



August 31, 2021

Dear Director Greene,

Thank you for your revised waiver submission.

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 Athens City Schools for 8 classrooms is **approved** at this time.

The rationale for this approval is:

- There are 42% of students in quarantine or isolation.
- Even with limited staff shortages listed, both your information and your discussion with Christy Ballard demonstrate the strain on staff to simultaneously teach in-person and remotely. We recognize that this will not create an environment that will maximize learning and safety.
- You demonstrated clear protocols for evaluation.

The department will continue to encourage all districts 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 "P. 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. 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.

Athens City Schools

Local Education Agency		
943 Crestway Drive	Athens	37303
Street	City	Zip
		8-30-21
Director of Schools (Signature)		Date

1. Number of **classrooms** for which you are requesting a waiver: 6

Grade of Classroom	Name of School	In Quarantine or Isolation					
		# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
8	Athens City Middle School	0	0	0	0	59	35%

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

As of 8/30/21 there are 11 positive cases and 48 exposures among 170 8th grade students resulting a surge of 35% of 8th grade students affected by COVID 19 vs. 1% of students in quarantine or isolation August 9-27. Virtual instruction is critical in an effort to maintain equity for all 8th grade students, prevent the spread to other grade levels, and teachers.

2. Number of **schools** for which you are requesting a waiver: _____

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: