



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

August 13, 2025

Richard Ray, Director of Schools
Tennessee School for the Blind
115 Stewarts Ferry Pike
Nashville, TN 37214
richard.ray@tsbtigers.org

Dear Director Ray:

I have received your waiver request of Tenn. Code Ann. § 49-6-3004 and State Board Rule 052-01-02-.31 as it pertains to the requirement that each of the 180 instructional days consist of a minimum of 6½ hours and the requirement that all 180 instructional days must be extended by, and limited to an extension of, 30 minutes daily, to accumulate the 13 permitted stockpile days.

Pursuant to Tenn. Code Ann. § 49-1-201(d), which authorizes the commissioner to waive any state board rule or statute that hinders a local education agency's ability to meet its goals or mission, the requested waiver is hereby granted for the 2025–26 school year. This approval is based on the school's unique statewide residential structure and is contingent upon adherence to the schedule outlined in the waiver request, as well as meeting the required minimum instructional time in minutes rather than hours.

Please don't 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.

Tennessee School for the Blind (TSB)

Local Education Agency/Public Charter School

Tennessee School for the Blind

School Name, if applicable

115 Stewarts Ferry Pike, Nashville, TN 37214

School Address, if applicable

richard.ray@tsbtigers.org

Director of Schools/Head of School Email Address

Richard Ray

Director of Schools/Head of School Printed Name

Richard N. Ray, Superintendent

Digitally signed by Richard N. Ray, Superintendent
Date: 2025.08.11 10:23:29 -05'00'

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.
T.C.A. § 49-6-3004
SBE Rule 0520-01-02-.31
2. Expected duration of the condition necessitating this request. Please note that the department will not grant waivers beyond one year.
2025-26 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).

TSB is requesting that the Commissioner of the Department of Education grant a waiver of the following two requirements within T.C.A. § 49-6-3004 and SBE Rule 0520-01-02-.31 that hinder TSB's ability to achieve its goals and carry out its mission to provide a free appropriate public education to students with disabilities and unique learning needs in a residential setting:

- (1) The requirement that each of the 180 instructional days consist of a minimum of 6½ hours; and
- (2) The requirement that all 180 instructional days must be extended by, and limited to an extension of, 30 minutes daily, to accumulate the 13 permitted stockpile days.

T.C.A. § 49-6-004 and SBE Rule 0520-01-02-.31 require 180 instructional days per school year at a minimum of 6½ hours daily (390 minutes), and permit schools and LEAs who exceed the minimum by an additional 30 minutes daily (420 minutes) to accumulate 13 stockpile days for the school year. This amounts to a minimum of 1,950 minutes per week or 2,100 minutes per week if accumulating stockpile days.

TSB operates both a day school and a residential program in Nashville. Residential students live statewide and travel via charter bus to the campus on Sundays, and from campus to return home on Fridays. The charter bus has designated stops to pick up/drop off students and bathroom and snack breaks. The shortest route is one hour and fifteen minutes for students who live in the Chattanooga area and the longest is six hours for students who live in the Johnson City area. This means that with a traditional seven-hour instructional day (to meet the requirement for accumulating stockpile days) some students would not be arriving home until 10:15 p.m. eastern time zone on Friday evenings. Additionally, with winter weather becoming more extreme, it is important to TSB to have the ability to accumulate stockpile days in case of inclement weather or a natural disaster and still ensure students are receiving adequate instruction time (five stockpile days were used for inclement weather during the 2024-25 school year).

It is because of this unique situation that TSB is requesting a waiver of the two requirements cited above with the caveat that TSB will follow the below schedule that will provide students with 2,105 minutes of instruction per week. This is more than the 2,100 required to meet minimum instruction and accumulate stockpile days.

- Monday-Thursday: 7:35 a.m.-3:15 p.m. (460 minutes per day, totaling 1,840 per week)
- Friday: 7:35 a.m.-12:00 p.m. (265 minutes) Please note that students do receive lunch on this day prior to release.

TSB's waiver request is based on its unique statewide residential structure and commitment to ensuring that the students have the requisite amount of instruction time while being able to safely get home to their families at a reasonable hour. The proposed schedule aligns with state requirements on a weekly basis, allows for stockpile accumulation, and promotes student well-being. We respectfully request the Commissioner to approve this waiver request.