



January 20, 2022

Dear Director Holman,

Thank you for your waiver submission on January 19, 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 **Overton County** for **Livingston Middle School** is **approved** at this time.

The rationale for this approval is:

- The district has taken necessary steps to staff where able; however, key personnel remain an issue at the middle school.

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 that reads "Penny Schwinn". The signature is fluid and cursive.

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. § 49-1-201 (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 for up to five (5) calendar days (in alignment with C.D.C. and Tennessee Department 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 five (5) calendar days. If conditions warranting a waiver persist, then the LEA may submit additional waivers.

Overton County Board of Education  
Local Education Agency

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302 Zachary St Livingston 38870  
Street City Zip

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Donnie Holman 1-19-22  
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: 1

| Name of School    | In Quarantine or Isolation |               |            |            |               |               |
|-------------------|----------------------------|---------------|------------|------------|---------------|---------------|
|                   | # of Teachers              | % of Teachers | # of Staff | % of Staff | # of Students | % of Students |
| Livingston Middle | 21                         | 62%           |            |            |               |               |
|                   |                            |               |            |            |               |               |

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

Livingston Middle School has 13 of their 21 teachers out with Covid. Only 2 were able to find subs. A large number of staff are out positive as well. Requesting closure for remainder of the week.