



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

August 27, 2021

Directors,

As we approach one month into the new school year, we all remain committed to safe, in-person learning with as little disruption as possible for our students and teachers. TCAP data indisputably quantified how Tennessee students lost academic progress under extended time away from the classroom.

I recognize the effort of districts that successfully navigated safe, in-person learning last school year, yet we recognize the 2021-2022 school year is evolving and includes a different set of variables. The rise of COVID-19 cases, quarantine, and subsequent operational limitations, such as staffing shortages, require a nimble approach to this school year.

Tennessee parents deserve clear, open communication as they determine what is best for the health and education of their children. I am providing additional flexibility to school districts regarding operational obligations and academic options for temporary remote instruction due to COVID-19.

The use of remote learning is outlined in State Board of Education rules, which are intended to prevent districts from unilaterally requiring students to remain remote with no end in sight. With that, in the event of operational disruptions that prevent successful in-person learning, flexibility at the classroom level and the school level is important.

Accordingly, I will consider waivers of the provisions of Tenn. Comp. R. & Regs. Chapters 0520-01-03 and 0520-01-13 related to remote instruction to the extent necessary to allow students affected at the classroom or school level by COVID-19 isolation or quarantine to participate in remote instruction. I will be using this waiver authority pursuant to Tennessee Code Annotated § 49-1-201 in cases where districts can demonstrate and document COVID-related needs in their school communities that necessitate a temporary shift to remote instruction for classrooms or entire schools. This waiver process is not required for individual students on quarantine to receive remote instruction.

To submit a waiver request for consideration to temporarily transition a classroom or school from in-person to remote instruction, a district must first document the impact of COVID-19 on their student and staff populations by completing the attached waiver request application. Second, a district must submit the waiver request application to the Department. The Department will review waiver requests each day at 9am, 12 noon, and 3pm CT and respond as quickly as possible.

I firmly believe in-person instruction is the best for kids, and there are proven strategies to mitigate the spread of COVID-19. While I want to provide common sense flexibilities to administrators who are making every possible effort to ensure the continuation of in-person academic instruction, my expectation is that waivers will be narrowly applied to preserve in-person learning wherever practicable.

Please contact Christy Ballard at Christy.Ballard@tn.gov with questions.

Sincerely,

A handwritten signature in cursive script, reading "Penny Schwinn".

Dr. Penny Schwinn
Commissioner of Education