



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, 2026

Dr. Grant Swallows, Director of Schools
Warren County
2548 Morrison Street
McMinnville, TN 37110

Dear Director Swallows:

I am in receipt of your waiver request of State Board of Education Rule 0520-01-19 as it relates to service time for English as a Second Language (ESL) programs. You have requested to use an alternative schedule to provide ESL services at schools within Warren County Schools due a students who have significant cognitive and behavioral impairments, who are placed in self-contained environments, and who have been determined to be unable to participate in continuous instruction for the full 60 minutes.

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, as well as implementing the additional action steps to address students who have significant cognitive and behavioral impairments, who are placed in a self-contained environments, and who have been determined to be unable to meaningfully participate in the full 60 minutes of continuous instruction as outlined in your waiver request, your request is hereby granted for the remainder of the 2026-27 school year.

Please do not hesitate to contact me if you have further questions.

Sincerely,

Lizzette
Reynolds_CLB

Digitally signed by
Lizzette Reynolds_CLB
Date: 2026.10.14
12:14:42 -05'00'

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.

Warren County

Local Education Agency/Public Charter School

Dibrell and Bobby Ray

School Name, if applicable

1759 Mike Muncey Road and 504 North Chancery Street McMinnville, TN

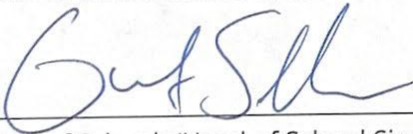
School Address, if applicable

swallowsg@warrenschoools.com

Director of Schools/Head of School Email Address

Dr. Grant Swallows

Director of Schools/Head of School Printed Name

 9-8-2026

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.
0520-01-19-.01 Provision of Direct ESL Services. 7(a)
2. Expected duration of the condition necessitating this request. Please note that the department will not grant waivers beyond one year.
August 20, 2026 until May 22, 2027
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).

Student's special education eligibility of Developmental Delay [REDACTED] impacts [REDACTED] ability to be able to understand and comprehend material, be able to proficiently perform life skills, maintain and understand emotions, and communicate with [REDACTED] peers. [REDACTED] deficits in [REDACTED] reading skills have a significant impact on [REDACTED] ability to master grade level standards. [REDACTED] need for frequent adult assistance to follow directions limits independent participation in classroom activities and progress toward first grade standards. [REDACTED] is currently unable to maintain attention to activity without intervention.

Student [REDACTED] throughout the day. [REDACTED] disability of autism affects executive functioning, resulting in difficulty with organization, planning, paying attention, and in/or inhibiting inappropriate responses. [REDACTED] receptive and expressive language skills are delayed. [REDACTED] is primarily non-verbal and cannot ask or answer questions verbally. [REDACTED] vocabulary is delayed and affects [REDACTED] ability to understand grade level tasks. These delays affect participation in classroom activities that require verbal responses and interaction with peers and adults in the classroom. This impacts access to reading related instruction, and tasks such as learning and identifying letters. This also impacts access to math-related instructions, and tasks such as rote counting, identifying numbers, and understanding number concepts.

Student is [REDACTED] classroom throughout the school day. [REDACTED] diagnosis of Autism impacts [REDACTED] ability to access and participate in [REDACTED]. Difficulties with social communication, attention, and flexibility affect the student's ability to follow classroom routines, attend to whole-group instruction, engage in peer interaction, and respond appropriately to adult direction. These challenges interfere with [REDACTED] ability to determine age-appropriate academic, social-emotional, and adaptive skills, resulting in a need for additional support, structure, and individualized instruction to make progress toward kindergarten grade-level standards. ESL Service 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. [REDACTED]