



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

November 4, 2024

Dr. Bruce Borchers, Director of Schools
Oak Ridge Schools
304 New York Avenue
Oak Ridge, TN 37830

Re: Waiver for Career and Technical Education Average Class Size at Oak Ridge High School

Dear Director Borchers:

I am in receipt of your October 31, 2024, waiver request of the class size average found in Tenn. Code Ann. § 49-1-104 for career and technical education classes at Oak Ridge High School.

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 at Oak Ridge High School will exceed the maximum number of students per class specified in the above referenced law, your request for a waiver of the class size average is hereby granted for the remainder of the 2024-25 school year.

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

Sincerely,

Lizzette Reynolds
Commissioner



Tennessee Department of Education – Office of The Commissioner

710 James Robertson Parkway - Andrew Johnson Tower, 9th 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:

Oak Ridge Schools

School Information (if applicable):

School Name: Oak Ridge High School

Street: 1450 Oak Ridge Turnpike

City: Oak Ridge Zip Code: 37830

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

In order to best serve our students who wish to pursue career and technical education coursework, we are requesting a waiver of the rule for an average of 20 students with a cap of 25. We would like to instead simply use the cap of 25. In cases where safety is a major concern or the availability of equipment per student is prohibitive, we to use the average of 20 and cap of 25 rule.

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:

The statute prohibits us from allowing students to take valuable CTE courses where we have capacity to server them with current space and equipment.

Expected duration of the condition necessitating this waiver request:

We request this on an annual basis based on our capacity to reach as many students possible in our CTE courses with current staffing. When demand is great enough, we will consider needs to hire additional staff members.

Director of Schools (Signature)

Bruce Borchers

Digitally signed by Bruce
Borchers
Date: 2024.10.31 12:26:46
-04'00'

Print Name _____

Date _____