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COMMISSIONER

December 7, 2020

Secretary Betsy DeVos  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202

Subject: Waiver request of Section 487A(b) of Higher Education Act

Secretary DeVos,

The Tennessee Department of Education (Department) is grateful for the partnership of the U.S. Department of Education (ED) and for the innovative and flexible approaches that have been taken to address multiple issues impacting education across our country. Tennessee is seeking ED's continued support and consideration of a waiver request to address a critical need in our state. We are requesting a waiver from federal student aid program statutory and regulatory requirements within Section 487A(b) of *Higher Education Act of 1965* to increase access to federal work-study. Specifically, we are requesting a waiver using the Secretary's authority to "grant waivers of certain federal student aid program statutory or regulatory requirements to allow a limited number of institutions to participate in experiments to test alternative methods of administering the federal student aid programs."<sup>1</sup>

In Tennessee, we are committed to supporting all students by addressing learning loss due to COVID-19 interruptions to in-person education. We have an immediate need to ensure all students have access to additional instruction that is individualized via a tutor. We have tens of thousands of students who have not received any in-person instruction since March 2020, as our two largest school districts have remained virtual with only a brief period of in-person instruction for select grades in one of the districts before returning to all virtual instruction. These students and other students across other districts who experienced various levels of learning loss due to spring closures would greatly benefit from having access to tutors to address existing gaps that may have developed during this time.

Further, we have thousands of college students who depend on earning federal work-study to pay for their tuition and school-related expenses. Due to campus closures, these college students have experienced loss of employment and many are not eligible to earn their federal work-study funding. We need to ensure college students who qualify for federal work-study do not drop out of college due to financial barriers, especially as a result of the pandemic, and potentially use this time as an opportunity to leverage their skills, knowledge, and perseverance to meet the needs of our K-12 students.

In response to this significant need for innovative solutions, we are requesting this waiver for institutions of higher education (IHEs) in the state of Tennessee. This waiver would allow access to federal-work study for students in the following two areas: (1) for tutoring K-12 students in the state of Tennessee, with a specific priority for federal work-study eligible students of campuses that are in remote settings and (2) during the clinical internship experience for student teachers.

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<sup>1</sup> <https://experimentalsites.ed.gov/exp/pdf/FWSFactSheet.pdf>

Under this waiver, the Department will work with all IHEs in Tennessee to address two specific issues:

1. **Availability of Federal Work-Study for Remote College Students:** We have several universities who anticipate not operating in-person for the second semester of the 2020-21 school year. By providing this waiver, thousands of low-income students who depend on federal work-study will have the opportunity to earn this same financial support by tutoring in local K-12 school districts (both remotely and in-person, as almost all of our suburban and rural school districts are providing instruction in-person). College students who remain on campus would be eligible to tutor in the school districts that surround their campuses. The Department has established strong working relationships and established partnerships with our school districts and IHEs and are positioned to match federal work-study eligible students with local school districts for tutoring opportunities. This waiver would provide tutoring opportunities for some of our highest-need schools, provide more flexibility in federal work-study to eligible students and may also expose more college students to the potential of pursuing a career in teaching due to the early exposure in tutoring and directly supporting students.
2. **Availability of Federal Work-Study for Students in their Clinical Internship (Student Teaching):** The Department will work with all educator preparation programs within our IHEs to ensure student teaching (i.e., clinical internship, as it is referred to in Tennessee) is eligible for federal work-study. With our schools of education having access to these funds for clinical internships, the Department will prioritize recruitment efforts and sharing of best practices amongst our Educator Preparation Working Group (EPWG), which is comprised of representatives from several universities in Tennessee. While our universities have experienced an increase in overall enrollment over the last decade, enrollment in our schools of education has decreased. This waiver may assist in reversing that trend. We are in full agreement with the U.S. Department of Education's fact sheet on this topic which states that the inability to use these funds for student teaching purposes "can cause adverse financial impact on students, especially low-income students, who may resort to loans to pay tuition during periods of work not supported by FWS funds." This waiver, however, would allow for students to earn income while student teaching, which is currently not an available option. Further, this waiver would lead to increased diversity and expansion of our schools of education by removing the financial barrier that causes students to have outside employment or federal work-study eligible roles that are not aligned to their college major or future career. Finally, this waiver would allow for federal work-study eligible students in schools of education to focus solely on their clinical internship that is preparing them to become a classroom teacher since they will be able to earn income from it, as opposed to working an additional job at night or on weekends that may be unrelated to their field of study.

The Department is committed to collecting and analyzing data to inform best practices and research. We will work with our IHEs to capture how many clinical internships leverage federal work-study funding. We will be able to monitor any increases in enrollment to educator preparation programs as a result of this waiver. With our local education agencies, we will be able to collect from them how many tutors who leverage federal work-study are supporting their K-12 students. We would be able to report this data back to ED on an annual basis.

We will be posting this waiver request on the Department's website for feedback and will share any feedback received no later than December 15, 2020. The request will be posted in the location and manner the Department typically seeks feedback from stakeholders.

The academic interruptions caused by COVID-19 need to be addressed, and here in Tennessee I am immensely proud of the work we are doing to support our schools. We continue to be grateful for the funding that we have received from the federal government that has allowed us to prioritize a return to in-person learning while also providing choice and options for districts and families. We believe approval of this waiver would address will benefit all students both in K-12 and our institutes of higher education for years to come.

If you have additional questions on this request, please do not hesitate to reach out to me directly or David Donaldson, the Department's Chief of Human Capital ([David.Donaldson@tn.gov](mailto:David.Donaldson@tn.gov)).

Thank you for your consideration of this request.