



**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**

March 28, 2023

Jason Golden, Director of Schools  
Williamson County Schools  
1320 W Main Street, Suite 202  
Franklin, TN 37064

Re: Waiver for Average Class Size at Sunset Elementary School

Dear Director Golden:

I am in receipt of your March 24, 2023 waiver request of the class size average found in Tenn. Code Ann. § 49-1-104 for grade K-3 classes at Sunset Elementary School in Williamson County Schools.

The commissioner's waiver authority under Tenn. Code Ann. § 49-1-201(d) is limited by Tenn. Code Ann. § 49-1-104(a), which states that "neither the commissioner nor the state board of education shall grant waivers from the maximum class sizes established in this section."

With the understanding that none of the grade K-3 classes at Sunset Elementary School will exceed the maximum number of students per class specified in the above referenced law, your request for a waiver of the class size average is hereby granted for the remainder of the 2022-23 school year.

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

Sincerely,

Dr. Penny Schwinn  
Commissioner



Tennessee Department of Education – Office of The Commissioner  
710 James Robertson Parkway - Andrew Johnson Tower, 9<sup>th</sup> 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](mailto: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:

Williamson County Schools

---

### School Information (if applicable):

School Name:  
Sunset Elementary

---

Street:  
100 Sunset Trail

---

City: Brentwood

Zip Code: 37027

---

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

TCA 49-1-104

**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:**

Sunset Elementary (K-5) has an average enrollment of 20.50 for their K-3 students per teachers. Sunset Elementary will adhere to the maximum class size standards at all times.

**Expected duration of the condition necessitating this waiver request:**

Until the end of the 2022-2023 school year.

**Director of Schools (Signature)**



---

Print Name Jason Golden

Date 3/24/2023