

BILL LEEGOVERNOR

STATE OF TENNESSEE **DEPARTMENT OF EDUCATION**

NINTH FLOOR, ANDREW JOHNSON TOWER 710 JAMES ROBERTSON PARKWAY NASHVILLE, TN 37243-0375 COMMISSIONER

Via Electronic Mail

September 6, 2023

Dr. Donnie Holman, Director of Schools Overton County Schools 302 Zachary Street Livingston, TN 38570

Re: Waiver for Average Class Size in CTE Courses at Overton County Middle Schools

Dear Director Holman:

I am in receipt of your August 31, 2023 waiver request of the class size average found in Tenn. Code Ann. § 49-1-104 for CTE courses at middle schools in Overton 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."

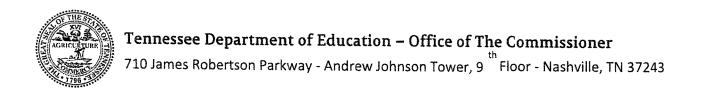
With the understanding that none of the CTE classes at middle schools in Overton County Schools will exceed the maximum number of students per class specified in the above referenced law, your request for a waiver of the class size average is hereby granted for the remainder of the 2023-24 school year.

school year.

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

Sincerely,

Lizzette Reynolds Commissioner



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;

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- (L) Educators' due process rights;
- (M) Reductions in teachers' salaries;
- (N) Employee rights, salaries and benefits; and
- (O) Licensure of employees.

Overton County Schools	
School Information (if applicable):	
School Name: All Middle Schools	
Street:	
City:	Zip Code:

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RDA Pending

Lapter 0520 - 01-02
District and School Operations
0520-01-02-31 (4)
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:
Overton County Schools has five middle schools and any beginning Career Exploration CTE classes in 6th through 8th grade. Our hornerooms currently have up to 30 students. Dur schools would benefit from allowing up to 30 on CTE courses.
Expected duration of the condition necessitating this waiver request:
Overto-Court Schools sees this as an angoing issue,
Overto-Parity Schools sees this as an ongoing issue,
Director of Schools (Signature)
Print Name_ Donnie Holman
Date8-31-23