



**BILL LEE**  
GOVERNOR

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

**LIZZETTE REYNOLDS**  
COMMISSIONER

**Via Electronic Mail**

August 17, 2023

Donald C. Durley, Director of Schools  
Grundy County Schools  
1376 Main Street  
P.O. Box 97 Street  
Altamont, TN 37301-0097

Re: Class Size Waiver at Tracy City Elementary School for the 2023-24 School Year

Dear Director Durley:

I am in receipt of your August 14, 2023 request for a waiver of the class size average for K-3 classes found in Tenn. Code Ann. § 49-1-104 for North Elementary School in Grundy County Schools.

The commissioner's waiver authority under Tenn. Code Ann. § 49-1-201(d) is limited by Tenn. Code Ann. § 49-1-104(a), which states that "neither the commissioner nor the state board of education shall grant waivers from the maximum class sizes established in this section."

With the understanding that none of the K-3 classes at Tracy City Elementary will exceed 25, the maximum number of students per class specified in the above referenced statute, your request for a waiver of the class size average is granted for the 2023-24 school year.

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

Sincerely,

Lizzette Reynolds  
Commissioner



## 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 (LEA) for one 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.Education@tn.gov](mailto:Commissioner.Education@tn.gov). Following review by the commissioner, the LEA 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:**

## Grundy County School System

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**School Information (if applicable):**

School Name:

Tracy City Elementary

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Street:

276 3<sup>rd</sup> Street

ED5535 1 RDA Pending Please list the statute(s) and/or state board rule(s) for which waiver is being requested:

**TCA 49-1-104 states that class average of K-3 shall not exceed 20. As of August 11, 2023, the class average of K-3 at Tracy Elementary is 20.7. K-3 classes at Tracy do not exceed 25 students which is the maximum.**

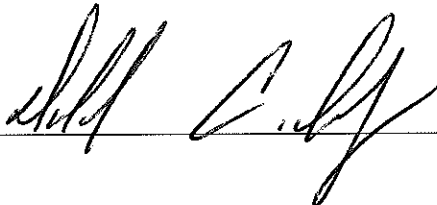
Explanation of how the statute(s) and/or state board rule(s) inhibits or hinders the local education agency's ability to meet its goals or comply with its mission:

The Grundy County School System has witnessed an increase in the number of student in our district. This is in part to families moving into our county and the closure of one of our elementary schools. Due to the lack of teacher candidates, we feel it is better to be over the average, and students be placed with a highly qualified teacher.

Expected duration of the condition necessitating this waiver request:

The expected duration of the class average waiver request is for the 2023/2024 school year.

Director of Schools (Signature)



Print Name

Donald C. Durkey

Date

8/14/23

