



BILL LEE
GOVERNOR

STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
NINTH FLOOR, ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0375

LIZZETTE REYNOLDS
COMMISSIONER

Via Electronic Mail

February 7, 2024

Dr. Tammy Garrett, Director of Schools
Bedford County Schools
500 Madison Street
Shelbyville, TN 37160

Dear Dr. Garrett:

Tenn. Code Ann. § 49-6-3004(a)(6) authorizes the Commissioner of Education to grant a waiver of the instructional day requirement only in the event of a natural disaster or a serious outbreak of illness affecting or endangering students or staff during a school year.

This waiver provision was added to the law after the catastrophic flooding that occurred across Tennessee in May of 2010. The flooding created a situation where at the very end of the school year local education agencies (LEAs) were unable to address the lost instructional time due to the flooding through the use of stockpile days or by adhering to the Tennessee Department of Education's [Attendance Manual](#) on making up instructional days missed.

The waiver authority granted to the commissioner in the law is narrow. Merriam-Webster defines "natural disaster" as a sudden and terrible event in nature (such as a hurricane, tornado, or flood) that usually results in serious damage and many deaths. The waiver authority is only available for events of nature that cause substantial damage or disruption to property or critical infrastructure impacting the community and school operations that are beyond regular inclement weather.

The Tennessee Emergency Management Plan (TEMP) includes activation levels 1-5. Level 5 is for normal operations when no state declaration of emergency exists. Level 4 is identified as "elevated" and is when there is a potential or likelihood of an emergency developing or worsening, and TEMA may augment staffing for the 24-hour watch staff in the Operations Center to perform more frequent monitoring of a situation. Only levels 1-3 indicate some level of disaster has occurred. Tennessee was at a level 4 during this recent winter weather.

Your request includes information confirming your community suffered substantial damage or disruption to property or critical infrastructure that impacted the community and school operations beyond regular inclement weather on January 22-24, 2024, due to lack of water. Pursuant to the commissioner's authority under Tenn. Code Ann. § 49-6-3004(a)(6)(A) to waive instructional days in the event a district experiences a natural disaster, your waiver request for January 22-24, 2024, is hereby granted.

Sincerely,

Lizzette Reynolds
Commissioner

From: [Commissioner of Education](#)
To: [Kristen B. McKeever](#)
Cc: [Commissioner of Education](#)
Subject: FW: Emergency Water Situation - Bedford County Schools
Date: Tuesday, January 23, 2024 1:08:45 PM
Attachments: [image001.png](#)
[image002.png](#)

Kristen,

Please see below.

Best,



Kate Sanders | Policy Implementation Specialist

From: Tammy Garrett <garretttam@bedfordk12tn.net>
Sent: Tuesday, January 23, 2024 12:55 PM
To: Commissioner of Education <Commissioner.Education@tn.gov>
Cc: Christy Ballard <Christy.Ballard@tn.gov>
Subject: [EXTERNAL] Emergency Water Situation - Bedford County Schools

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

I have been advised by Bell Buckle Water department that we did not have enough water to operate three of my schools yesterday, today and tomorrow. They can not give me a date on when they anticipate being able to open. They state it would be unsafe to operate because they do not have enough water to fight a fire in case of an emergency even if we had enough water for toilets, etc. We were closed as a district yesterday and today. I feel like the roads are ok to operate tomorrow but I will not be able to open the 3 in the Bell Buckle area. I can go to virtual but only two days. Is that correct? Please advise if I could get a waiver or if you have a better option. FEMA is involved in the water situation here.

My cell number is 615-785-9028 if you would rather discuss.

Thank you.



Dr. Tammy Garrett

Director of Schools

📞 931-684-3284

✉️ garrettam@bedfordk12tn.net

📍 500 Madison St., Shelbyville, TN 37160