

August 30, 2021

Dear Director Spurlock,

Thank you for your waiver submission on August 30, 2021.

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 following waivers submitted by Rutherford County Schools are **approved** at this time.

- **Rockvale Elementary and Blackman Middle:** This is approved for the requested 3 days (Rockvale, 3<sup>rd</sup> – 5<sup>th</sup>) and 2 days (Blackman, 7<sup>th</sup>), through September 2 and 3, 2021, respectively. The substitute fill rate of 0% with 43% of teachers out provides sufficient information to grant the waiver. The district should proactively review and consider deploying alternative staff from other sites or the district office for future requests.

The following waiver submitted by Rutherford County Schools is **denied** at this time.

- **Christiana Middle:** Given no teacher/staff quarantines, sufficient teachers are available for in-person instruction and it is important that the 50% of students who can be in-person continue to receive that option.

If there are additional considerations related to Christiana Middle School, I invite you to provide them.

The department would also like to continue to encourage you 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.

Rutherford County  
Local Education Agency

22 40 South Park Dr                      Murfreesboro                      37128  
Street    City    Zip

Kell C Spuback    8/30/2024  
Director of Schools (Signature)    Date

1. Number of classrooms for which you are requesting a waiver: 23

Grade of Classroom	Name of School	In Quarantine or Isolation					
		# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
3-5	Rockvale Elem	10	43	4	60		

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

Staffing issues due to covid. The school had a substitute full-time of 0%. Requesting 3 days of remote learning for grades 3-5.

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:

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Rutherford County  
Local Education Agency

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2240 South Park Dr                      Murfreesboro                      37128  
Street    City    Zip

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Bill C Spubar    8/30/2021  
Director of Schools (Signature)    Date

1. Number of classrooms for which you are requesting a waiver: 20

Grade of Classroom	Name of School	In Quarantine or Isolation					
		# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
<u>7<sup>th</sup> grade</u>	<u>Blackman MS</u>	<u>12</u>	<u>60</u>	<u>4</u>	<u>70</u>		

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

Staffing issues due to Covid. Substitute fill-rate less than 30%. Requesting two days of remote learning for 7<sup>th</sup> grade only.

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:

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Rutherford County  
Local Education Agency

2240 South Park Dr Street      Murfreesboro City      37128 Zip

Bill C Spubel Director of Schools (Signature)      8/30/2021 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
<u>Christiana MS</u>					<u>510</u>	<u>50%</u>

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

Requesting 1 day of remote learning due to high number of student absent due to Covid