



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 21, 2024

Corby King
Putnam County Schools
1400 East Spring Street
Cookeville, TN 38506-4313

Re: Waiver for English as a Second Language (ESL) Programs

Dear Director King:

I am in receipt of your August 6, 2024 waiver request of State Board of Education Rule 0520-01-19 as it relates to the use of an alternate English as a Second Language (ESL) service model. You have requested to use an alternative model for ESL programs for students who have significant cognitive or behavioral needs within Putnam County Schools.

According to your request, this alternative model will allow the school district to provide services to English Learners (ELs) in accordance with their specific needs.

Tenn. Code Ann. § 49-1-201(d) grants the commissioner the authority to “waive any state board rule or statute that inhibits or hinders the LEA’s ability to meet its goals or comply with its mission.” On the condition that the school district complies with the provisions of State Board Rule 0520-01-19 by implementing the monitoring steps and requirements under the Rule, your request is hereby granted for the 2024-25 school year.

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

Sincerely,

Lizzette
Reynolds_clb

Digitally signed by
Lizzette Reynolds_clb
Date: 2024.08.22
10:16:35 -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:

Putnam County School District

School Information (if applicable):

Street: 1400 E. Spring St.

City: Zip Code: Cookeville, TN 38501

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

0520-01-19-.03 (10)

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:

This waiver is being submitted as a request to be able to tailor service time for students who have significant cognitive/behavioral impairments and are placed in a self-contained (CDC) environment. If the IEP team determines that the student is not able to participate in continuous instruction for the full 60 minutes, we would like to serve these students more appropriately as determined by the team.

(See attached sheet.)

Expected duration of the condition necessitating this waiver request:

2024-2025 School Year

Director of Schools (Signature)



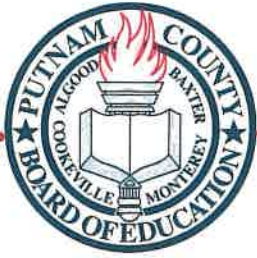
Print Name

Corby King

Date

8/6/24

ED5535 2 RDA Pending



ENGAGE INSPIRE ACHIEVE

(931) 526-9777/ F: (931) 528-6942

1400 E. Spring Street

Cookeville, TN 38501

www.pcsstn.com

1. ESL Coordinator: Alice Brown
2. ESL Service Delivery Model being requested: Tailored services for students who are placed in a self-contained classroom per an IEP. Either Co-Teaching or direct ESL instruction by the ESL teacher in the self-contained classroom
3. Number of Schools: 17
4. Grade Levels: K-12 (limited to students with significant cognitive or behavioral needs.) The number of students would likely be about 10-12 or less than 1% of the EL population.
5. Proposed implementation date: 07/31/2024-05/31/2025
6. Monitoring Plan: The student will be monitored quarterly through the ILP process using IEP and ILP goals. If it is determined that the student can tolerate more time, or can join grade level peers in the ESL classroom, those changes will be made within the ILP.
7. Description of Model: The ESL teacher will work with the students individually at a center within the self-contained classroom using appropriate material for students who receive core replacement for ELA such as Language for Learning, On Our Way to English and other materials as are appropriate. The ESL teacher will coordinate with the sped teacher and team to make sure that the time of instruction is appropriate for the individual students' needs. We are making this request because often these students cannot tolerate an hour of direct instruction and must remain in the self-contained classroom to meet their individual needs.
8. Confirm board attorney has reviewed and approved this waiver request: Yes
9. ESL Coordinator: Alice Brown
10. Federal Programs Director: Bridgett Carwile