



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

**BILL HASLAM**  
GOVERNOR

**CANDICE MCQUEEN**  
COMMISSIONER

July 16, 2015

***Via Electronic Mail***

Dr. Lyle C. Ailshie, Director  
Kingsport City Schools  
400 Clinchfield Street  
Suite 200  
Kingsport, TN 37660  
[lailshie@k12k.com](mailto:lailshie@k12k.com)

Dear Dr. Ailshie:

I am in receipt of your July 2, 2015 letter requesting a waiver of the class size average for Career and Technical Education (CTE) classes found in Tenn. Code Ann. § 49-1-104 for Dobyons-Bennett High School for the 2015-2016 school year.

The commissioner's waiver authority under Tenn. Code Ann. §49-2-704(b) is limited by Tenn. Code Ann. § 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 CTE classes at Dobyons-Bennett High School will exceed the maximum number of 25 students per class specified in the above referenced law, your request for a waiver of the class size average is granted for the 2015-2016 school year.

Sincerely,

A handwritten signature in black ink that reads "Candice McQueen". The signature is fluid and cursive, with the first name being the most prominent.

Dr. Candice McQueen



**Dr. Lyle C. Ailshie**  
Superintendent of Schools

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RECEIVED  
STATE OF TENNESSEE  
DEPARTMENT OF EDUCATION

JUL 16 2015

July 2, 2015

OFFICE OF GENERAL COUNSEL

Dr. Candice McQueen, Commissioner  
Tennessee Department of Education  
9<sup>th</sup> Floor, Andrew Johnson Tower  
710 James Robertson Parkway  
Nashville, Tennessee 37243-0375

Dear Commissioner McQueen,

Kingsport City Schools respectfully requests an exemption to the Tennessee Code Annotated section 49-1-104, which limits the maximum number of students per CTE class to 25 and the building average to 20.

Dobyns-Bennett High School has seen a 16% increase in high school enrollment for 2015-2016. The CTE programs are also growing. Approximately 375 student requests for CTE programs were denied due to lack of space for the 2015-16 school year, with another 400+ students denied CTE courses as alternate requests. This has also occurred in previous years.

All of our CTE programs currently have the capacity and equipment to serve 25 students per class. Limiting the average class size to 20 results in equipment sitting idle and students not being served during part of the school day. The goal of the Dobyns-Bennett CTE department is to provide our students with a quality education and meet the needs of industry while making the best use of our resources.

The Bureau of Labor Statistics biennial labor force, output, and employment projections for the 2012–2022 period indicates that total employment is expected to grow by 1.0 percent annually. The fastest job gains are occurring in the construction sector and the health care and social assistance sector. Occupations related to healthcare, healthcare support, construction, and personal care services are projected to add a combined 5.3 million jobs, an increase representing approximately one-third of all employment gains over the coming decade.

To better prepare our students for the future, we request that the Dobyns-Bennett High School CTE be exempt from the building average of 20 students; however, we will continue to maintain the 25 students per class maximum.

Sincerely,

Lyle C. Ailshie, Ed.D.  
Superintendent



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