	2	5	3	1.5%	3	7.9%	5.3%
Hunter Middle School	32	7	39	112	143	10	19.2%	27	13.5%	9.5%
Lofis Middle School	51	4	55	214	265	5	44.8%	40	7.5%	6.0%
Lookout Mountain Elementary School	8	1	9	24	32	1	16.3%	7	3.3%	3.3%
Lookout Valley Elementary School	5	4	9	50	55	4	19.6%	4	9.8%	9.8%
Lookout Valley Middle/High School	19	3	22	105	124	4	35.1%	13	8.2%	6.1%
McConnell Elementary School	31	3	34	71	102	4	21.7%	23	7.3%	5.5%
Middle Valley Elementary School	26	5	31	55	79	7	10.2%	21	7.7%	5.5%
Nolan Elementary School	52	7	59	297	347	10	47.1%	40	15.4%	10.8%
Normal Park Museum Magnet	28	9	37	150	177	11	21.4%	22	10.5%	8.6%
North Hamilton County Elementary School	17	3	20	23	38	8	9.9%	13	15.7%	5.9%
Ooltewah Elementary School	35	8	43	111	146	10	18.7%	32	10.5%	8.4%
Ooltewah High School	64	8	72	52	115	21	9.2%	45	15.6%	5.9%
Ooltewah Middle School	15	3	18	155	170	3	32.7%	10	4.4%	4.4%
Orchard Knob Elementary School	1	1	2	20	21	2	5.8%	1	2.8%	1.4%
Orchard Knob Middle School	4	7	11	10	13	8	3.7%	2	13.3%	11.7%
Red Bank Elementary School	11	5	16	92	102	6	19.7%	9	8.0%	6.7%
Red Bank High School	17	2	19	14	30	6	3.7%	17	7.1%	2.4%
Red Bank Middle School	4	2	6	13	17	4	2.8%	4	6.2%	3.1%
Rivermont Elementary School	20	6	26	81	101	9	31.9%	14	17.6%	11.8%
Sale Creek Middle/ High School	27	2	29	39	66	2	11.5%	19	2.8%	2.8%
Sequoyah High School	15	2	17	35	50	3	22.3%	11	7.5%	5.0%
Signal Mountain Middle/High School	60	3	63	436	496	6	36.9%	41	4.8%	2.4%
Snow Hill Elementary School	13	8	21	33	46	12	7.8%	11	16.9%	11.3%
Soddy Daisy High School	40	4	44	64	103	7	9.4%	31	6.5%	3.7%
Soddy Daisy Middle School	17	2	19	116	132	3	26.3%	16	5.6%	3.7%
Soddy Elementary School	18	6	24	40	58	6	12.5%	16	9.4%	9.4%
Spring Creek Elementary School	3	10	13	14	17	13	2.8%	2	14.0%	10.8%
STEM School Chattanooga	10	2	12	14	24	3	8.6%	8	11.5%	7.7%
The Howard School	0	3	3	4	3	6	0.2%	0	4.2%	2.1%
Thrasher Elementary School	24	3	27	43	67	4	11.9%	18	7.7%	5.8%
Tommie F. Brown International Academy	15	4	19	13	28	5	8.7%	10	10.6%	8.5%
Tyner Academy	8	3	11	8	16	4	3.0%	6	6.1%	4.5%
Tyner Middle Academy	10	2	12	8	18	4	4.3%	7	7.3%	3.6%
Wallace A. Smith Elementary School	14	2	16	71	84	3	13.4%	11	4.7%	3.1%
Westview Elementary School	12	5	17	1	13	6	2.3%	11	8.8%	7.4%
Wolfrever Creek Elementary School	34	3	37	278	307	12	54.8%	23	16.7%	4.2%

School Name	Active Student Cases	Active Employee Cases	Total Active Cases	Total Active Close Contacts	Total Students Affected	Total Employees Affected	% Students Affected	# of new cases over past 5 days	% Employees Affected	% Employees with Active Cases
Woodmore Elementary School	1	4	5	2	2	7	0.8%	1	14.6%	8.3%
TOTAL	1285	297	1582	5242	6483	341	15.3%	929	6.8%	5.9%