



**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**

March 18, 2022

Vickie Beard, Director of Schools  
Giles County Schools  
270 Richland Drive  
Pulaski, TN 38478

Re: Waiver for Maximum Time in Transit

Dear Director Beard:

I am in receipt of your February 18, 2022 waiver request of the maximum time in transit found in Tenn. Code Ann. § 49-6-2105 due to a current bus driver shortage affecting your district.

Your waiver request for maximum time in transit is granted for the remainder of the 2021-22 school year upon the condition that no student is in transit for longer than 110 minutes.

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

Sincerely,

Dr. Penny Schwinn  
Commissioner



**Tennessee Department of Education – Office of The Commissioner**  
 710 James Robertson Parkway - Andrew Johnson Tower, 9<sup>th</sup> Floor - Nashville, TN 37243

## 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:**

Giles County School System

**School Information (if applicable):**

School Name: Transportation Department

Street: 105 N 8<sup>th</sup> Street

City: Pulaski, Zip Code: 38478

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

TCA 49-6-2105 Maximum time in transit.

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 driver shortage, we are unable to stay within the 1 1/2 hour limit either for the am route or pm route. We are having to combine routes on occasion to serve all of our students. Our route times increase by as much as 30 minutes.

Expected duration of the condition necessitating this waiver request:

The duration is unknown at this time. We are trying to restructure our salary schedule to increase driver pay and have banners up at various locations to recruit drivers.

Director of Schools (Signature)

Vickie M. Beard

Print Name Vickie M. Beard

Date 2/18/2022