

**Department of State  
Division of Publications**

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**For Department of State Use Only**

Sequence Number: 01-10-12  
Rule ID(s): 5/30  
File Date: 01/20/2012  
Effective Date: 06/30/2012

## Proposed Rule(s) Filing Form

*Proposed rules are submitted pursuant to T.C.A. §§ 4-5-202, 4-5-207 in lieu of a rulemaking hearing. It is the intent of the Agency to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within sixty (60) days of the first day of the month subsequent to the filing of the proposed rule with the Secretary of State. To be effective, the petition must be filed with the Agency and be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly. The agency shall forward such petition to the Secretary of State.*

**Agency/Board/Commission:** State Board of Education  
**Division:**  
**Contact Person:** Dannelle F. Walker  
**Address:** 9<sup>th</sup> Floor, 710 James Robertson Parkway, Andrew Johnson Tower,  
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**Revision Type (check all that apply):**

- Amendment  
 New  
 Repeal

**Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)**

Chapter Number	Chapter Title
0520-02-04	LICENSURE
Rule Number	Rule Title
0520-02-04-.13	Requirements for Occupational Education License

Chapter Number	Chapter Title
Rule Number	Rule Title

**CHAPTER 0520-02-04**  
**Licensure**  
**Amendment**

Requirements for the Occupational Education License for Health Sciences Education

Rule 0520-02-04-.13(1)(a)1 Health Sciences Education requirements is amended by deleting subsections (a)(1)(i) and (a)(1)(ii) and substituting instead the language:

- (i.) The health science education teacher must hold an associate or higher degree that is related to their health care license. The license, registration or certification must be in an allied health occupation, or as a registered nurse, or in an appropriate medical profession in Tennessee that can be verified by Tennessee Department of Health Licensure or a national license accreditation agency. (EX: Radiological Technologist, Nuclear Medicine, etc.)
- (ii.) Applicant shall have completed three years of full-time successful employment within the past five years in a health care clinical setting having a current active health care license. (Ex: hospital, long-term care facility, rehabilitation or athletic training facility, dental or medical office, home health, day surgery center, etc.)

**Authority:** *T.C.A. § 49-1-302*

\* If a roll-call vote was necessary, the vote by the Agency on these rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Ayers				X	
Edwards	X				
Justice	X				
Pearre				X	
Roberts	X				
Rogers	X				
Rolston	X				
Sloyan	X				
Wright				X	
Student Member				X	

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the (board/commission/other authority) on \_\_\_\_\_ (date as mm/dd/yyyy), and is in compliance with the provisions of T.C.A. § 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed rules being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of sixty (60) days of the first day of the month subsequent to the filing of the proposed rule with the Secretary of State.

Date: 12-9-11

Signature: Gary Nixon

Name of Officer: Dr. Gary L. Nixon

Title of Officer: Executive Director



Subscribed and sworn to before me on: 12/9/11

Notary Public Signature: Phyllis E. Childress

My commission expires on: \_\_\_\_\_

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Robert E. Cooper, Jr.  
 Robert E. Cooper, Jr.  
 Attorney General and Reporter  
1-11-12  
 Date

Department of State Use Only

Filed with the Department of State on: \_\_\_\_\_

01/20/2012

Effective on: \_\_\_\_\_

06/30/2012

*Tre Hargett*

Tre Hargett  
Secretary of State

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**Regulatory Flexibility Addendum**

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

Not applicable.

### **Impact on Local Governments**

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 "any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments." (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

This will have no impact on local governments.

**Additional Information Required by Joint Government Operations Committee**

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

On July 30, 2010, the State Board of Education approved a clarification of the guidelines for the Health Science Education Licensure Standards via board policy. This rule change will align the Rules and Regulations requirements for an occupations education license in Health Sciences Education with the Teacher Licensure Standards and Induction Guidelines of the State Board of Education Policies, Standards, and Guidelines that were approved at the July 2010 Board meeting.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

T.C.A. § 49-1-302- State law giving the State Board of Education authority to set policies and rules for the qualifications, requirements and standards of and provide the licenses and certificates for all public school teachers, principals, assistant principals, supervisors and directors of schools

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

State Department of Education, Local Education Agencies (LEAs) overseen by the Department of Education; teachers licensed by the State Board of Education

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

None.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

None.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Dannelle F. Walker  
State Board of Education

Lynne Cohen  
State Department of Education

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

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State Department of Education

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

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- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.

RULES  
OF  
THE STATE BOARD OF EDUCATION

CHAPTER 0520-02-04  
LICENSURE

**0520-02-04-.13 REQUIREMENTS FOR THE OCCUPATIONAL EDUCATION LICENSE.**

(1) Apprentice Occupational Education License.

(a) Issuance of License.

An apprentice occupational education license may be issued to individuals who meet the following requirements. Qualifications including experience and educational preparation shall be reviewed by the Department of Education staff who shall recommend issuance of the apprentice occupational education license.

1. Health Sciences Education.

(i) The health science education teacher must hold an associate or higher degree that is related to their health care license. The license, registration or certification must be in an allied health occupation, or as a registered nurse, or in an appropriate medical profession in Tennessee that can be verified by Tennessee Department of Health Licensure or a national license accreditation agency. (EX: Radiological Technologist, Nuclear Medicine, etc.)

The secondary health science teacher shall have completed three years of successful employment within the past five (5) years in a related health occupation prior to teaching.

(ii) Applicant shall have completed three years of full-time successful employment within the past five years in a health care clinical setting having a current active health care license. (Ex: hospital, long-term care facility, rehabilitation or athletic training facility, dental or medical office, home health, day surgery center, etc.)

Health science teachers must hold an associate or higher degree in a health-related area and hold current licensure registration or certification in an allied health occupation or current licensure as a registered nurse in Tennessee. Teachers must successfully complete a comprehensive test administered or accepted by the Tennessee Health Related Boards.

**Authority:** T.C.A. T.C.A. § 49-1-302 **Administrative History:** Original rule filed March 16, 1992; effective June 29, 1992.

Amendment filed January 21, 1994; effective May 31, 1994. Amendment filed April 27, 1998; effective August 28, 1998. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed June 11, 2007; effective October 25, 2007.