



January 20, 2022

Dear Director Nelson,

Thank you for your waiver submission on January 19, 2022.

The commissioner of education may consider waivers related to of the provisions of Tenn. Comp. R. & Regs. Chapters 0520-01-03 and 0520-01-13 related to remote instruction to the extent necessary to allow students affected at the classroom or school level by COVID-19 isolation or quarantine to participate in remote instruction. As stated, your district still has the authority to quarantine students and staff on an individual case-by-case basis (not in the aggregate). Waivers will only be considered when a LEA can document and demonstrate a significant impact of COVID-19 quarantine or isolation on school operations, impacting students, teachers, and/or staff. Please note, if a waiver request is granted to a school, all extracurricular activities for that school must also be cancelled for the duration of the waiver period.

The waiver submitted by **Freedom Preparatory Academy Charter Schools** for Freedom Preparatory High School; 9th grade is **approved** at this time.

The rationale for this approval is:

- The district has taken necessary steps to staff where able; however, key personnel remain an issue at the high school.

If not already in place, the department also continues to encourage all districts to implement as many mitigation strategies as possible to contain the spread of COVID-19, limit quarantines, and remain in-person, such as utilizing:

- The same or enhanced mitigation strategies used last school year such as temperature checks, physical distancing, frequent handwashing, etc.
- Seating charts in all settings, including classrooms, cafeteria/meals, bus routes, etc.
- Proactively stocking non-perishable items for breakfasts/lunches to account for meal staff absences
- Cohorting students to limit close contacts
- The consideration of masking

I continue to be incredibly grateful for the work of your district, educators, students and families as we collectively address and respond to COVID-19.

Sincerely,

A handwritten signature in black ink that reads "Penny Schwinn". The signature is fluid and cursive.

Penny Schwinn, PhD, MAT
Commissioner, Tennessee Department of Education



Local Education Agency Waiver Request Application: COVID-19 Relief

Upon application by the local education agency (LEA) for one (1) or more of its classrooms or schools, pursuant to Tenn. Code Ann. § 49-1-209 (d), the commissioner of education will consider waivers of the provisions of Tenn. Comp. R. & Regs. Chapters 0520-01-03 and 0520-01-13 related to remote instruction to the extent necessary to allow students affected at the classroom or school level by COVID-19 isolation or quarantine to participate in remote instruction. This waiver process is not required for individual students on quarantine.

Waivers will only be considered when a LEA can document and demonstrate a significant impact of COVID-19 quarantine or isolation on school operations, impacting students, teachers, and/or staff. Please note, if a waiver request is granted to a school, all extracurricular activities for that school must also be cancelled.

Please submit completed applications to Commissioner.Schwinn@tn.gov. Following review by the commissioner or designee, the local education agency will be notified in writing if the waiver request application is approved or denied. If approved, the waiver will only be valid for seven (7) calendar days. If conditions warranting a waiver persist, then the LEA may submit additional waivers.

Freedom Preparatory Academy Charter Schools

Local Education Agency

136 Webster Avenue

Memphis

38126

Street

City

Zip

DocuSigned by:

Lars Nelson

1/19/2022

Director of Schools (Signature)

Date

1. Number of **classrooms** for which you are requesting a waiver: 7

Grade of Classroom	Name of School	In Quarantine or Isolation					
		# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
9	8234 - Freedom Prep High School	3	50%	3	50%	18	10%

Please explain why this waiver is necessary and in-person instruction is not feasible at this time:

Shelby County is being affected by the Omicron variant of COVID-19. As such, three of our six ninth grade teachers are out of the building sick with the virus. We currently do not have the substitute coverage to cover each of the classrooms. These teachers will reach their five day period on Monday, January 24. We will be back to in person instruction on this day.

2. Number of **schools** for which you are requesting a waiver: _____

Name of School	In Quarantine or Isolation					
	# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students

Please explain why this waiver is necessary and in-person instruction is not feasible at this time: