



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 5, 2025

Dr. James Sullivan, Director of Schools
Rutherford County Schools
2240 Southpark Blvd.
Murfreesboro, TN 37128
sullivanja@rcschools.net

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 district's progress in English learner achievement and that 20% of EL students do not require direct ESL instruction.

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, 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



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

Director of Schools/Head of School Signature & Date

A handwritten signature in blue ink, appearing to read "Dr. James Sullivan", written over a horizontal line.

10-15-25



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.
2025-2026 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).

The ESL staffing ratio includes direct served English learners, waived students, transitional year one (T1) students, and transitional year two (T2) students. T1 and T2 students make up 20% of Rutherford County's total number for the ESL staffing ratio. T1 and T2 students do not require direct instruction from an ESL teacher, only monitoring. Because of this, RCS is requesting a 1:37 staffing ratio instead of a 1:35 staffing ratio.

Rutherford County Schools continues to demonstrate strong progress in English Learner achievement, as evidenced by consistent growth on the ELPA21 assessment and an increasing number of students exiting the ESL program. Notably, the English Learners in the Transitional 1-4 subgroup achieved Level 5 growth across all subject area assessments, with the exception of ELA in grades 3-8, which earned a Level 4. Given RCS's proven track record of EL success and the fact that approximately 20% of EL students do not require direct ESL instruction, a staffing ratio of 1:37 is appropriate to effectively meet the needs of this population.