



BILL LEE
GOVERNOR

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

LIZZETTE REYNOLDS
COMMISSIONER

Via Electronic Mail

February 26, 2026

Dr. Millicent Smith, Director of Schools
Lenoir City Schools
203 Kelley Lane
Lenoir City, TN 37771
mbsmith@lenoircityschools.net

Dear Director Smith:

I am in receipt of your waiver request of State Board of Education Rule 0520-01-19 as it relates to staffing ratios for English as a Second Language (ESL) programs. You have requested to use an alternative number of ESL service hours at schools within Lenoir City Schools due to a student's disabilities and behaviors, they are unable to participate in a regular education setting. As a result, they will receive 20 minutes of ESL services.

Tenn. Code Ann. § 49-1-201(d) grants the commissioner the authority to "waive any state board rule or statute that inhibits or hinders the LEA's ability to meet its goals or comply with its mission." On the condition that the school district comply with the provisions of State Board of Education Rule 0520-01-19 by implementing the monitoring steps required under the Rule as well as implementing the additional action steps to address the student's disabilities and behaviors, they are unable to participate in a regular education setting, resulting in 20 minutes of ESL services, outlined in your waiver request, your request is hereby granted for the remainder of the 2025-26 school year.

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

Sincerely,

Lizzette Reynolds
Commissioner



**Tennessee Department of Education -
Office of The Commissioner** th

710 James Robertson Parkway - Andrew Johnson Tower, 9 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 (LEA) for one 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.Education@tn.gov. Following review by the commissioner, the LEA 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: Lenoir City Schools

School Information (if applicable):

School Name: Lenoir City Elementary School

Street: 203 Kelley Lane

City: Lenoir City

Zip Code: 37771

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

CHAPTER 0520-01-19 ENGLISH AS A SECOND LANGUAGE PROGRAMS Section 7: Provision of Direct ESL Services

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 one student's disabilities and behaviors, she is unable to participate in a regular education setting and spends most of her day in a CDC classroom. As a result, she will receive 20 minutes of ESL services daily.

Expected duration of the condition necessitating this waiver request:

For the 2025-2026 school year.


Director of Schools (Signature)

Print Name



Date:

