



**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**

November 29, 2022

Dr. Chris Causey, Director of Schools  
Robertson County Schools  
800 M S Coutts Boulevard  
Springfield, TN 37172

Re: Waiver Requests for Tom Cronan Physical Education Act, Class Size, and Maximum Time in Transit for the 2022-23 School Year

Dear Director Causey:

I am in receipt of your August 9, 2022 LEA Waiver Request Form requesting a waiver of the following for Robertson County Schools:

- Class size limits, found in Tenn. Code Ann. § 49-1-104;
- Maximum transit time requirements, found in Tenn. Code Ann. § 49-2-2105; and
- Tom Cronan Physical Education Act, found in Tenn. Code Ann. § 49-6-1021(e)(3)

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 in Robertson County Schools 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.

In addition, your waiver request for maximum transit time is granted for the 2022-23 school year upon the condition that no student is in transit for longer than 110 minutes.

Regarding your request for a waiver of the licensure requirements under the Tom Cronan Physical Education Act, which is found in Tenn. Code Ann. § 49-6-1021(e)(3), endorsement exemptions are granted for individual educators on a case-by-case basis. Guidance for submitting endorsement exemption requests can be found under "Licensure Forms – Waivers and Permits" at the following link: <https://www.tn.gov/education/licensing/licensure-resources.html>.

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](mailto: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:**

ROBERTSON Co. Schools

**School Information (if applicable):**

School Name: ALL

Street: 800 MS Courts Blvd.

City: Springfield TN Zip Code: 37172

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

SEE ATTACHED


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:

SEE ATTACHED

Expected duration of the condition necessitating this waiver request:

1 YEAR 22-23 School Year

Director of Schools (Signature)



Print Name

CHRIS J. CASEY

Date

8-9-22

