



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

August 2, 2024

Joe Barnett, Director of Schools
Athens City Schools
943 Crestway Drive
Athens, TN 37303

Re: Waiver for Average Class Size at Athens City Intermediate School and Athens City Middle School

Dear Director Barnett:

I am in receipt of your July 26, 2024 waiver request of the class size average found in Tenn. Code Ann. § 49-1-104 for grades 3rd to 6th classes at Athens City Intermediate School and Athens City Middle School in Athens City School district.

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 3rd grade to 6th grade classes at Athens City Intermediate School and Athens City Middle 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 2024-25 school year.

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

Sincerely,

Lizzette
Reynolds_clb

Digitally signed by
Lizzette Reynolds_clb
Date: 2024.08.02
09:08:33 -05'00'

Lizzette Reynolds
Commissioner



943 Crestway Drive
Athens, TN 37303
423-745-2863

www.athenscityschools.net
Joe Barnett, Director of Schools

July 26, 2024

Re: Local Education Agency Waiver Request Athens City Schools

Dr. Lizette Gonzales Reynolds,

Athens City School has seen an unexpected rise in the number of students living in the city for the 2024-25 school year. This increase in enrollment will have a negative impact on our ability to accept tuition students in grades 3-6. These students have been part of Athens City for many years, and we believe it's best for them to continue their education here.

Due to this increase in student numbers, Athens City Schools is asking for a waiver to allow our third through sixth grade to adhere to the current maximum class size standard.

Respectfully,

Mr. Joe Barnett
Director of Schools



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:

Athens City Schools

School Information (if applicable):

School Name:

Athens City Intermediate School and Athens City Middle School

Street:

943 Crestway Drive

City: Athens

Zip Code: 37303

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

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:

Athens City Schools has experienced an unexpected increase of students residing in the city of Athens for the 2024-25 school year. This increase will negatively impact the acceptance of tuition students who have previously attended Athens City Schools for several years. While we prefer to maintain compliance with the TDOE-mandated teacher-student ratio, we request approval to keep a class size average for grades 3-6 for the 2024-25 school year.

Expected duration of the condition necessitating this waiver request:

Until the end of the 2024-25 school year.

Director of Schools (Signature)



Print Name Joe Barnett

Date: July 26, 2024