

Proposed Rules
of the
State Board of Education

Chapter 0520-01-03
Minimum Requirements for the Approval of Public Schools

Presented herein are proposed amendments of the State Board of Education submitted pursuant to Tenn. Code Ann. § 4-5-202 in lieu of a rulemaking hearing. It is the intent of the State Board of Education to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed with the State Board of Education, 9th Floor, Andrew Johnson Tower, 710 James Robertson Parkway, Nashville, Tennessee 37243-1050, and in the Department of State, 8th Floor, William Snodgrass Building, 312 8th Avenue North, Nashville, Tennessee 37243, and must be signed by twenty-five (25) persons who will be affected by the rule, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of the proposed rule, contact Rich Haglund, State Board of Education, 9th Floor, Andrew Johnson Tower, 710 James Robertson Parkway, Nashville, TN, 37243-1050, (615) 741-2966.

The text of the proposed amendment is as follows:

Amendment

Subparagraphs (a) and (b) of paragraph (2) of Rule 0520-01-03-.08 Pupil Personnel Services are amended by deleting the subparagraphs in their entirety and substituting instead the following language so that amended the subparagraphs shall read:

(a) Every child entering school for the first time shall have a physical examination. A doctor of medicine, osteopathic physician, physician assistant, certified nurse practitioner, or a properly trained public health nurse shall perform this examination. No child shall be admitted to school without proof of immunization except those who are exempt by statute as provided in Tenn. Code Ann. § 49-6-5001.

(b) Every student participating in interscholastic athletics shall have an annual physical examination. A doctor of medicine, osteopathic physician, physician assistant, certified nurse practitioner, properly trained public health nurse, or registered nurse who has received specialized training as defined by the Tennessee Department of Health shall perform this examination. Additionally, examinations of students in the seventh (7th) and ninth (9th) grades who participate in interscholastic athletics shall be reported using the "Interscholastic Sports Examination Form" developed by the Tennessee Department of Health.

Authority: T.C. A. § 49-1-302.

The proposed rules set out herein were properly filed in the Department of State on the 11th day of June, 2008, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28th day of September, 2008. (FS 06-16-08; DBID)