



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

September 16, 2026

Dr. James Sullivan, Director of Schools
Rutherford County Schools
2240 Southpark Boulevard
Murfreesboro, TN 37128

Dear Director Sullivan:

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 staffing ratio at schools within Rutherford County Schools due to the composition and needs of your district's English learner population and your district's continued demonstration of strong outcomes for English learners.

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 monitor the composition and needs of your district's English learner population and your outcomes for English learners as outlined in your waiver request, your request is hereby granted for the remainder of the 2026-27 school year.

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

Sincerely,

Lizzette
Reynolds_CLB

Digitally signed by
Lizzette Reynolds_CLB
Date: 2026.10.14
12:15:59 -05'00'

Lizzette Reynolds
Commissioner

General Waiver Request

Local education agencies (LEAs) and public charter schools should review the Local Education Agency and Public Charter School Waiver Guidance posted on the [department's website](#) before submitting this request. The guidance outlines what can and cannot be waived, as well as the information required for commonly requested waivers.

To apply for a waiver, email the completed form to Education.Waivers@tn.gov. Following review by the commissioner, the requestor 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.

If this is a waiver request for a public charter school, please attach documentation that confirms the public charter school first submitted this waiver to its LEA authorizer and the LEA authorized denied the request.

Rutherford County Schools

Local Education Agency/Public Charter School

N/A

School Name, if applicable

N/A

School Address, if applicable

sullivanja@rcschools.net

Director of Schools/Head of School Email Address

Dr. James Sullivan

Director of Schools/Head of School Printed Name

 9-3-24

Director of Schools/Head of School Signature & Date

1. Statute(s) or State Board of Education (SBE) rule(s) for which a waiver is being requested.
0520-01-19-.05 ESL Staffing Ratio
2. Expected duration of the condition necessitating this request. Please note that the department will not grant waivers beyond one year.
2026-2027 School year
3. Explanation of how the statute(s) or SBE rule(s) inhibits or hinders the LEA's/public charter school's ability to meet its goals or comply with its mission (attach additional pages if more space is needed).
Rutherford County Schools is requesting approval to adjust the ESL staffing ratio from 1:35 to 1:40 based on the composition and needs of our English learner population.

The ESL staffing ratio includes all English learners receiving direct services, students who have waived services, and Transitional Year 1 (T1) and Transitional Year 2 (T2) students. Currently, T1 and T2 students account for approximately 28% of the district's total ESL staffing count. While these students continue to be monitored for academic progress, they do not require direct ESL instruction.

In addition, Rutherford County Schools continues to demonstrate strong outcomes for English learners. District data shows consistent growth on the ELPA21 assessment, along with an increasing number of students successfully exiting the ESL program each year. Most notably, the Transitional Years 1-4 subgroup achieved Level 5 growth across all subject areas except for ELA in grades 3-5, reflecting sustained academic progress following exit from direct ESL services.

Given the district's proven success in supporting English learners and the fact that more than one-quarter of the students included in the staffing calculation require monitoring rather than direct instruction, we believe a 1:40 staffing ratio is appropriate and will allow us to continue effectively meeting the needs of our multilingual learners.