



January 14, 2022

Dear CEO Lewis,

Thank you for your waiver submission on January 7, 2022.

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 **Gestalt Community Schools** for Power Center Academy High School and Power Center Academy Elementary is **approved** at this time.

The rationale for this approval is:

- The positivity rate among teachers and staff has limited capacity, and the school is not in a place to support in-person learning.
- The district has taken necessary steps to staff where able; however, key personnel remain an issue at these schools.

If not already in place, the department also continues 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 'Penny Schwinn'.

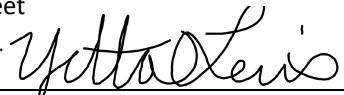
Penny Schwinn, PhD, MAT  
Commissioner, Tennessee Department of Education

## 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](mailto: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.

Shelby County Schools		
Local Education Agency		
Gestalt Community Schools		
2650 Thousand Oaks Blvd Ste 2200	Memphis	38118
Street	City	Zip
		January 7, 2022
Director of Schools (Signature)		Date

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

Grade of Classroom	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:

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

Name of School	In Quarantine or Isolation					
	# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
Power Center Academy High School	15	44%	18	39%	0	0
Power Center Academy Elementary-HH	17	37%	20	27%	0	0

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

Given the number of COVID-19 positive teachers, we are unable to hold in-person learning. The number of positive cases impacts each grade level. Further, like many schools in the the state, we are experiencing challenges getting substitute teachers.