



BILL LEE
GOVERNOR

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

PENNY SCHWINN
COMMISSIONER

Via Electronic Mail

August 25, 2022

Dr. Cathy Beck, Director of Schools
Cheatham County Schools
102 Elizabeth Street
Ashland City, TN 37015

Re: Waiver for Class Size at East Cheatham Elementary School

Dear Director Beck:

I am in receipt of your August 8, 2022 request for a waiver of the class size average found in Tenn. Code Ann, § 49-1-104 for East Cheatham Elementary School in Cheatham County Schools.

The commissioner's waiver authority under Tenn. Code Ann. § 49-1-201(d) is limited by Tenn. Code Ann. § 49-1-104(a), which states that "neither the commissioner nor the state board of education shall grant waivers from the maximum class sizes established in this section."

With the understanding that none of the classes at East Cheatham Elementary School will exceed the maximum number of students per class specified in the above referenced statute, your request for a waiver of the class size average is granted for the 2022-23 school year.

Please do not hesitate to call me if you have further questions.

Sincerely,

Dr. Penny Schwinn
Commissioner



Local Education Agency Waiver Request

Pursuant to Tennessee Code Annotated § 49-1-201(d), upon application by the local education agency for one (1) or more of its schools, the commissioner of education may waive any state board rule or statute that inhibits or hinders the LEA's ability to meet its goals or comply with its mission. Please submit completed forms to Commissioner.Schwinn@tn.gov. Following review by the commissioner, the district will be notified in writing if the waiver request is approved or denied. Unless otherwise stated, all waivers granted by the commissioner shall be granted for one year terms.

Waivers may **not** be granted by the commissioner for regulatory or statutory requirements related to:

- (A) Federal and state civil rights;
- (B) Federal, state and local health and safety;
- (C) Federal and state public records;
- (D) Immunizations;
- (E) Possession of weapons on school grounds;
- (F) Background checks and fingerprinting of personnel;
- (G) Federal and state special education services;
- (H) Student due process;
- (I) Parental rights;
- (J) Federal and state student assessment and accountability;
- (K) Open meetings;
- (L) Educators' due process rights;
- (M) Reductions in teachers' salaries;
- (N) Employee rights, salaries and benefits; and
- (O) Licensure of employees.

Local Education Agency:

Cheatham County School District 110

School Information (if applicable):

School Name:

East Cheatham Elementary School

Street:

3201 Bearwallow Rd.

City:

Oakland City

Zip Code: 37015

Please list the statute(s) and/or state board rule(s) for which waiver is being requested:

T.C.A. 49-1-104(a)

Explanation of how the statute(s) and/or state board rule(s) inhibits or hinders the local education agency's ability to meet its goals or comply with its mission:

Due to growth of students and lack of teacher applicants to fill open positions we are forced to increase class size.

Expected duration of the condition necessitating this waiver request:

The positions remain posted through HR. We will correct the issue when staff become available to hire. We hope that we are able to hire after first semester.

Director of Schools (Signature)

 _____

Print Name Cathy Beck _____

Date August 8, 2022 _____