



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 31, 2023

William F. Curtis  
Director of Schools  
Cannon County Schools  
301 West Main Street  
Woodbury, TN 37190

Dear Mr. Curtis:

Thank you for submitting to the U.S. Department of Education (Department) Cannon County Schools' request for an exception to local maintenance of equity requirements under the American Rescue Plan Act of 2021 (ARP Act) in FY 2023.

Section 2004(c)(2) of the ARP Act specifies that a local educational agency (LEA) may be excepted from maintenance of equity requirements if the LEA "demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of [the LEA], as determined by the Secretary." Examples of an "exceptional or uncontrollable circumstance" include increased one-time expenditures in the baseline year (school year 2020-2021) due to the pandemic, a very small school where maintenance of equity calculations do not result in meaningful information about resource availability, or a significant change in the expenses of a school that no longer serves a student whose educational and support needs required services that have a particularly high cost. Each request for an exception requires a case-by-case review by the Department.

According to the materials provided on October 26, 2022, you request an exception to the local maintenance of equity requirements because Cannon County Schools experienced an LEA-wide reconfiguration of schools that led to uncontrollable changes in student enrollment in FY 2023 compared to FY 2022. Specifically, Cannon County Schools closed all six elementary schools, four pre-K-8 schools, and two K-8 schools in FY 2022. It distributed students from these schools to three new pre-K-5 schools and one new 6-8 school in FY 2023. One high school, serving grades 9-12, remained open in both FY 2022 and FY 2023. As a result, comparing per-pupil expenditures and FTE staff at the elementary and middle schools between FY 2022 and FY 2023 does not result in meaningful information about resource availability.

After reviewing your request, we concur that the LEA-wide school reconfiguration constitutes an exceptional or uncontrollable circumstance. As a result, Cannon County Schools is excepted from the local maintenance of equity requirements for FY 2023.

Thank you again for reaching out to the Department and for your ongoing commitment to maintaining equity. If you have any questions, please contact the Tennessee state mailbox at: [Tennessee.OESE@ed.gov](mailto:Tennessee.OESE@ed.gov).

Sincerely,

*Laura Jimenez*

Laura Jimenez  
Director, Office of State and Grantee Relations  
Office of Elementary and Secondary Education  
United States Department of Education

CC: The Honorable Penny Schwinn  
Commissioner of Education  
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