



January 20, 2022

To Whom it May Concern,

Thank you for your waiver submission on January 19, 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 **McMinn County** for nine schools (Calhoun, EK Baker, McMinn High, Mountain View, Englewood, McMinn Central, Riceville, Niota, and Rogers Creek) is **approved** at this time.

The rationale for this approval is:

- The district has taken necessary steps to staff where able; however, key personnel remain an issue at all nine schools.
- Six schools are unable to provide proper transportation personnel due to increased positivity rates.

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 fluid and cursive.

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](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 five (5) calendar days. If conditions warranting a waiver persist, then the LEA may submit additional waivers.

McMinn County  
Local Education Agency

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3 South Hill Street                      Athens                      37303  
Street    City    Zip

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[Signature]    1/19/22  
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: 3

Name of School	In Quarantine or Isolation					
	# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
<u>Calhoun</u>	<u>3</u>	<u>13</u>	<u>5</u>	<u>36</u>	<u>3</u>	<u>1</u>
<u>EK Baker</u>	<u>8</u>	<u>32</u>	<u>9</u>	<u>43</u>	<u>1</u>	<u>0</u>
<u>McMinn High</u>	<u>21</u>	<u>22</u>	<u>16</u>	<u>28</u>	<u>2</u>	<u>0</u>

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

See attached narrative

**Calhoun, EK Baker, McMinn**

We have a severe shortage of cafeteria staff at these 3 schools. Between 67-75% of all cafeteria workers in each of these buildings have reported absences. In addition, 25-67% of bus drivers also report absences at the schools, limiting our transportation service to these locations.

As seen in the chart, a significant number of teachers and staff have reported absences with a shortage of available substitutes, we are unable to staff our buildings.

Student numbers are based on the last reported numbers from last week as we have been out for weather and MLK day this week. These numbers do not appear to be accurate as many students have reported sickness but are unable to get tested or see a physician and have not reported.

Due to surge conditions in our area, walk-ins and hospitals are unable to accommodate the large amount of needed testing and appointments. These absences have been confirmed in our management system.

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

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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 five (5) calendar days. If conditions warranting a waiver persist, then the LEA may submit additional waivers.

McMinn County  
Local Education Agency

3 South Hill Street Athens 37303  
Street City Zip

Alex Ferguson 1/19/22  
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: 3

Name of School	In Quarantine or Isolation					
	# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
Mountain View	6	15	7	21	2	1
Englewood	7	19	6	19	6	1
McMinn Central	13	25	11	37	0	0

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

See attached narrative

**Mtn. View, Englewood, McMinn Central**

Bus transportation is limited at these locations with nearly 1/3<sup>rd</sup> of bus drivers reporting absences at the schools, limiting our transportation service to these locations.

As seen in the chart, a significant number of teachers and staff have reported absences with a shortage of available substitutes, we are unable to staff our buildings. Classrooms are unable to be staffed with remaining employees.

Student numbers are based on the last reported numbers from last week as we have been out for weather and MLK day this week. These numbers do not appear to be accurate as many students have reported sickness but are unable to get tested or see a physician and have not reported.

Due to surge conditions in our area, walk-ins and hospitals are unable to accommodate the large amount of needed testing and appointments. These absences have been confirmed in our management system.

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

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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.

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McMinn Schools  
 Local Education Agency  
 3 South Hill Street Athens 37303  
 Street City Zip  
 [Signature] 1/18/22  
 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: 3

Name of School	In Quarantine or Isolation					
	# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
Riceville	3	7	9	23	6	1
Niota	6	16	1	5	9	2
Rogers Creek	6	25	6	22	5	2

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

See attached narrative

**Riceville, Niota, Rogers Creek:**

We will not be able to continue bus service to these 3 schools for a significant amount of students. Combined a total of 25% of bus drivers have reported absences from either covid or obtaining appointments for covid testing. Riceville is among the highest reported driver absences at 50% which causes a significant transportation issue.

As seen in the chart, a significant number of teachers and staff have reported absences with a shortage of available substitutes, we are unable to staff our buildings.

Student numbers are based on the last reported numbers from last week as we have been out for weather and MLK day this week. These numbers do not appear to be accurate as many students have reported sickness but are unable to get tested or see a physician and have not reported.

Due to surge conditions in our area, walk-ins and hospitals are unable to accommodate the large amount of needed testing and appointments. These absences have been confirmed in our management system.