



BILL LEE
GOVERNOR

STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
NINTH FLOOR, ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0375

PENNY SCHWINN
COMMISSIONER

Via Electronic Mail

December 2, 2021

Dr. Catherine Stephens, Director of Schools
Tullahoma City Schools
510 S Jackson Street
Tullahoma, TN 37388

Re: Waiver Request for Library Information Specialists

Dear Director Stephens:

I am in receipt of your November 16, 2021 request for a waiver of State Board of Education Rule 0520-01-02-.07 regarding Library Information Centers. You requested this waiver for Tullahoma Virtual Academy in Tullahoma City Schools to enable the school to provide out-of-district students access to the digital resources at Tullahoma High School and access to the virtual library administered by the Tennessee State Library and Archives since these students do not reside within the jurisdiction of Tullahoma City Schools.

Pursuant to my authority under Tenn. Code Ann. § 49-1-201(d), your waiver request is hereby granted for the 2021-22 school year.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Dr. Penny Schwinn
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 for one (1) 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.Schwinn@tn.gov. Following review by the commissioner, the district 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:

Tullahoma City Schools

School Information (if applicable):

School Name: Tullahoma Virtual Academy

Street: 301 W Decherd St

City: Tullahoma

Zip Code: 37388

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

SBE Chapter 0520-01-02-.07 (Library Information Centers)

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:

Tullahoma Virtual Academy (TVA) opened in 2021-22. Two students who are enrolled full-time in TVA live out-of-zone and pay tuition. They were enrolled in Tullahoma prior to the inception of TVA. Both of these students live in contiguous districts. According to State clarification, we are required to provide access to a library information center and a library information specialist to the students who live out-of-zone that is located within the LEA of where they reside. Currently, these students have access to the digital resources at Tullahoma High School. The library personnel at Tullahoma High School provide access to the virtual library administered by the Tennessee State Library and Archives and they have received official training within the last five years.

Expected duration of the condition necessitating this waiver request:

This will be ongoing due to the small number of students this impacts. At this point, we do not plan to extend enrollment opportunities for TVA to non-TCS students who live out-of-zone.

Director of Schools (Signature)



Print Name Dr. Catherine Stephens

Date November 16, 2021