



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 6, 2023

Jeff Mayo, Director of Schools
Arlington Community Schools
12060 Arlington Trail
Arlington, TN 38002

Re: Waiver for Average Class Size in CTE Courses at Arlington High School

Dear Director Mayo:

I am in receipt of your September 5, 2023 waiver request of the class size average found in Tenn. Code Ann. § 49-1-104 for CTE courses at Arlington High School in Arlington Community 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 CTE classes at Arlington High 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 2023-24 school year.

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

Sincerely,

Lizzette Reynolds
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 (LEA) for one 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.Education@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.

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:

Arlington Community Schools

School Information (if applicable):

School Name:

Arlington High School

Street:

5475 Airline Road

City: Arlington

Zip Code: 38002

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

Chapter 0520-01-02-.31 (4) outlines class size averages and maximums for Career and Technical Education courses and the ability for LEAs to seek a waiver as to the class size average for grades 9-12.

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:

Arlington High School is proud to offer 14 CTE programs of study and would like to continue to offer a variety of opportunities for our students to be exposed to a multitude of experiences. While ACS is seeking a waiver to the class average of 20, the district will ensure that no course exceeds the CTE maximum class size of 25.

Expected duration of the condition necessitating this waiver request:

The duration for this waiver request is for the 2023-2024 school year.

Director of Schools (Signature)



Print Name Jeffery G. Mayo

Date 9/5/2023