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For Department of State Use Only

Sequence Number: 05-05-14
 Rule ID(s): 5704-5705
 File Date: 5/8/14
 Effective Date: 10/29/14

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
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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
0520-01-02	Administrative Rules and Regulations
Rule Number	Rule Title
0520-01-02-.03	Employment Standards

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

Chapter 0520-01-02
Administrative Rules and Regulations
Amendment

Rule 0520-01-02-.03 Employment Standards is amended by deleting subparagraph (9)(d) in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0520-01-02-.03 Employment Standards

(9) Career and Technical Education.

- (a) A teacher of agricultural education shall hold a valid Tennessee teacher license with appropriate endorsement and shall have appropriate work experience.
- (b) A teacher of marketing education shall hold a valid Tennessee teacher license with appropriate endorsement and shall have two (2) years of appropriate experience in marketing education.
- (c) A teacher of health science education shall have completed one (1) year of successful employment experience, obtained through full-time or part-time status, within the past five (5) years in a related health occupation prior to teaching.
- (d) Other occupational educators shall be a high school graduate or higher. The teacher shall have a minimum of five (5) years of appropriate and current work experience in the field for which application is made. A combination of career and technical education at the postsecondary level from a state approved institution, or other accredited public or private institution, may also be evaluated. The amount of credit awarded for work experience through postsecondary education shall depend on the endorsement and related industry.

Authority: T.C.A. §§ 49-1-302, 49-2-301, and 49-5-108.

Chapter 0520-02-04
Licensure
Amendment

Rule 0520-02-04-.13 Requirements for the Occupational Education License is amended by deleting subparagraph (1)(a)2(ii) in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0520-02-04-.13(1)(a)(2) Requirements for the Other Occupational Education License

(ii) Endorsements in Other Occupational Education can be obtained through one (1) of four (4) pathways using work experience, industry certification and postsecondary training. The four (4) possible pathways are:

- (I) Credentialed (certificate or diploma) postsecondary training in the endorsed area, or associate degree, or industry certification may substitute for two (2) years of work experience. In addition, applicant must have at least three (3) years of work experience in the endorsed area in the last eight (8) years for a total of five (5) years; or
- (II) A combination of an associate degree related to the endorsed area and industry certification may be substituted for four (4) years of work experience. In addition, applicant must have at least one (1) year of work experience in the endorsed area in the last eight (8) years for a total of five (5) years; or
- (III) A bachelor's degree or higher degree in the endorsed area may be substituted for partial or full credit of work experience depending on the endorsement and related industry; or

- (IV) Five (5) years of full-time work experience accrued in the occupational area of endorsement within the last eight (8) years.

Authority: T.C.A. §§ 49-1-302 and 49-5-108.

* 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				
Chancey	X				
Pearre	X				
Roberts	X				
Rogers	X				
Rolston	X				
Sloyan	X				
Wright	X				
Student Member	X				

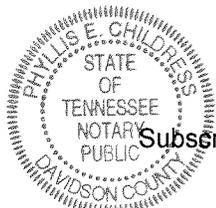
I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the State Board of Education on 01/31/2014, and is in compliance with the provisions of T.C.A. § 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed 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: 4-9-14

Signature: Gary L. Nixon

Name of Officer: Gary L. Nixon

Title of Officer: Executive Director



MY COMMISSION EXPIRES:
January 9, 2016

Subscribed and sworn to before me on: 4/9/14

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

4-29-14
Date

Department of State Use Only

Filed with the Department of State on: 5/8/14

Effective on: 10/29/14



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;

The proposal repeals and modifies current language in Chapters 0520-01-02 and 0520-02-04 of State Board of Education rules and replaces it with the text included herein. The new language will allow for the addition of endorsements aligned to the new CTE courses that were presented on first and second reading at the January 31, 2014 meeting of the State Board of Education. These revisions require that applicants for the occupational license be, at minimum, high school graduates and allows for a more flexible system to account for higher education degrees to count for industry experience. This change also allows for alignment with current industry practices, and correlates to the revisions being made to CTE courses.

- (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, 49-2-301, and 49-5-108.

- (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's Division of Career and Technical Education; educators applying for a Tennessee Apprentice Occupational License.

- (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;

Ms. Dannelle F. Walker
TN State Board of Education

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

Ms. Dannelle F. Walker
TN State Board 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

Dannelle F. Walker
Tennessee State Board of Education
1st Floor, Andrew Johnson Tower

Nashville, Tennessee 37243
615-253-5707
Dannelle.Walker@tn.gov

Dr. Danielle Mezera
Division of Career and Technical Education
Tennessee Department of Education
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615-532-2800
danielle.mezera@tn.gov

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

None.

Chapter 0520-01-02
Administrative Rules and Regulations
Amendment

(9) Career and Technical Education.

- (a) A teacher of agricultural education shall hold a valid Tennessee teacher license with appropriate endorsement and shall have appropriate work experience.
- (b) A teacher of marketing education shall hold a valid Tennessee teacher license with appropriate endorsement and shall have two (2) years of appropriate experience in marketing education.
- (c) A teacher of health science education shall have completed one (1) year of successful employment experience, obtained through full-time or part-time status, within the past five (5) years in a related health occupation prior to teaching.
- (d) Other occupational educators shall be a high school graduate or higher. The teacher shall have a minimum of five (5) years of appropriate and current work experience in the field for which application is made. A combination of career and technical education at the postsecondary level from a state approved institution, or other accredited public or private institution, may also be evaluated. The amount of credit awarded for work experience through postsecondary education shall depend on the endorsement and related industry. A teacher of trade and industrial education shall be a high school graduate or the equivalent, as determined by the General Education Development (GED) test. The teacher shall have a minimum of five (5) years of appropriate and current work experience in the field for which application is made. A combination of career and technical education at the postsecondary level from a state technical institute, Tennessee Technology Center, or other accredited public or private institution may also be evaluated. The amount of credit awarded for postsecondary related education shall not exceed two (2) years with the exception of criminal justice in which case a bachelor's degree in criminal justice may count for four (4) years of paid or unpaid work experience or a master's degree or higher may be substituted for five (5) years of paid or unpaid work experience.

Chapter 0520-01-02
Administrative Rules and Regulations
Amendment

(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 secondary health science teacher shall have completed one (1) year of successful employment, obtained through full-time or part-time status, within the past five (5) years in a related health occupation prior to teaching.
- (ii) 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.

2. Trade and Industry.

- (i) Effective September 1, 2002, trade and industry teachers shall hold and maintain a current industry certification, where available, in the specific endorsement area for which they are licensed. This Industry Certification may be acquired prior to Apprentice license, but must be presented at the time the teacher advances from Apprentice to Professional Occupational License.
- (ii) Endorsements for Other Occupational Teachers can be obtained through one of four pathways using work experience, industry certification and postsecondary training. The four possible pathways are:
 - (I) Credentialed (certificate or diploma) postsecondary training in the endorsed area, or associate degree, or industry certification may substitute for two (2) years of work experience. In addition, applicant must also have at least three (3) years of work experience in the endorsed area in the last eight (8) years for a total of five (5) years; or
 - (II) A combination of an associate degree related to the endorsed area and industry certification may be substituted for four (4) years of work experience. In addition, applicant must have at least one (1) year of work experience in the endorsed area in the last eight years (8) for a total of five (5) years; or

(III) A bachelor's degree or higher degree in the endorsed area may be substituted for partial or full credit of work experience depending on the endorsement and related industry; or

(IV) Five (5) years of full-time work experience accrued in the occupational area of endorsement within the last eight (8) years.

(i) ~~Endorsements in Trade and Industrial Education can be obtained through one of five (5) different pathways using work experience, industry certification and postsecondary training. The five (5) possible pathways are:~~

(ii) ~~Credentialed (certificate or diploma) postsecondary training in the endorsed area, or associate degree, or industry certification may substitute for two (2) years of work experience. In addition, applicant must also have at least three (3) years of work experience in the endorsed area in the last eight (8) years for a total of five (5) years; or~~

(iii) ~~A combination of an associate degree related to the endorsed area and industry certification may be substituted for four (4) years of work experience. In addition, applicant must have at least one (1) year of work experience in the endorsed area in the last eight year (8) for a total of five (5) years; or~~

(iv) ~~A bachelor's degree or higher degree in the endorsed area may be substituted for four (4) years of work experience. In addition, applicant must also have at least one (1) year of work experience in the endorsed area — paid or unpaid in the field of criminal justice — in the last eight (8) years for a total of five (5) years; or~~

(v) ~~Five (5) years of full-time work experience accrued in the occupational area of endorsement within the last eight (8) years.~~

(vi) ~~A master's degree or higher in criminal justice may be substituted for the five (5) years of work experience in criminal justice.~~

(vii)(iii) A trade and industry teacher shall be a high school graduate or the equivalent, as determined by the General Education Development (GED) test.

(viii)(iv) Cosmetology and barbering teachers must hold current licensure issued by the respective state licensing board to instruct in Tennessee.

(b) Validity of License.

The apprentice occupational education license shall be valid for five (5) years; except that when a teacher becomes employed in a Tennessee public school, the license shall be valid until the teacher has been employed three (3) years at the apprentice level.

(c) Renewal of License.

1. The holder of the apprentice occupational education license who was not employed for three (3) or more years in a Tennessee public school during the five (5) year period of license validity may be reissued the license.
2. In order to have the license reissued, the teacher must have obtained or maintained current industry certification in the area of endorsement where available and acceptable as the industry standard.
3. In order to have the license reissued, the teacher must provide verification of the updating of competency in the occupational area including two (2) years of work experience within the past five (5) years or sixty (60) clock hours of participation in professional/technical workshops or a combination.

Chapter 0520-02-04
Licensure
Amendment

0520-2-4-.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 Science Education.

- (i) The secondary health science teacher shall have completed three (3) years of successful employment within the past five (5) years in a related health occupation prior to teaching.
- (ii) 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.

2. Trade and Industry.

- (i) Effective September 1, 2002, trade and industry teachers shall hold and maintain a current industry certification, where available, in the specific endorsement area for which they are licensed. This Industry Certification may be acquired prior to Apprentice license, but must be presented at the time the teacher advances for Apprentice to Professional Occupational License.
- (ii) Endorsements in Other Occupational Education can be obtained through one (1) of four (4) pathways using work experience, industry certification and post-secondary training. The four (4) possible pathways are: ~~Endorsements in Trade and Industrial Education can be obtained through one of four different pathways using work experience, industry certification and post-secondary training. The four possible pathways are:~~
 - (I) Credentialed (certificate or diploma) post-secondary training in the endorsed area, or associate degree, or industry certification may substitute for two (2) years of work experience. In addition, applicant must also have at least three (3) years of work experience in the endorsed area in the last eight (8) years for a total of five (5) years; or
 - (II) A combination of an associate degree related to the endorsed area and industry certification may be substituted for four (4) years of work experience. In addition, applicant must have at least one (1) year of

work experience in the endorsed area in the last eight years (8) for a total of five (5) years; or

- (III) A bachelor's degree or higher degree in the endorsed area may be substituted for four (4) years of work experience. In addition, applicant must also have at least one (1) year of work experience in the endorsed area in the last eight (8) years for a total of five (5) years; or partial or full credit of work experience depending on the endorsement and related industry; or
- (IV) Five (5) years of full-time work experience accrued in the occupational area of endorsement within the last eight (8) years.
- (iii) A trade and industry teacher shall be a high school graduate or the equivalent, as determined by the General Education Development (GED) test.
- (iv) Cosmetology and barbering teachers must hold current licensure issued by the respective state licensing board to instruct in Tennessee.