



**BILL LEE**  
GOVERNOR

STATE OF TENNESSEE  
**DEPARTMENT OF EDUCATION**  
NINTH FLOOR, ANDREW JOHNSON TOWER  
710 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243-0375

**LYLE AILSHIE**  
INTERIM COMMISSIONER

**Via Electronic Mail and USPS**

January 28, 2019

Tony Boles Director of Schools  
Macon County Schools  
501 College Street  
Lafayette, TN 37083

Re: Waiver for Average Class Size at Central Elementary School

Dear Mr. Boles:

I am in receipt of your January 28, 2019 waiver request of the class size average found in T.C.A. §49-1-104 for Central Elementary School for the remainder of the 2018-2019 school year.

The commissioner's waiver authority under T.C.A. §49-1-201(d) is limited by T.C.A. §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 classes at Central Elementary School will exceed 25, 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 2018-2019 school year.

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

Sincerely,

Lyle Ailshie  
Interim Commissioner



Tennessee Department of Education – Office of The Commissioner  
710 James Robertson Parkway - Andrew Johnson Tower, 9<sup>th</sup> 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 for one (1) 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.Mcqueen@tn.gov](mailto:Commissioner.Mcqueen@tn.gov). Following review by the commissioner, the district 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:

Macon County Schools

School Information (if applicable):

School Name: Central Elementary School

Street: 905 Sycamore Street

City: Lafayette TN Zip Code: 37083

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

T.C.A. 49-1-104(a)

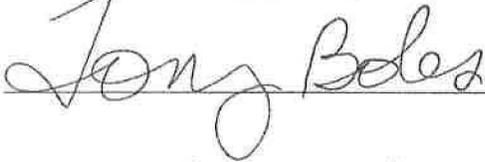
Explanation of how the statute(s) and/or state board rule(s) inhibits or hinders the local education agency's ability to meet its goals or comply with its mission:

As of January 28<sup>th</sup> 2019, Central Elementary School, which serves grades 2-3, has a class average of 20.65. In order to avoid a disruption to the students, CES is requesting a waiver. The school will continue to adhere to the class size maximum for grades 2-3.

Expected duration of the condition necessitating this waiver request:

remainder of 2018-2019 school year.

Director of Schools (Signature)



Print Name Tony Boles

Date 1/28/19