



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

August 1, 2024

Dr. Marie N. Feagins, Director of Schools
Memphis-Shelby County Schools
160 S. Hollywood
Memphis, TN 38112
feaginsmn@scsk12.org

Re: Local Education Agency (LEA) Waiver Request of Duty-Free Planning Periods

Dear Dr. Feagins:

I am in receipt of the August 1, 2024 LEA Waiver Request of Tenn. Code Ann. § 49-1-302(e)(2) and State Board of Education Rule 0520-01-02-.31(6) that requires LEAs to provide full-time classroom teachers with duty-free planning periods during the established instructional day.

This waiver request is approved for the 2024-25 school year for the limited purpose of providing teachers the option to forego their weekly duty-free planning periods to teach a course during those periods with additional compensation.

Sincerely,

Lizzette

Reynolds_clb

Digitally signed by
Lizzette Reynolds_clb
Date: 2024.08.02
07:10:44 -05'00'

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:

Memphis-Shelby County Schools

School Information (if applicable):

School Name:

Street:

City: _____ Zip Code: _____

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

TCA 49-1-302(e)(2)

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:

In light of the ongoing teacher shortage both locally and nationally, the District seeks to allow teachers the option to forego their weekly planning periods to teach a course during those periods, so that the District can increase the educational opportunities available to our students. This option would be entirely voluntary for teachers, and participating teachers would be compensated at 1/6 of their daily rate of pay.

Expected duration of the condition necessitating this waiver request:

The District requests this waiver for the duration of the 2024-2025 school year, with the option to renew the waiver for subsequent school years should staffing issues persist.

Director of Schools (Signature)



Print Name Dr. Marie N. Feagins

Date 8.1.2024