
COVID-19 Additional LEA Requested Waivers

The Background:

Chapter 652 of the Public Acts of 2020 granted the Commissioner of Education the authority, upon the approval of the State Board, to waive state statutes and/or State Board rules that inhibits or hinders an LEA's ability to meet the LEA's goals or comply with the LEA's mission due solely to the outbreak of COVID-19 during the spring semester of the 2019-20 school year.

In response, the Office of the General Counsel at the department worked to create an application for LEAs to request waivers related to COVID-19 utilizing feedback from LEAs and State Board staff. The waiver application contains boxes for LEAs to check to request a waiver from one or more of three specific identified areas. Additionally, the waiver application contains an open-ended section for LEAs to request waivers from other State Board rules or statutes.

This item includes these additional LEA-requested waivers that have been recommended for either approval or denial by the Commissioner of Education. The waiver requests are grouped by LEA and divided into three categories:

- 1) Waivers recommended for approval;
- 2) Waivers recommended for conditional approval (approval with specific requirements that the LEA must still meet as a condition of receiving the waiver); and
- 3) Waivers recommended for denial.

Additional LEA-requested waivers received by the Department of Education after June 30, 2020 for the 2020-21 school year will be presented to the Board at future meetings.

The Recommendation:

The Department of Education recommends approval of this item on first and final reading. The State Board staff concurs with this recommendation, with one exception. The State Board staff recommends approval of waivers of only T.C.A. § 49-6-1021(e)(3) of the Tom Cronan Act for the 2020-21 school year.