



August 30, 2021

Dear Director Holman,

Thank you for your waiver submission on August 30, 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 Overton County Schools **is not approved** at this time.

The rationale for this denial is:

- Given the limited percentage of teacher and staff on quarantine and/or isolation, sufficient teachers should be available for in-person instruction and it is important that the 85-92% of students who can be in-person continue to receive that option.
- It will be important to ensure that those students who are isolated or in quarantine have access to strong remote learning options.

Waivers should not be submitted to request approval for remote learning as a blanket mitigation strategy. If there are specific classrooms that have specific needs, or if there is additional justification that would support the operational limitations of these schools, this waiver process will accommodate those flexibilities and I invite you to outline those needs, given the context above.

The department would also like to continue to encourage you 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.

Overton County

Local Education Agency

302 Zachary Street Livingston, TN 38570  
 Street City Zip

Donnie Holman 8-30-21  
 Director of Schools (Signature) Date

1. Number of classrooms for which you are requesting a waiver: 0

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
1. <u>Hilham Elem.</u>	<u>4</u>	<u>15%</u>	<u>4</u>	<u>29%</u>	<u>44</u>	<u>15%</u>
2. <u>Rickman Elem.</u>	<u>1</u>	<u>2%</u>	<u>10</u>	<u>33%</u>	<u>54</u>	<u>8%</u>
3. <u>Livingston Academy</u>	<u>2</u>	<u>4%</u>	<u>2</u>	<u>8%</u>	<u>101</u>	<u>11%</u>

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

1. Hilham Elem. has had a 158% increase in positives in 1 week.  
2. Rickman Elementary cafeteria staff is either positive or quarantined.  
The student positive quarantine rate has increased 378% in 2 weeks.

3. The positivity rate at Livingston Academy has increased 614% in 2 weeks.  
This is all that we know since our nurse and 2 attendance personnel are all out also. Total absent today is 19% absent.