



**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**

July 6, 2022

Dr. Russell Dyer, Director of Schools  
Cleveland City Schools  
4300 Mouse Creek Road NW  
Cleveland, TN 37312

Re: Waiver for Career and Technical Education Class Size for the 2022-23 School Year

Dear Director Dyer:

I am in receipt of your May 25, 2022 letter requesting a waiver of the class size average for Career and Technical Education classes found in Tenn. Code Ann. § 49-1-104 for Cleveland High School in Cleveland City Schools for the 2022-23 school year.

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 Career and Technical Education classes in Cleveland High School will exceed 25, the maximum number of students per class specified in the above referenced law, 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



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**Russell Dyer, Ed.D. • Director of Schools**

4300 Mouse Creek Road NW, Cleveland, TN 37312 • p: 423.472.9571 • f: 423.472.3390 • clevelandschools.org

May 25, 2022

Dr. Penny Schwinn  
Commissioner of Education  
Tennessee Department of Education  
710 James Robertson Pkwy.  
Nashville, TN 37243

Dear Commissioner Schwinn,

Cleveland City Schools received an exemption to the Tennessee Annotated Code, section 49-1-104 limiting the maximum number of students per CTE class to 25 and the building average to 20.44 for the 2022-2023 school year.

Cleveland City Schools continues to see an increase in population. Currently enrollment is 5476 students. With the exemption granted in 2020-2021, approximately 100 more students were able to take high demand, high skill, high wage CTE courses at Cleveland High School.

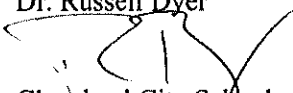
All of our CTE programs currently have the capacity and equipment to serve 25 students per class. Limiting the average class size to 20 results in equipment sitting idle and students not being served during part of the school day. The goal of Cleveland City Schools CTE Department is to provide our students with a quality education and meet the needs of industry while making the best use of our resources.

Labor Market data projects that total employment will grow over the next decade. Occupations that require some postsecondary training for entry are expected to grow the fastest. The U.S. Department of Labor, Bureau of Labor Statistics in the Employment Projections for 2012-2022, project that health care, personal care and social assistance, business and advanced manufacturing will have the fastest job growth. Office and administrative support occupations are expected to add the largest number of new jobs during this time period.

To better prepare our students for the future, we request that the exemption to the Tennessee Annotated Code, section 49-1-104 be extended for the 2022-2023 school year so Cleveland High School can continue to maintain the 25 students per class maximum.

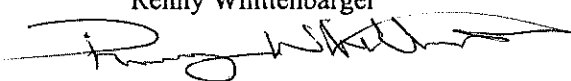
Thank you for your consideration.

Dr. Russell Dyer



Cleveland City Schools  
Director of Schools

Renny Whittenbarger



Cleveland City Schools  
Supervisor of Career and Technical Education