



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

May 9, 2024

Sarai Pierce, Director of Schools
Sequatchie County Schools
878 Cordell Drive
Dunlap, TN 37327

Dear Director Pierce:

I am in receipt of your waiver request of Tenn. Code Ann. § 49-6-3004(a)(6) as it pertains to the required 180 days of instruction. Tenn. Code Ann. § 49-6-3004(a)(6) only authorizes waivers of the instructional day requirement to be granted in the event of a natural disaster or a serious outbreak of illness affecting or endangering students or staff during a school year.

This provision was added to the law after the catastrophic flooding that occurred across Tennessee in May of 2010. The flooding created a situation where at the very end of the school year local education agencies (LEAs) were unable to address the lost instructional time due to the flooding through the use of stockpile days or by adhering to the Tennessee Department of Education's [Attendance Manual](#) on making up instructional days missed.

The waiver authority granted to the commissioner of education in the law is narrow. Merriam-Webster defines "natural disaster" as a sudden and terrible event in nature (such as a hurricane, tornado, or flood) that usually results in serious damage and many deaths. The waiver authority is only available for events of nature that cause substantial damage or disruption to property or critical infrastructure impacting the community and school operations that are beyond regular inclement weather.

Your request includes information confirming your community suffered substantial damage or disruption to property or critical infrastructure that impacted the community and school operations beyond regular inclement weather. Pursuant to the commissioner's authority under Tenn. Code Ann. § 49-6-3004(a)(6)(A) to waive instructional days in the event a district experiences a natural disaster, your request is hereby granted.

Sincerely,

Lizzette Reynolds
Commissioner

Subject: RE: [EXTERNAL] Missed class due to storm

From: Sarai Pierce <spierce@sequatchie.k12.tn.us>
Sent: Thursday, May 9, 2024 6:27 AM
To: Commissioner of Education <Commissioner.Education@tn.gov>
Subject: [EXTERNAL] Missed class due to storm

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good morning. Sequatchie County Schools originally did a 2hr delay for today (May 9). However, we have many road closures, power outages, downed trees and flooding here in the valley and made decision to close. This officially puts us one day over stockpile. I'd appreciate your consideration in forgiving this one day.

Although one option would be to be in session the day after Memorial Day, many employees won't be available to work & I suspect it would be very low student attendance as well.

We'd certainly appreciate guidance on this matter. We'd like to communicate a clear plan with families as soon as possible.

Thank you!
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Director of Schools
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