



**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**

May 2, 2023

Dr. Mike Winstead, Director of Schools  
Maryville City Schools  
833 Lawrence Avenue  
Maryville, TN 37803-4857

Re: Waiver Request for Library Information Specialists at Foothills Elementary School

Dear Director Winstead:

I am in receipt of your May 1, 2023 request for a waiver of State Board of Education Rule 0520-01-02-.07(2), requiring schools to employ a certain number of library information specialists per school who hold endorsements as library information specialists.

Pursuant to my authority under Tenn. Code Ann. § 49-1-201(d), your waiver request is hereby granted for the remainder of the 2023-24 school year.

Please do not hesitate to contact me should you have any 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:

Maryville City Schools

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### School Information (if applicable):

School Name:

Foothills Elementary

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Street:

520 Sandy Springs Road

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City: Maryville

Zip Code: 37803

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

SBOE Rule 0520-01-02-.07(2) Library Information Center Personnel - Requires schools to employ a certain number of licensed library information specialists based on grade span and enrollment.

**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:**

Foothills Elementary serves over 600 students in grades PreK through third grade. Under the SBOE Rule cited above, the school is required to have one full-time library information specialist with endorsement as a library information specialist. I am requesting flexibility to continue to employ two part-time licensed educators to oversee the school library. Both have over 30 years of experience. One is licensed as a library information specialist and one is licensed as a regular classroom teacher. We are confident this split in responsibilities will allow us to support students and teachers in new and better ways.

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

We piloted this approach in the 2022-23 school year. It was very successful based on feedback from students, teachers, and school administrators. We will continue to apply for this waiver annually.

**Director of Schools** (Signature)



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Print Name Mike Winstead

Date May 1, 2023