



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 8, 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 August 4, 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 2022-23 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



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:

Giles County School System

School Information (if applicable):

School Name: Transportation Department

Street: 105 N. 8th 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 a continued driver shortage, we are unable to stay within the 1 1/2 hour limit either for an am or pm route. We have to combine routes on occasion to serve all of our students. This increases route times as much as 30 minutes.

Expected duration of the condition necessitating this waiver request: Duration is unknown at this time. We have restructured our transportation salary schedule, so pay is increased. We are offering sign-on bonuses and offer to pay for CDL test.

Director of Schools (Signature)

Vickie M. Beard

Print Name Vickie M. Beard

Date Aug. 4, 2022