



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 10, 2025

Grant Swallows, Director of Schools
Warren County Schools
2548 Morrison Street
McMinnville, TN 37110
swallowsq@warrenschoools.com

Dear Director Swallows:

I am in receipt of your waiver request of State Board of Education Rule 0520-01-19 as it relates to English as a Second Language (ESL) programs. You have requested to tailor services for Hickory Creek Elementary students who are in a self-contained classroom pursuant to the student's individualized education program (IEP) by using a co-teaching model or direct ESL instruction by an ESL teacher in the self-contained classroom. This request is being made because some students must remain in a self-contained classroom pursuant to their IEP to meet their individual needs.

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 required under the rule in your waiver request, 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

Local Education Agency Waiver Request

Pursuant to Tennessee Code Annotated (T.C.A.) § 49-1-201(d), upon application by the local education agency (LEA) for one or more of its schools, the commissioner of education may waive any State Board of Education (SBE) rule or statute that inhibits or hinders the LEA's ability to meet its goals or comply with its mission. 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.

LEAs applying for waivers must email this completed form to LEA.Waivers@tn.gov. Following review by the commissioner, the LEA 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.

Warren County

Local Education Agency

Hickory Creek Elementary

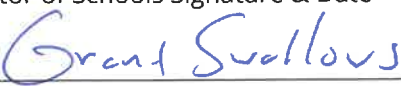
School Name, if applicable

270 Pioneer Lane McMinnville, TN 37110

School Address, if applicable

 8-15-25

Director of Schools Signature & Date



Director of Schools Printed Name

List the statute or SBE rule for which a waiver is being requested.

EL students in elementary school identified for ESL services via Dept of Education-adopted English language proficiency screener described in State Board Policy 3.207 shall receive a minimum of one (1) hour Direct ESL Service per school day from a teacher who holds an ESL endorsement, until the student achieves a qualifying score for exit on the Department adopted English language proficiency assessment.

Explanation of how the statute or SBE rule inhibits or hinders the LEA's ability to meet its goals or comply with its mission.

ESL Service Delivery Model being requested: tailored services for students who are placed in a self-contained classroom per an IEP. Either Co-teaching or direct ESL instruction by the ESL teacher in the self-contained classroom. We are making this request because often CDC students cannot tolerate an hour of direct instruction and must remain in the self contained classroom to meet their individual needs.

Expected duration of the condition necessitating this request.