



**BILL LEE**  
GOVERNOR

STATE OF TENNESSEE  
**DEPARTMENT OF EDUCATION**  
NINTH FLOOR, ANDREW JOHNSON TOWER  
710 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243-0375

**PENNY SCHWINN**  
COMMISSIONER

**Via Electronic Mail**

April 25, 2023

David Murrell, Director of Schools  
Blount County Schools  
831 Grandview Drive  
Maryville, TN 37803

Re: Waiver for English Language Arts (ELA) Curriculum

Dear Director Murrell:

I am in receipt of your April 5, 2023 waiver request to use the CommonLit Language Arts Curriculum for grades 9-12 for the remainder of the ELA Adoption Cycle (the 2025-26 school year).

Pursuant to state law, the State Board of Education (SBE) is the entity that approves textbook and instructional materials waivers. Chapter 770 of the Public Acts of 2020 transferred authority for issuing textbook and instructional materials waivers from the Tennessee Department of Education (TDOE) to the SBE. Chapter 471 of the Public Acts of 2021 further refined this law. In addition, SBE rule 0520-01-18 lays out the waiver application and review process.

Because the SBE rule requires waiver requests be submitted to the SBE no later than March 15<sup>th</sup> of the local adoption year, your district will need a waiver of SBE Rule 0520-01-18-.02(3) (a)-(c). This waiver will allow you to submit an emergency waiver request to the SBE. Here is a link to the [SBE Guidance on Textbook and Instructional Materials Waivers](#) that includes information about the waivers the department can provide for this process.

Tenn. Code Ann. § 49-1-201(d) grants the commissioner the authority to “waive any state board rule or statute that inhibits or hinders the LEA’s ability to meet its goals or comply with its mission.” Considering the above, Blount County Schools is hereby granted a waiver of SBE Rule 0520-01-18-.02(3) (a)-(c) to allow your district to submit an emergency Textbook and Instructional Materials Waiver Application to the SBE.

Please do not hesitate to contact me if you have further questions.

Sincerely,

Dr. Penny Schwinn  
Commissioner

Cc: Angela Sanders, General Counsel, SBE



## Tennessee Department of Education – Office of The Commissioner

710 James Robertson Parkway - Andrew Johnson Tower, 9<sup>th</sup> Floor - Nashville, TN 37243

# Local Education Agency Waiver Request

Pursuant to Tennessee Code Annotated § 49-1-201(d), upon application by the local education agency for one (1) or more of its schools, the commissioner of education may waive any state board rule or statute that inhibits or hinders the LEA's ability to meet its goals or comply with its mission. Please submit completed forms to [Commissioner.Schwinn@tn.gov](mailto:Commissioner.Schwinn@tn.gov). Following review by the commissioner, the district will be notified in writing if the waiver request is approved or denied. Unless otherwise stated, all waivers granted by the commissioner shall be granted for one year terms.

Waivers may **not** be granted by the commissioner for regulatory or statutory requirements related to:

- (A) Federal and state civil rights;
- (B) Federal, state and local health and safety;
- (C) Federal and state public records;
- (D) Immunizations;
- (E) Possession of weapons on school grounds;
- (F) Background checks and fingerprinting of personnel;
- (G) Federal and state special education services;
- (H) Student due process;
- (I) Parental rights;
- (J) Federal and state student assessment and accountability;
- (K) Open meetings;
- (L) Educators' due process rights;
- (M) Reductions in teachers' salaries;
- (N) Employee rights, salaries and benefits; and
- (O) Licensure of employees.

### Local Education Agency:

Blount County Schools

### School Information (if applicable):

School Name:

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Street:

831 Grandview Drive Drive

City: Maryville

Zip Code: 37803



Blount County  
Schools

Jake Jones <jake.jones@blountk12.org>

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## RE: Comptroller Compliance Review - Follow-up

1 message

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**Cassie Stinson** <Cassie.Stinson@cot.tn.gov>  
To: Jake Jones <jake.jones@blountk12.org>

Fri, Mar 31, 2023 at 1:18 PM

Thank you for this information and the documentation you provided. I appreciate your quick response!

**Cassie Stinson**

*Associate Legislative Research Analyst*

Comptroller of the Treasury

Office of Research and Education Accountability

425 Rep. John Lewis Way N.

Nashville, TN 37243

Cassie.Stinson@cot.tn.gov | Direct Line 615.401.7941



**Mission: To Make Government Work Better**

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**From:** Jake Jones <jake.jones@blountk12.org>  
**Sent:** Friday, March 31, 2023 11:52 AM  
**To:** Cassie Stinson <Cassie.Stinson@cot.tn.gov>  
**Subject:** Re: Comptroller Compliance Review - Follow-up

Ms. Stinson,

Thank you for reaching out to Blount County Schools to gain more clarity around which ELA textbooks we are currently using in each of



Blount County  
Schools

Jake Jones <jake.jones@blountk12.org>

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## Re: Comptroller Compliance Review - Follow-up

1 message

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**Jake Jones** <jake.jones@blountk12.org>  
To: Cassie Stinson <Cassie.Stinson@cot.tn.gov>  
Bcc: Jake Jones <jake.jones@blountk12.org>

Fri, Mar 31, 2023 at 12:51 PM

Ms. Stinson,

Thank you for reaching out to Blount County Schools to gain more clarity around which ELA textbooks we are currently using in each of our schools. After receiving your email and feedback on Thursday, I reached out to the former Assistant Director of Academics, Secondary Instructional Supervisor and ELA coach who were involved in the ELA Textbook Adoption cycle conducted over the course of the 2019-2020 school year to learn more about the adoption and if there were any waivers submitted. From my research, I was able to locate an email communication from the Assistant Director, Dr. Lisa Coons and Virginia Mayfield that gave Blount County Schools permission to continue to implement a pilot program with CommonLit 360 for grades 9-12. A copy of the email has been attached. To ensure that we are in compliance, Blount County Schools is currently in the process of seeking a waiver to continue to use CommonLit 360 for grades 9-12. The CommonLit 360 curriculum is aligned to Tennessee State Standards and does not violate state law. Please feel free to contact me if you have any questions or need additional information.

Regards,

Jake Jones

**Jake Jones**  
**Assistant Director**  
**Chief of Academics and Operations**  
**Blount County Schools**  
**(865) 984-1212**

On Thu, Mar 30, 2023 at 12:47 PM Cassie Stinson <Cassie.Stinson@cot.tn.gov> wrote:

Good morning,

Thank you for taking the time to fill out the Comptroller's ELA Compliance Review in January of this year. Tennessee law (T.C.A. 49-1-905) requires our office to review the ELA textbooks in use by school districts.

After reviewing the information you provided in the questionnaire, I wanted to confirm that our information is correct. Your response indicated that your district uses "CommonLit 360" in grades 9 and 10, and no textbook titles were provided for grades 11 and 12. Based on your response, I have the following information:



**For grades 9-10, the district indicated using textbooks that are not on the 2019 adoption list, and the district does not have an approved waiver to do so. For grades 11-12, the district indicated that they are not using the textbooks they adopted and does not have a waiver for textbooks not on the adoption list.**

Can you confirm if this information is correct? If not, can you provide further clarification?

Thank you!

**Cassie Stinson**

*Associate Legislative Research Analyst*

Comptroller of the Treasury

Office of Research and Education Accountability

425 Rep. John Lewis Way N.

Nashville, TN 37243

Cassie.Stinson@cot.tn.gov | Direct Line 615.401.7941



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 **ELA Textbook Email Communication.pdf**  
202K



Jake Jones &lt;jake.jones@blountk12.org&gt;

**RE: [EXTERNAL] Textbook for ED-5099: Blount County Schools**

1 message

Virginia Mayfield &lt;Virginia.Mayfield@tn.gov&gt;

Tue, Ju

To: Jennifer Moore &lt;jennifer.moore@blountk12.org&gt;

Cc: Jake Jones &lt;Jake.Jones@blountk12.org&gt;, Terri Bradshaw &lt;Terri.Bradshaw@blountk12.org&gt;

Thank you so much for your response. I spoke with Dr. Coons and the plan you have for 9-12 ELA is fine. I so appreciate your help. If there is anything I can do to help Blount County, please let me know.

Kind Regards,

Virginia



Virginia Mayfield | Mathematics, Science, and Fine Arts Director  
Standards and Materials Office  
Andrew Johnson Tower, 11<sup>th</sup> Floor  
710 James Robertson Parkway, Nashville, TN 37243

615.417.1495

Virginia.Mayfield@tn.gov

#TNBestforAll

*We will set all students on a path to success*

**From:** Jennifer Moore [mailto:jennifer.moore@blountk12.org]  
**Sent:** Friday, June 5, 2020 9:32 AM  
**To:** Virginia Mayfield <Virginia.Mayfield@tn.gov>  
**Cc:** Jake Jones <Jake.Jones@blountk12.org>; Terri Bradshaw <Terri.Bradshaw@blountk12.org>  
**Subject:** [EXTERNAL] Textbook for ED-5099: Blount County Schools

\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\*

Ms. Mayfield,

I am responding on behalf of Jake Jones, newly-named Assistant Director of Blount County Schools. He is listed as the point of contact on our ED-5099 form due to his current position, but adoption process was overseen by former assistant director Mike Crabtree.

As requested, I will amend our original form with the information for our Wit and Wisdom waiver, which was granted earlier this year for our elementary level.

For our 9-12 adoption, Mr. Crabtree had communicated with Lisa Coons in February regarding our plan to continue a pilot of Common Lit curriculum. Below is the text of that email; I can original if that would be helpful. We did not receive a response from Ms. Coons and proceeded with plans for the pilot.

Mike Crabtree &lt;mike.crabtree@blountk12.org&gt;

Mon, Feb 10, 12:30 P

to Lisa, Rob, Terri, me

Lisa,

*Thanks so much for the updated information. We've encountered an unusual case in Blount County's 9-12 ELA that we want to run by you. Currently, our 9-12 ELA is under con curriculum from Common Lit. We have promising data from our participation so far, and are under obligation for the next school year. We would like to extend our ELA Curriculu*

include 9-12, however, and make an adoption recommendation under the 19/20 adoption cycle. If permissible, we would then evaluate the Common Lit curriculum at the end of the year and make a decision between the two; writing a waiver for Common Lit if necessary.

I would appreciate your guidance and feedback. Feel free to contact me if you have any questions.

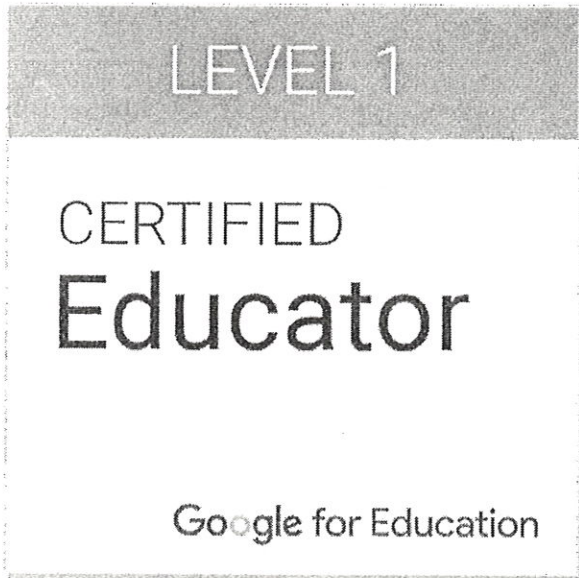
Jennifer L. Moore

Supervisor of 6-12 Instruction

Blount County Schools

District Level School Counselor Support

865.984.1212, Extension 55-2143



"Every student is a success story waiting to be told." --Tom Hierck

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