



January 27, 2022

Dear Director Robertson,

Thank you for your waiver submission on January 26, 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 **Hamilton County** for Hixson Middle School is **approved** at this time.

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. 49-1-201 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 for up to five (5) calendar days in alignment with C.D.C. and Tennessee Department of Education 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](mailto: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 five (5) calendar days. If conditions warranting a waiver persist, then the LEA may submit additional waivers.

## Hamilton County Department of Education

Local Education Agency

3074 Hickory Valley Road

Chattanooga

37421

Street

City

Zip

*Justin Robertson*

1/26/22

Director of Schools (Signature)

Date

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

Grade of Classroom	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:

Please see below

2. Number of **schools** for which you are requesting a waiver: 1

Name of School	In Quarantine or Isolation					
	# of Teachers	% of Teachers	# of Staff	% of Staff	# of Students	% of Students
Hixson Middle School	9	25.7%	1	2.2%	74	11.9%

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

Please see below

**January 25, 2022 - Requested Remote Learning Waivers**

School Name	# Staff Affected	% Staff Affected	# Students Affected	% Students Affected	Additional Info
Hixson Middle School	10	12.3%	74	11.9%	

**Hamilton County Schools Wavier Review and Decision Process:**

The Hamilton County Schools leadership team meets three times a day, during a COVID-19 related surge, to assess the needs of each individual school. The leadership team follows set operating principles which include an acknowledgment that moving a school to remote learning should only be a necessary option in crisis. To determine if a waiver is a necessary option for a school, we consider the following data points collectively:

- % of total school staff current out of school due to COVID-19.
- Sub fill rate of each school
- % of students currently out of school due to COVID-19
- Student attendance rates at the school
- Number of staff projected to return from COVID-19 related absences within the next day.
- Number of district staff available to cover unfilled absences at the school.

A waiver is only submitted to the Commissioner of Education when it is determined that the support structures we have available to us in the district are not able to sustain meaningful in-person learning experiences and student learning would be better supported through a short period of virtual learning to allow for operational staff to return.

**Hixson Middle School**  
**TDOE Local Education Agency Waiver Request Application: COVID-19 Relief**

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

- *Continuity of Learning* - We are continuously monitoring the impact on students in terms of active cases and close contacts. As you know, we do not have resources for dedicated teachers to provide synchronous instruction for students observing the recommended CDC guidance above and beyond the teachers we staff for in person schooling. Therefore, based upon our experience implementing synchronous virtual instruction last year, when a school approaches a high number of students at home due to COVID-19, **we are not able to ensure continuity of learning for a sizable portion of the student body with more than 12.3% of enrolled students currently in quarantine or isolation.** Teachers cannot effectively manage in person and remote students, and the quality of pedagogy erodes for both groups. Therefore, we believe that the most optimal learning model available is for teachers to support all students through virtual learning for a limited number of days.
- *Risk of School-based COVID Spread* - We are also monitoring trends for linked cases and number of cases within our schools. Our data tracking is very sophisticated as we have been managing our own contact tracing since last school year. As such, we are able to track individual cases and document close contacts that report positive cases as epidemically linked cases. **Currently there are 17 total active cases (student and staff). The school has seen 8 new cases over the last 5 days.**
  - In our experience of keeping schools open 90% of the 2020-2021 school year, shifting schools to remote instruction for a limited number of days is an effective strategy for slowing or stopping the spread of COVID-19 in our facilities.
- *Staffing Shortages* - We are fortunate in Hamilton County that nearly 75% of our teaching staff has been vaccinated. So, we have typically seen as many situations where our teaching staff is having to quarantine or testing positive for COVID-19 in the past. With this current surge, we are seeing a larger number of breakthrough infections for staff than previously encountered. Our board has also established COVID-19 leave for employees that allows them to use a limited number of leave days for themselves or minor children who are positive or experiencing symptoms. **Currently 12.3% (n=10) of the school staff are out of the building for COVID-related reasons and the substitute fill rate at this school is 30%.** Like all districts, we are not able to find enough substitutes to cover classes when we have significant numbers of teachers on leave. Our first option is to try to cover classes with other school-based staff or district-wide staff. When this is not possible, the need to pivot to remote instruction may be necessary - as teachers can then facilitate classes remotely while following recommended CDC guidance.

School Name	Active Student	Active Employee Cases	Total Active Cases	Total Active Close Contacts	Total Students Affected	Total Employees Affected	% Students Affected	# of new cases over past 5 days	% Employees Affected	% Employees with Active Cases
Allen Elementary School	12	2	14	38	49	4	12.3%	11	7.5%	3.8%
Alpine Crest Elementary School	3	1	4	7	10	1	3.4%	0	2.4%	2.4%
Aplison Elementary School	22	2	24	53	74	3	12.3%	15	5.5%	3.6%
Barger Academy	12	2	5	3	6	3	1.7%	3	5.3%	3.5%
Battle Academy for Total Learning	2	3	5	10	21	5	4.6%	10	8.8%	5.3%
Bees T. Shepherd Elementary School	2	3	5	15	17	6	3.3%	2	9.1%	4.5%
Big Ridge Elementary School	19	2	21	48	66	4	13.8%	11	7.5%	3.8%
Brainerd High School	1	1	2	13	13	3	1.9%	0	3.6%	1.2%
Brown Middle School	5	0	5	4	9	0	2.4%	3	0.0%	0.0%
Calvin Donelson Environmental Science Academy	0	5	5	37	37	6	10.5%	0	9.0%	7.5%
Central High School	9	2	11	13	22	4	2.8%	5	4.5%	2.2%
Chattanooga High Center for Creative Arts	25	3	28	23	47	4	7.6%	13	6.5%	4.8%
Chattanooga School for Liberal Arts	8	4	12	17	24	6	3.5%	5	9.1%	6.1%
Chattanooga School For The Arts and Sciences Lower	6	0	6	6	12	2	3.3%	4	4.7%	0.0%
Chattanooga School For The Arts and Sciences Upper	13	2	15	11	24	2	3.6%	7	3.1%	3.1%
Clifton Hills Elementary School	0	2	2	6	6	2	1.1%	0	2.6%	2.6%
Daisy Elementary School	12	1	13	40	52	1	15.3%	11	1.9%	1.9%
Dalewood Middle School	2	3	5	3	5	3	1.7%	1	6.1%	6.1%
DuPont Elementary School	7	2	9	16	22	3	9.5%	4	6.8%	4.5%
East Brainerd Elementary School	7	4	11	31	37	6	3.4%	5	5.3%	3.5%
East Hamilton High School	26	4	30	17	43	4	3.6%	20	4.1%	4.1%
East Hamilton Middle School	19	7	26	100	117	11	12.5%	11	15.1%	9.6%
East Lake Academy of Fine Arts	1	1	2	4	5	1	1.0%	1	1.2%	1.2%
East Lake Elementary School	1	3	4	3	4	3	0.7%	1	3.8%	3.8%
East Ridge Elementary School	2	5	7	10	12	5	1.4%	0	4.3%	4.3%
East Ridge High School	3	4	7	3	6	6	0.6%	1	6.8%	4.5%
East Ridge Middle School	2	2	4	3	4	3	0.6%	2	3.9%	2.6%
East Side Elementary School	4	2	6	32	35	3	6.0%	3	3.7%	2.5%
Hamilton County Collegiate High at Chatt State	1	0	1	0	1	0	0.0%	1	0.0%	0.0%
Hamilton County Virtual School	1	0	1	4	5	0	1.0%	0	0.0%	0.0%
Hardy Elementary School	0	3	3	8	8	5	1.6%	1	7.1%	4.3%
Harrison Elementary School	8	9	17	14	22	15	2.6%	1	14.7%	8.8%
Hixson Elementary School	4	3	7	23	27	3	6.4%	4	4.3%	4.3%
Hixson High School	18	4	22	42	60	5	6.4%	7	4.9%	3.9%
Hixson Middle School	15	2	17	59	74	10	11.9%	8	12.3%	2.5%
Howard Connect Academy	6	2	8	2	8	2	2.4%	2	5.3%	5.3%
Hunter Middle School	6	6	12	6	12	7	1.6%	2	9.5%	8.1%
Lotus Middle School	10	4	14	26	36	4	6.1%	7	6.0%	6.0%
Lookout Mountain Elementary School	5	2	7	17	22	2	11.2%	3	6.7%	6.7%
Lookout Valley Elementary School	12	3	15	43	55	3	19.6%	11	7.3%	7.3%
Lookout Valley Middle/High School	5	2	7	9	14	3	4.0%	3	6.1%	4.1%
McCormell Elementary School	9	3	12	35	44	3	9.3%	3	5.5%	5.5%
Middle Valley Elementary School	22	6	28	83	102	9	13.2%	20	9.9%	6.6%
Nolan Elementary School	13	1	14	33	45	2	6.1%	11	3.1%	1.5%
Normal Park Museum Magnet	15	6	21	4	18	2	2.2%	11	8.6%	5.7%
North Hamilton County Elementary School	12	1	13	16	28	2	7.3%	8	3.9%	2.0%
Ooltewah Elementary School	20	8	28	39	59	7	7.6%	16	7.4%	8.4%
Ooltewah High School	22	7	29	21	43	10	3.5%	9	7.4%	5.2%
Ooltewah Middle School	8	4	12	25	32	6	6.2%	5	8.8%	5.9%
Orchard Knob Elementary School	1	3	4	3	4	3	1.1%	1	4.2%	4.2%
Orchard Knob Middle School	2	4	6	3	5	5	1.4%	0	8.3%	6.7%
Red Bank Elementary School	8	3	11	40	48	4	9.2%	7	5.3%	4.0%
Red Bank High School	6	2	8	3	9	2	1.1%	5	2.4%	2.4%
Red Bank Middle School	5	4	9	14	18	6	3.0%	5	9.2%	6.2%
Riverton Elementary School	8	6	14	17	25	6	7.9%	2	11.8%	11.8%
Sale Creek Middle/High School	14	2	16	8	22	2	3.8%	9	2.8%	2.8%
Sequoyah High School	4	2	6	1	5	2	2.2%	3	5.0%	5.0%
Signal Mountain Middle/High School	42	3	45	163	205	6	15.3%	30	4.8%	2.4%
Snow Hill Elementary School	9	4	13	20	28	13	4.7%	7	18.3%	5.6%
Soddy Daisy High School	28	8	36	32	60	8	5.4%	17	7.4%	7.4%
Soddy Daisy Middle School	13	3	16	48	59	5	11.8%	13	9.3%	5.6%
Soddy Elementary School	10	0	10	11	21	0	4.5%	6	0.0%	0.0%
Spring Creek Elementary School	3	6	9	7	10	6	1.7%	2	6.5%	6.5%
STEM School Chattanooga	2	3	5	4	6	3	2.2%	1	11.5%	11.5%
The Howard School	2	5	7	6	8	5	0.6%	0	3.5%	2.1%
Thrasher Elementary School	16	5	21	49	65	5	11.5%	15	9.6%	9.6%
Tornille F. Brown International Academy	9	3	12	1	10	2	3.1%	4	4.3%	6.4%
Tyner Academy	4	0	4	1	5	0	0.9%	1	0.0%	0.0%
Tyner Middle Academy	2	2	4	9	11	2	2.6%	1	3.6%	3.6%
Wallace A. Smith Elementary School	9	2	11	31	39	3	6.2%	9	4.7%	3.1%
Westview Elementary School	18	5	23	10	28	6	4.9%	14	8.8%	7.4%
Wolflaver Creek Elementary School	4	5	9	29	31	8	5.5%	3	11.1%	6.9%

School Name	Active Student Cases	Active Employee Cases	Total Active Cases	Total Active Close Contacts	Total Students Affected	Total Employees Affected	% Students Affected	# of new cases over past 5 days	% Employees Affected	% Employees with Active Cases
Woodmore Elementary School	1	2	3	0	1	3	0.4%	1	6.3%	4.2%
TOTAL	658	228	886	1585	2215	256	5.2%	437	5.1%	4.5%