



January 14, 2022

Dear Chief Robertson,

Thank you for your waiver submission on January 12, 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 **The Hamilton County Department of Education** for Howard Connect Academy is **approved** at this time.

The rationale for this approval is:

- The positivity rate among staff has limited capacity, and the school is not in a place to support in-person learning.
- The district has taken necessary steps to staff where able; however, the number of staff out leaves the school unable to support in-person instruction.

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. § 49-1-201 (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

1/12/22

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:

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
Howard Connect Academy	NA	NA	9	23.7%	8	2.4%

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

Howard Connect Academy
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.

- **Staffing Shortages** - We are fortunate in Hamilton County that nearly 75% of our teaching staff has been vaccinated. With this, we have typically not 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 23.7% (n=9) of Howard Connect staff are out of the building for COVID-related reasons and the substitute fill rate at this school is 13%.**
 - 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.

- **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 12 total active cases (student and staff), and multiple symptomatic reports among staff and students. The school has seen 8 of those cases as 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.

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	2	10	42	49	4	12.3%	10	7.5%	3.8%
Alpine Crest Elementary School	8	0	8	13	21	1	7.0%	5	2.4%	0.0%
Apison Elementary School	13	9	22	22	35	10	5.8%	6	18.2%	16.4%
Barger Academy	8	4	12	25	31	9	8.7%	8	15.8%	7.0%
Battle Academy for Teach/Learning	6	1	7	16	22	3	4.8%	5	5.3%	1.8%
Bess T. Shepherd Elementary School	4	1	5	12	15	2	2.9%	5	3.0%	1.5%
Big Ridge Elementary School	15	4	19	31	45	5	9.4%	12	9.4%	7.5%
Brainerd High School	17	4	21	12	28	9	4.0%	15	10.7%	4.8%
Brown Middle School	8	2	10	6	14	3	3.8%	6	5.9%	3.9%
Calvin Donaldson Environmental Science Academy	0	0	0	0	0	0	0.0%	0	0.0%	0.0%
Central High School	9	1	10	13	22	2	2.8%	6	2.2%	1.1%
Chattanooga High Center for Creative Arts	20	1	21	22	41	3	6.6%	7	4.8%	1.6%
Chattanooga School for Liberal Arts	17	1	18	34	51	3	7.5%	14	4.5%	1.5%
Chattanooga School For The Arts and Sciences Lower	7	2	9	14	20	3	5.5%	7	7.0%	4.7%
Chattanooga School For The Arts and Sciences Upper	13	2	15	4	17	3	2.6%	7	4.6%	3.1%
Clifton Hills Elementary School	8	1	9	7	14	4	2.5%	7	5.2%	1.3%
Daisy Elementary School	3	2	5	7	10	2	2.9%	3	3.8%	3.8%
Dalewood Middle School	0	0	0	7	7	0	2.4%	0	0.0%	0.0%
DuPont Elementary School	0	1	1	3	3	1	1.3%	0	2.3%	2.3%
East Brainerd Elementary School	14	4	18	69	83	7	7.6%	10	6.2%	3.5%
East Hamilton High School	15	0	15	20	34	2	2.8%	16	2.0%	0.0%
East Hamilton Middle School	13	4	17	55	68	5	7.2%	10	6.8%	5.5%
East Lake Academy of Fine Arts	2	1	3	6	8	2	1.6%	2	2.4%	1.2%
East Lake Elementary School	0	7	7	2	2	9	0.4%	0	11.5%	9.0%
East Ridge Elementary School	8	10	18	51	59	13	6.9%	7	11.1%	8.5%
East Ridge High School	8	5	13	3	11	5	1.1%	5	5.7%	5.7%
East Ridge Middle School	8	6	14	14	22	7	3.2%	7	9.2%	7.9%
East Side Elementary School	1	5	6	17	16	10	2.7%	0	12.3%	6.2%
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	0	1	3	4	0	0.8%	0	0.0%	0.0%
Hardy Elementary School	0	3	3	4	1	8	0.3%	0	11.4%	4.3%
Harrison Elementary School	13	2	15	36	49	4	5.9%	13	3.9%	2.0%
Hixson Elementary School	7	2	9	47	54	3	12.7%	7	4.3%	2.9%
Hixson High School	10	1	11	5	15	2	1.6%	8	1.9%	1.0%
Hixson Middle School	17	3	20	57	74	3	11.9%	16	3.7%	3.7%
Howard Connect Academy	8	4	12	0	8	9	2.4%	8	23.7%	10.5%
Hunter Middle School	18	6	24	40	58	7	7.8%	14	9.5%	8.1%
Lofis Middle School	15	0	15	53	68	1	11.5%	12	1.5%	0.0%
Lookout Mountain Elementary School	2	0	2	6	7	1	3.6%	2	3.3%	0.0%
Lookout Valley Elementary School	1	2	3	36	37	3	13.2%	0	7.3%	4.9%
Lookout Valley Middle/High School	11	1	12	42	53	2	15.0%	6	4.1%	2.0%
McConnell Elementary School	7	2	9	21	28	2	5.9%	0	3.6%	3.6%
Middle Valley Elementary School	2	6	8	6	8	7	1.0%	7	7.7%	6.6%
Nolan Elementary School	12	6	18	64	76	6	10.3%	10	9.2%	9.2%
Normal Park Museum Magnet	19	2	21	32	51	4	6.2%	17	3.8%	1.9%
North Hamilton County Elementary School	8	1	9	7	13	4	3.4%	5	7.8%	2.0%
Ooltewah Elementary School	8	4	12	30	38	5	4.9%	7	5.3%	4.2%
Ooltewah High School	25	5	30	19	42	9	3.4%	24	6.7%	3.7%
Ooltewah Middle School	11	2	13	53	63	3	12.1%	9	4.4%	2.9%
Orchard Knob Elementary School	0	0	0	8	5	3	1.4%	0	4.2%	0.0%
Orchard Knob Middle School	4	2	6	5	9	3	2.6%	2	5.0%	3.3%
Red Bank Elementary School	15	3	18	43	57	4	11.0%	14	5.3%	4.0%
Red Bank High School	0	3	3	1	0	5	0.0%	16	5.9%	3.5%
Red Bank Middle School	1	0	1	3	4	2	0.7%	0	3.1%	0.0%
Rivermont Elementary School	10	3	13	20	30	5	9.5%	5	9.8%	5.9%
Sale Creek Middle/High School	5	2	7	9	13	3	2.3%	2	4.2%	2.8%
Sequoyah High School	8	1	9	8	16	1	7.1%	7	2.5%	2.5%
Signal Mountain Middle/High School	24	1	25	116	140	2	10.4%	19	1.6%	0.8%
Snow Hill Elementary School	7	3	10	13	19	4	3.2%	5	5.6%	4.2%
Soddy Daisy High School	17	3	20	26	43	6	3.9%	10	5.6%	2.8%
Soddy Daisy Middle School	7	4	11	57	64	5	12.7%	7	9.3%	7.4%
Soddy Elementary School	4	2	6	16	20	2	4.3%	3	3.1%	3.1%
Spring Creek Elementary School	4	2	6	1	5	6	0.8%	2	6.5%	2.2%
STEM School Chattanooga	9	1	10	12	21	1	7.5%	8	3.8%	3.8%
The Howard School	0	2	2	4	4	2	0.3%	0	1.4%	1.4%
Thrasher Elementary School	2	0	2	17	19	0	3.4%	3	0.0%	0.0%
Tommie F. Brown International Academy	7	2	9	3	10	2	3.1%	4	4.3%	4.3%
Tyner Academy	9	0	9	4	13	1	2.5%	8	1.5%	0.0%
Tyner Middle Academy	3	1	4	2	5	3	1.2%	2	5.5%	1.8%
Wallace A. Smith Elementary School	5	2	7	18	22	4	3.5%	5	6.3%	3.1%
Westview Elementary School	1	4	5	2	2	5	0.3%	0	7.4%	5.9%
Wolfcreek Elementary School	12	4	16	103	115	7	20.5%	12	9.7%	5.6%

Woodmore Elementary School	0	6	6	1	1	7	0.4%	0	14.6%	12.5%
TOTAL	682	183	765	1580	2132	213	5.0%	479	4.2%	3.6%