

COVID-19 LEA WAIVER APPLICATION

Pursuant to [Chapter 652 of the Public Acts of 2020](#), upon application by a local education agency (LEA) for one (1) or more of the LEA's schools, and upon the approval of the state board of education, the commissioner of education shall waive a state board rule or statute that inhibits or hinders the LEA's ability to meet the LEA's goals or comply with the LEA's mission due solely to the outbreak of COVID-19 during the spring semester of the 2019-2020 school year. State Board of Education Emergency Rule 0520-01-03-.11 requires that all waiver requests be submitted to the Commissioner by June 30, 2020.

Instructions: LEAs applying for waivers pursuant to PC 652 may complete this application and email it to LEA.Waivers@tn.gov by **June 30, 2020**. Please check the box next to all waivers requested.

Local Education Agency:

Director of Schools (Signature):

Director of Schools Name:

Date:

____ **A waiver of T.C.A. § 49-5-409(b), which requires school districts to notify teachers within five (5) business days following the last instructional day for the school year if a teacher's contract will not be renewed for the succeeding school year.**

LEAs granted this waiver must provide teachers notice that their contracts will not be renewed for the 2020-2021 school year no later than June 15, 2020. Such notice may be provided electronically.

____ **A waiver of T.C.A. § 49-5-503(4), which states that teachers who have received evaluations demonstrating an overall performance effectiveness level of "above expectations" or "significantly above expectations" as provided in the evaluation guidelines adopted by the state board of education pursuant to T.C.A. § 49-1-302, during the last two (2) years of the probationary period are eligible for tenure.**

LEAs granted this waiver may allow teachers who have met all other requirements for tenure eligibility, but have not acquired an official evaluation score during the 2019-2020 school year due to COVID-19 school closures, to utilize the most recent two (2) years of available evaluation scores achieved during the probationary period for purposes of determining eligibility for tenure. The 2019-2020 school year will count toward a teacher's five (5) year probationary period.

_____ A waiver of T.C.A. § 49-2-202(a) (6) and State Board of Education rule 0520-01-02-.11 requiring every member of a local board of education to participate in annual training.

This waiver will only be granted for a local board of education member who is unable to complete the annual training requirements during the 2019-2020 school year because of the cancellation of in-person meetings due to COVID-19 and is unable to participate in online modules due to lack of equipment and or internet services.

OTHER WAIVERS

Please include the information requested below for each additional waiver requested. Additional pages may be attached to this application if necessary.

_____ Other waiver requested

Tennessee statute and/or State Board of Education rule requested to be waived:

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 due solely to the outbreak of COVID-19 during the spring semester of the 2019-2020 school year:

Action to be taken in lieu of compliance with the statute and/or rule, if applicable:

_____ **Other waiver requested**

Tennessee statute and/or State Board of Education rule requested to be waived:

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 due solely to the outbreak of COVID-19 during the spring semester of the 2019-2020 school year:

Action to be taken in lieu of compliance with the statute and/or rule, if applicable:

_____ **Other waiver requested**

Tennessee statute and/or State Board of Education rule requested to be waived:

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 due solely to the outbreak of COVID-19 during the spring semester of the 2019-2020 school year:

Action to be taken in lieu of compliance with the statute and/or rule, if applicable:

DATE WAIVER APPROVED BY THE STATE BOARD OF EDUCATION: _____

State Board of Education Executive Director (Signature): _____

DATE WAIVER GRANTED BY THE COMMISSIONER OF EDUCATION: _____

Commissioner of Education (Signature): _____