

Agenda Item: 7.5  
Board Meeting on April 19-20, 2018  
Prepared by: Jena Abel

**Consideration of Proposed Amendments to 22 Tex. Admin. Code Chapter 215,  
relating to *Professional Nursing Education***

**Background:** Through its routine review of Board rules, Staff has identified several areas in Chapter 215 where the rule text could be improved for clarity and readability. The majority of these proposed changes are editorial in nature and are not substantive. The remaining amendments are necessary to conform the existing rule text to the current practices of the Board for consistency. Staff's recommended amendments are attached at Attachment "A".

**Board Action:** Move to approve the proposed amendments to 22 Texas Administrative Code Chapter 215, relating to Professional Nursing Education, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Texas Administrative Code Chapter 215, relating to Professional Nursing Education, as proposed.

Attachment "A"

§215.2. Definitions. Words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

(1) Affidavit of Graduation--an official Board form required in the initial licensure process that is signed by the approved nursing program dean/director verifying that the applicant has successfully completed all requirements for graduation from an approved professional nursing program that meets the requirements set forth in §215.9 of this chapter (relating to Program of Study) [containing an approved vocational nursing education program's curriculum components and hours, and a statement verified by the nursing program director/coordinator attesting to an applicant's qualifications for vocational nurse licensure in Texas].

(2) (No change).

(3) Alternative practice settings--settings providing opportunities for clinical learning experiences, including those whose ~~[although their]~~ primary function is not the delivery of health care.

(4) Approved vocational nursing education program--a Board-approved professional nursing education program that meets the requirements set forth in §215.9 of this chapter and prepares graduates to provide safe nursing care using concepts identified in the *Differentiated Essential Competencies (DECs)* [approved by the Texas Board of Nursing].

(5) Articulation--a planned process between two (2) or more educational systems to assist students in making a smooth transition from one (1) level of education

to another without duplication in education [~~learning~~].

(6) - (8) (No change).

(9) Classroom instruction hours—hours allocated to didactic instruction and testing in nursing and non-nursing Board-required courses and content.

(10)[(9)] Clinical learning experiences--faculty-planned and guided learning activities designed to assist students to meet the stated program and course outcomes and to safely apply knowledge and skills when providing nursing care to clients across the life span as appropriate to the role expectations of the graduates. These experiences occur in actual patient care clinical learning situations and in associated clinical conferences; in nursing skills and computer laboratories; and in simulated clinical settings, including high-fidelity, where the activities involve using planned objectives in a realistic patient scenario guided by trained faculty and followed by [a] debriefing and evaluation of student performance. The clinical settings for faculty-supervised hands-on patient care include a variety of affiliating agencies or clinical practice settings, including, but not limited to: acute care and rehabilitation facilities; primary care settings; extended care facilities (long-term care and nursing homes); residential care settings; respite or day care facilities; community or public health agencies; and other settings where actual patients receive nursing care [~~acute care facilities, extended care facilities, clients' residences, and community agencies~~].

(11)[(10)] Clinical preceptor--a registered nurse who meets the requirements in §215.10(j)(6) of this chapter (relating to Clinical Learning Experiences), who is not employed as a faculty member by the governing entity, and who directly supervises clinical learning experiences for no more than two (2) students. A clinical preceptor assists in the evaluation of the student during the experiences and in acclimating the student to the role

of nurse. A clinical preceptor facilitates student learning in a manner prescribed by a signed written agreement between the governing entity, preceptor, and affiliating agency (as applicable).

(12)~~(11)~~ Clinical teaching assistant--a registered nurse licensed in Texas, who is employed to assist in the clinical area and work under the supervision of a Master's or Doctorally prepared nursing faculty member and who meets the requirements of §215.10(j)(8) of this chapter.

(13)~~(12)~~ Conceptual framework--theories or concepts giving structure to the curriculum and guiding faculty in making decisions about curriculum development, implementation, and evaluation.

(14)~~(13)~~ Correlated theory and clinical practice--didactic and clinical experiences that have a reciprocal relationship or mutually complement each other.

(15)~~(14)~~ Course--organized subject content and related activities, that may include face-to-face and/or online didactic, laboratory, and/or clinical experiences, planned to achieve specific objectives within a given time period.

(16)~~(15)~~ Curriculum--course offerings, which in aggregate, make up the total learning activities in a program of study.

(17)~~(16)~~ Dean/director--a registered nurse who is accountable for administering a professional nursing education program, who meets the requirements as stated in §215.6(f) of this chapter (relating to Administration and Organization), and is approved by the Board.

(18)~~(17)~~ Declaratory Order of Eligibility--an order issued by the Board

pursuant to Texas Occupations Code §301.257, determining the eligibility of an individual for initial licensure as a vocational [~~professional~~] or registered nurse and setting forth both the basis for potential ineligibility and the Board's determination of [~~the~~] disclosed eligibility issues.

(19)[~~(18)~~] Differentiated Essential Competencies (DECs)--the expected educational outcomes to be demonstrated by nursing students at the time of graduation, as published in the *Differentiated Essential Competencies of Graduates of Texas Nursing Programs Evidenced by Knowledge, Clinical Judgment, and Behaviors: Vocational [~~Professional~~] (VN), Diploma/Associate Degree (Diploma/ADN), Baccalaureate Degree (BSN), October 2010* (DECs).

(20)[~~(19)~~] Examination year--the period beginning October 1 and ending September 30 used for the purposes of determining a professional nursing education program's annual NCLEX-RN® examination pass rate.

(21)[~~(20)~~] Extension site/campus a location other than the program's main campus where a portion or all of the curriculum is provided.

(22)[~~(21)~~] Faculty member--an individual employed to teach in the professional nursing education program who meets the requirements as stated in §215.7 of this chapter (relating to Faculty).

(23)[~~(22)~~] Faculty waiver--a waiver granted by a dean or director of a professional nursing education program to an individual who meets the criteria specified in §215.7(e)(1)-(3) [~~(d)(4)~~] of this chapter.

(24)[~~(23)~~] Governing entity--the body with administrative and operational

authority over a Board-approved professional nursing education program.

(25)~~[(24)]~~ Health care professional--an individual other than a registered nurse who holds at least a bachelor's degree in the health care field, including, but not limited to: a respiratory therapist, physical therapist, occupational therapist, dietitian, pharmacist, physician, social worker, and psychologist.

(26)~~[(25)]~~ MEEP (Multiple Entry-Exit Program)--an exit option which is a part of a professional nursing education program designed for students to complete course work and apply to take the NCLEX-PN® examination after they have successfully met all requirements needed for the examination.

(27) Mobility--the ability to advance without educational barriers.

(28)~~[(26)]~~ NEPIS (Nursing Education Program Information Survey)--a document required by the Board to be submitted by the professional nursing education program dean/director to provide annual workforce data.

(29)~~[(27)]~~ Non-nursing faculty--instructors who teach non-nursing content, such as pharmacology, pathophysiology, research, management and statistics, and who have educational preparation appropriate to the assigned teaching responsibilities.

(30)~~[(28)]~~ Objectives/Outcomes--expected student behaviors that are attainable and measurable.

(A) - (C) (No change).

(31)~~[(29)]~~ Observation experience--a clinical learning experience where a student is assigned to follow a health care professional in a facility or unit and to observe activities within the facility/unit and/or the role of nursing within the facility/unit, but where

the student does not participate in hands-on patient/client care.

(32)~~(30)~~ Pass rate--the percentage of first-time candidates within the [one (1)] examination year, as that term is defined in paragraph (20) of this section, who pass the National Council Licensure Examination for Registered Nurses (NCLEX-RN®).

(33)~~(31)~~ Philosophy/Mission--statement of concepts expressing fundamental values and beliefs as they apply to nursing education and practice and upon which the curriculum is based.

(34)~~(32)~~ Professional Nursing Education Program--an education unit that offers courses and learning experiences preparing graduates who are competent to practice nursing safely and who are eligible to take the NCLEX-RN® examination, often referred to as a pre-licensure nursing program. Types of pre-licensure professional nursing education programs:

(A) Associate degree nursing education program--a program leading to an associate degree in nursing conducted by an education unit in nursing within the structure of a public institution or higher education or a private or independent institution of higher education, as defined in Texas Education Code §61.003; a private postsecondary educational institution, as defined in Texas Education Code §61.302; or a career school or college, as defined in Texas Education Code §132.001~~[or private college or university]~~ authorized to grant associate degrees.

(B) Baccalaureate degree nursing education program--a program leading to a bachelor's degree in nursing conducted by an education unit in nursing which is a part of a public institution of higher education or a private or independent institution of higher education, as defined in Texas Education Code §61.003; a private postsecondary

educational institution, as defined in Texas Education Code §61.302; or a career school or college, as defined in Texas Education Code §132.001 [or private college or university] authorized to grant baccalaureate degrees.

(C) Master's degree pre-licensure nursing education program--a program leading to a master's degree, which is an individual's first professional degree in nursing, and conducted by an education unit in nursing within the structure of a college or university authorized to grant graduate degrees.

(D) (No change).

(35)~~[(33)]~~ Program of study--the courses and learning experiences that constitute the requirements for completion of a professional nursing education program.

(36)~~[(34)]~~ Recommendation--a specific suggestion based upon program assessment that is indirectly related to the rules to which the program must respond but in a method of their choosing.

(37)~~[(35)]~~ Requirement--mandatory criterion based upon program assessment that is directly related to the rules that must be addressed in the manner prescribed.

(38)~~[(36)]~~ Shall--denotes mandatory requirements.

(39)~~[(37)]~~ Simulation--activities that mimic the reality of a clinical environment and are designed to demonstrate procedures, decision-making, and critical thinking. A simulation may be very detailed and closely imitate reality, or it can be a grouping of components that are combined to provide some semblance of reality. Components of simulated clinical experiences include providing a scenario where the nursing student can

engage in a realistic patient situation guided by trained faculty and followed by a debriefing and evaluation of student performance. Simulation provides a teaching strategy to prepare nursing students for safe, competent, hands-on practice[~~but it is not a substitute for faculty-supervised patient care~~].

(40)~~(38)~~ Staff--employees of the Texas Board of Nursing.

(41)~~(39)~~ Supervision--immediate availability of a faculty member, clinical preceptor, or clinical teaching assistant to coordinate, direct, and observe first hand the practice of students.

(42)~~(40)~~ Survey visit--an on-site visit to a professional nursing education program by a Board representative. The purpose of the visit is to evaluate the program of study by gathering data to determine whether the program is in compliance with Board requirements.

(43)~~(41)~~ Systematic approach--the organized nursing process approach that provides individualized, goal-directed nursing care whereby the registered nurse engages in:

(A) - (E) (No change).

(44)~~(42)~~ Texas Higher Education Coordinating Board (THECB) the state agency described in Texas Education Code, Title 3, Subtitle B, Chapter 61.

(45)~~(43)~~ Texas Workforce Commission (TWC)--the state agency described in Texas Labor Code, Title 4, Subtitle B, Chapter 301.

§215.3. Program Development, Expansion, and Closure.

(a) New Programs.

(1) (No change).

(2) Proposal to establish a new professional nursing education program.

(A) The proposal to establish a new professional nursing education program may be submitted by:

(i) - (ii) (No change).

(B) The new professional nursing education program must be approved/licensed or deemed exempt by the appropriate Texas agency, the THECB, or the TWC, as applicable, before approval can be granted by the Board for the program to be implemented. The proposal to establish a new professional nursing education program may be submitted to the Board at the same time that an application is submitted to the THECB or the TWC, but the proposal cannot be approved by the Board until such time as the proposed program is approved by the THECB or the TWC. If the governing entity has nursing programs in other jurisdictions, the submitted program proposal must include evidence that the nursing programs' NCLEX-RN® pass rates are at least 80% for the current examination year, as that term is defined in §215.2(20) of this chapter (relating to Definitions), and that the nursing programs hold full approval from the state boards of nursing in the other states and are in good standing.

(C) The process to establish a new professional nursing education program shall be initiated by a letter of intent from the governing entity to [with] the Board office. A program proposal must be ready for the Board's consideration of approval within one (1) year from the date of receipt of the initial proposal draft in the Board's office. If the proposal is not ready for the Board's consideration within this time period, the proposal will be considered withdrawn or will be presented to the Board at its next regularly scheduled

meeting, with a Staff recommendation of denial/disapproval. [~~one (1) year prior to the anticipated start date of the program~~].

(D) The individual writing the proposal for a new professional nursing education program shall be the proposed director and shall [~~should hold a current license or privilege to practice as a registered nurse in Texas and should~~] meet the qualifications for the program director as specified in §215.6(f) of this chapter (relating to Administration and Organization).

~~[(i) The name and credentials of the author of the proposal must be included in the document.]~~

~~[(ii) A qualified dean or director must be employed by the program early in the development of the proposal, and in no event shall the dean or director be hired later than six (6) months prior to the submission of the proposal to the Board.]~~

~~[(iii) The prospective dean/program director must review/revise the proposal and agree with the components of the proposal as being representative of the proposed program that the individual will be responsible for administratively.]~~

(E) - (H) (No change).

(I) The proposal shall be considered by the Board following a public hearing at a regularly scheduled meeting of the Board. The Board may approve the proposal and grant initial approval to the new program, may defer action on the proposal, or may deny further consideration of the proposal. In order to ensure success of newly approved programs, the Board may, in its discretion, impose any restrictions or conditions it deems appropriate and necessary.

(i) In addition to imposing restrictions and conditions, the Board

may also require specific monitoring of newly approved programs that may be ~~[are]~~ high-risk.

(ii) A program may be considered high-risk if it meets one or more of the following criteria, including, but not limited to: unfamiliarity ~~[inexperience]~~ of the governing entity with ~~[in]~~ nursing education; inexperience of the potential dean or director in directing a nursing program; potential for director or faculty turnover; multiple admission cycles per year; or potential for a high attrition rate among students.

(iii) (No change).

(J) - (L) (No change).

(M) A proposal without action for one (1) calendar year shall be considered withdrawn, ~~[inactivated]~~ and a new proposal application and fee, as set forth in §223.1 of this title (relating to Fees) will be required to begin the new proposal process again.

(N) (No change).

(3) No change).

(b) Extension Site/Campus.

(1) Only professional nursing education programs that have full approval with a current NCLEX-RN® examination pass rate of 80% or better and are in compliance with Board rules are eligible to initiate or modify an extension site/campus.

(2) (No change).

(3) An approved professional nursing education program desiring to establish an extension site/campus that is consistent with the main campus program's current curriculum and teaching resources shall:

(A) (No change).

(B) Provide information in the application form that evidences:

(i) - (iii) (No change).

(iv) documentation of communication and collaboration with other programs within fifty (50) [~~twenty-five (25)~~] miles of the extension site;

(v) currently signed contracts [~~commitments~~] from clinical affiliating agencies to provide clinical practice settings for students;

(vi) - (vii) (No change).

(viii) a planned schedule for class and clinical learning activities for one (1) year; and

(ix) notification or approval from the governing entity and from other regulatory/accrediting agencies, as required. This includes regional approval of out-of-service extension sites for public colleges. [~~and~~]

[~~(x) letters of support from clinical affiliating agencies.~~]

(4) - (6) (No change).

(c) (No change).

(d) Closing a Program.

(1) - (6) (No change).

(e) Approval of a Professional Nursing Education Program Outside Texas' Jurisdiction to Conduct Clinical Learning Experiences in Texas.

(1) - (2) (No change).

(3) Evidence that the program has been approved/licensed or deemed exempt from approval/licensure by the appropriate Texas agency, (i.e., the THECB, the

TWC) to conduct business in the State of Texas, must be provided ~~[obtained]~~ before approval can be granted by the Board for the program to conduct clinical learning experiences in Texas.

(4) Evidence that the program's NCLEX-RN® examination rate is at least 80% for the current examination year, as that term is defined in §215.2(20) of this chapter (relating to Definitions).

~~(5)~~~~(4)~~ The Board may withdraw the approval of any program that fails to maintain the requirements set forth in Board Education Guideline 3.1.1.f. and this section. §215.4. Approval.

(a) The progressive designation of approval status is not implied by the order of the following listing. Approval status is based upon each program's performance and demonstrated compliance to the Board's requirements and responses to the Board's recommendations. Change from one status to another is based on NCLEX-RN® examination pass rates, compliance audits, survey visits, and other factors listed under subsection (b) of this section. Types of approval include:

(1) Initial Approval.

(A) (No change).

(B) The number of students to be enrolled while the program is on initial approval is determined by the Board, and the requirements will be ~~[are]~~ included in the Board's Order approving the program ~~[initial approval letter]~~.

(C) Change from initial approval status to full approval status cannot occur until the program has demonstrated compliance with this chapter, has met requirements and responded to all recommendations issued by the Board, and the NCLEX-

RN® examination pass rate is at least 80% after a full examination year. In order to ensure the continuing success of the program, the Board may, in its discretion, impose any restrictions or conditions it deems appropriate and necessary.

(2) (No change).

(3) Full or initial approval with warning is issued by the Board to a professional nursing education program that is not meeting the Board's requirements.

(A) (No change).

(B) Following the survey visit, the program will be given a list of identified areas of concern [~~deficiencies~~] and a specified time in which to respond with a set of corrective measures [~~correct the deficiencies~~]. Further, in order to ensure the continuing success of the program, the Board may, in its discretion, impose any restrictions or conditions it deems appropriate and necessary.

(4) Conditional Approval. Conditional approval is issued by the Board for a specified time to provide the program opportunity to correct any areas of concern identified by the Board or from findings in the program's self study report [~~deficiencies~~].

(A) - (C) (No change).

(5) Withdrawal of Approval. The Board may withdraw approval from a program which fails to meet the Board's requirements within the specified time. A [The] program may also elect to voluntarily close a program, as provided for in subsection (c)(12) of this section. The program shall be removed from the list of Board approved professional nursing education programs.

(6) (No change).

(b) (No change).

(c) Ongoing Approval Procedures. Ongoing approval status is determined biennially by the Board on the basis of information reported or provided in the program's NEPIS and CANEP, NCLEX-RN® examination pass rates, program compliance with this chapter, and other program outcomes [~~pertinent data~~]. Certificates of Board approval will be mailed to all Board-approved nursing programs biennially in even-numbered years.

(1) (No change).

(2) NCLEX-RN® Pass Rates. The annual NCLEX-RN® [~~NCLEX~~] examination pass rate for each professional nursing education program is determined by the percentage of first time test-takers who pass the examination during the examination year.

(A) A minimum of eighty [~~Eighty~~] percent (80%) of first-time NCLEX-RN® candidates is [~~are~~] required to achieve a passing score on the NCLEX-RN® examination during the examination year.

(B) When the passing score of first-time NCLEX-RN® candidates is less than 80% on the examination during the examination year, the nursing program shall submit a Self-Study Report that evaluates factors that may have contributed to the graduates' performance on the NCLEX-RN® examination and a description of the corrective measures to be implemented. The report shall comply with Board Education Guideline 3.2.1.a. Writing a Self-Study Report on Evaluation of Factors that Contributed to the Graduates' Performance on the NCLEX-PN® or NCLEX-RN® Examination. Within one year of the submission of the Self-Study Report to the Board, the program shall provide to Board Staff evaluation data on the effectiveness of corrective measures implemented.

(3) Change in Approval Status. The progressive designation of a change in approval status is not implied by the order of the following listing. A change in approval status is based upon each program's performance and demonstrated compliance to the Board's requirements and responses to the Board's recommendations. A change from one approval status to another may be determined by program outcomes, including the NCLEX-RN® examination pass rates, compliance audits, survey visits, and other factors listed under subsection (b) of this section.

(A) - (C) (No change).

(D) The Board may consider a change in approval status at a regularly scheduled Board meeting for a program on full approval with warning or conditional approval ~~[A program issued a warning or placed on conditional approval status may request a review of the program's approval status by the Board at a regularly scheduled meeting following the end of the examination year] if:~~

(i) - (ii) (No change).

(E) The Board may, in its discretion, change the approval status of a program on full approval with warning to full approval, to full approval with restrictions or conditions, or impose a monitoring plan. The Board may restrict enrollment ~~[enrollments]~~.

(F) The Board may change the approval status of a program on conditional approval to full approval, full approval with restrictions or conditions, full approval with warning, or impose a monitoring plan. The Board may restrict enrollment ~~[enrollments]~~.

(4) - (7) (No change).

(8) A professional nursing education program is considered approved by the Board and exempt from Board rules that require ongoing approval as described in Board Education Guideline 3.2.4.a. Nursing Education Programs Accredited by the Accreditation Commission for Education in Nursing [~~National League for Nursing Accrediting Commission~~] and/or the Commission on Collegiate Nursing Education-Specific Exemptions from Education Rule Requirements if the program:

(A) is accredited and maintains voluntary accreditation through an approved national nursing accrediting agency that has been determined by the Board to have standards equivalent to the Board's ongoing approval standards; [and]

(B) complies with Board rules from which it is not exempt; and

(C)[(B)] maintains an acceptable NCLEX-RN® pass rate, as determined by the Board, on the NCLEX-RN® examination.

(9) - (11) (No change).

(12) A program that voluntarily closes or from which approval has been withdrawn by the Board may submit a new proposal [~~reapply for approval~~]. A new proposal may not be submitted to the Board until [~~after~~] at least twelve (12) calendar months have elapsed from the date the program's voluntary closure is accepted by the Executive Director or [of] from the date of the program's withdrawal of approval by the Board [have elapsed].

(13) (No change).

(d) Notice of a change in a program's approval status shall be sent to the dean or director and others as determined by the Board. The chief administrative officer of the

governing entity shall be notified when there is a change of approval status of the program.

§215.6. Administration and Organization.

(a) - (e) (No change).

(f) Each professional nursing education program shall be administered by a qualified individual who is accountable for the planning, implementation, and evaluation of the professional nursing education program. The dean or director shall:

(1) hold an unencumbered [a] current license or privilege to practice as a registered nurse in the state of Texas;

(2) - (3) (No change).

(4) have a minimum of two (2) [three (3)] years teaching experience in a professional nursing education program;

(5) - (6) (No change).

(g) In a fully approved professional nursing education program, other qualifications may be considered if there is supporting evidence that the candidate has sufficient competencies to fulfill the responsibilities.

(h)[(g)] When the dean/director of the program changes, the dean/director shall submit to the Board office written notification of the change indicating the final date of employment.

(1) - (3) (No change).

~~[(4) In a fully approved professional nursing education program, other qualifications may be considered if there is supporting evidence that the candidate has the~~

~~competencies to fulfill the responsibilities.]~~

~~(i)~~~~(h)~~ A newly appointed dean/director or interim dean/director of a professional nursing education program shall attend ~~a~~ ~~[the next]~~ new dean/director orientation [education] workshop provided by the Board related to ~~[the]~~ education rules and the role and responsibilities of newly appointed deans/directors within one (1) year of his/her hire date in that role.

~~(j)~~~~(i)~~ The dean/director shall have the authority to direct the professional nursing education program in all its phases, including approval of teaching staff, selection of appropriate clinical sites, admission, progression, probation, dismissal of students, and enforcement of student policies. Additional responsibilities include, but are not limited to:

(1) - (4) (No change).

~~(k)~~~~(j)~~ The dean or director of the nursing program shall notify Board Staff immediately when there is a change in the name of the professional nursing education program or the governing entity, or when there are changes in the contact information.

§215.7. Faculty.

(a) Faculty Organization.

(1) The faculty shall be organized with written policies and procedures and/or bylaws to guide the faculty and program's activities, including processes for enforcement of written student policies.

(2) The faculty shall meet regularly and function in such a manner that all members participate in planning, implementing, and evaluating the nursing program. Such participation includes, but is not limited to: the initiation and/or change in program policies,

personnel policies, curriculum, utilization of affiliating agencies, and program evaluation.

(A) Committees necessary to carry out the functions of the program shall be established with duties and membership of each committee clearly defined in writing.

(B) Minutes of faculty organization and meetings shall document the reasons for actions and the decisions of the faculty and shall be available for reference.

(C) Part-time faculty may participate in all aspects of the program. Clear lines of communication of program policies, objectives, and evaluation criteria shall be included in the policies for part-time faculty.

(b){(a)} There shall be a Nursing Faculty Handbook that contains written [personnel] policies for nursing faculty that are in keeping with accepted educational standards and are consistent with the policies of the governing entity. Nursing policies that differ from those of the governing entity shall be consistent with nursing unit mission and goals (philosophy and outcome).

~~[(1) Nursing policies that differ from those of the governing entity shall be consistent with nursing unit mission and goals (philosophy and outcomes).]~~

(1){(2)} Written policies concerning workload for the director or coordinator shall allow for sufficient time for administrative responsibilities consistent with §215.6 of this chapter (relating to Administration and Organization). Written policies for nursing faculty workload shall allow sufficient time for faculty to accomplish those activities related to the teaching-learning process.

~~[(3) Faculty policies shall include, but not be limited to: qualifications,~~

~~responsibilities, performance evaluation criteria, and terms of employment.]~~

~~[(4) Written policies for nursing faculty workload shall allow sufficient time for faculty to accomplish those activities related to the teaching-learning process.]~~

~~(2)[(5)] Personnel policies shall including position [Position] descriptions for all members of the nursing program (including the director/coordinator) [the director/coordinator and nursing faculty] outlining the qualifications and [their] responsibilities directly related to the nursing program [shall be included in the nursing faculty handbook].~~

~~(3)[(6)] Written policies for nursing faculty shall also include: terms of employment, plans for faculty orientation to the institution and to the nursing program, resources and opportunities for faculty development[;] and evaluation of faculty, and Nursing Peer Review, as described in §217.19 (relating to Incident-Based Nursing Peer Review and Whistleblower Protections) and 217.20 (relating to Safe Harbor Nursing Peer Review and Whistleblower Protections) of this title.~~

~~(4) Orientation of new nursing faculty members shall be initiated at the onset of employment.~~

~~(5) A plan for nursing faculty development shall be offered to encourage and assist faculty members to meet the nursing program's needs as well as individual faculty members' professional development needs.~~

~~(6) A variety of means shall be used to evaluate faculty performance such as self, student, peer, and administrative evaluation.~~

~~[(A) Orientation of new nursing faculty members shall be initiated at~~

the onset of employment].

~~[(B) A plan for nursing faculty development shall be offered to encourage and assist faculty members to meet the nursing program's needs as well as individual faculty members' professional development needs].~~

~~[(C) A variety of means shall be used to evaluate faculty performance such as self, student, peer, and administrative evaluation.]~~

(c)~~[(b)]~~ A professional nursing education program shall employ sufficient faculty members with educational preparation and expertise necessary to enable the students to meet the program goals. The number of faculty members shall be determined by such factors as:

(1) - (5) (No change).

(d)~~[(c)]~~ Faculty Qualifications and Responsibilities.

(1) - (2) (No change).

(e)~~[(d)]~~ Faculty Waivers.

(1) - (5) (No change).

~~[(6) The dean or director shall submit a sworn (notarized) notification of waiver to the Board.]~~

(6)~~[(7)]~~ If an extension of the waiver is needed, the dean or director shall petition Board Staff for an extension of the original waiver.

(f)~~[(e)]~~ Non-nursing faculty are exempt from meeting the faculty qualifications of this chapter as long as the teaching assignments are not nursing content or clinical nursing

courses.

(g)~~(ff)~~ All nursing faculty, as well as non-nursing faculty, who teach non-clinical nursing courses that are part of the nursing curriculum, e.g., biological, physical, social, behavioral and nursing sciences, including pathophysiology, pharmacology, research, nutrition, human growth and development, management, and statistics, shall have sufficient graduate level educational preparation verified by the program dean or director as appropriate to these areas of responsibility.

(h)~~(gg)~~ Non-nursing faculty assigned to teach didactic nursing content shall be required to co-teach with nursing faculty in order to meet nursing course objectives.

(i)~~(hh)~~ Teaching assignments shall be commensurate with the faculty member's education and experience in nursing.

(j)~~(ii)~~ Faculty shall be responsible for:

(1) - (4) (No change).

(k)~~(jj)~~ Teaching activities shall be coordinated among full-time faculty, part-time faculty, clinical preceptors, and clinical teaching assistants.

(l)~~(kk)~~ There shall be a minimum of one (1) full-time nursing instructor for the program.

(m)~~(ll)~~ A dean/director without major teaching or clinical responsibilities shall not be considered a full-time instructor for purposes of meeting the Board's requirements related to having a sufficient number of nursing faculty for a professional nursing education program.

~~[(m) Substitute faculty may be employed to meet emergent program needs.]~~

~~Substitute faculty shall meet qualifications as specified in subsection (c)(2) of this section.]~~

~~[(n) Faculty Organization:]~~

~~[(1) The faculty shall be organized with written policies and procedures and/or bylaws to guide the faculty and program's activities, including processes for enforcement of written student policies ]~~

~~[(2) The faculty shall meet regularly and function in such a manner that all members participate in planning, implementing, and evaluating the nursing program. Such participation includes, but is not limited to: the initiation and/or change in program policies; personnel policies; curriculum; utilization of affiliating agencies; and program evaluation.]~~

~~[(A) Committees necessary to carry out the functions of the program shall be established with duties and membership of each committee clearly defined in writing.]~~

~~[(B) Minutes of faculty organization and meetings shall document the reasons for actions and the decisions of the faculty and shall be available for reference.]~~

~~[(C) Part-time faculty may participate in all aspects of the program. Clear lines of communication of program policies, objectives, and evaluative criteria shall be included in policies for part-time faculty.]~~

§215.8. Students.

(a) (No change).

(b) A program must seek approval prior to an increase in enrollment of twenty-five percent (25%) or greater by headcount in one (1) academic year for each nursing program offered. The program must notify Board Staff four (4) months prior to the anticipated

increase in enrollment. The Executive Director shall have the authority to approve an increase in enrollment on behalf of the Board. When determining whether to approve a request for an increase in enrollment under this rule, the Executive Director and/or the Board shall consider:

(1) - (2) (No change).

(3) the effect of the change of enrollment on faculty workload;

(4) - (6) (No change).

(c) (No change).

(d) The program shall have a Nursing Student Handbook with well-defined, written nursing student policies based upon statutory and Board requirements, including nursing student admission, dismissal, progression, [and] graduation policies, and policies to ensure students fulfill requirements for obtaining criminal history record information as set forth in the Occupations Code §301.257. Processes shall be in place for policy development, implementation, and enforcement. [~~that shall be developed, implemented, and enforced.~~]

(1) - (2) (No change).

(e) Reasons for dismissal from the program shall be clearly stated in written nursing student policies and shall address [~~include any demonstration of the following, including, but not limited to~~]:

(1) behavior evidencing [evidence of] actual or potential harm to patients, clients, or the public;

(2) criminal behavior that could affect licensure, as set forth in §213.28 (relating to Licensure of Individuals with Criminal History) of this title [whether violent or

non-violent, directed against persons, property or public order and decency];

(3) current fitness to practice nursing, as set forth in §213.29 (relating to Fitness to Practice) of this title [intemperate use, abuse of drugs or alcohol, or diagnosis of or treatment for a substance use disorder, mental illness, or diminished mental capacity]; and

(4) [the lack of] good professional character, as set forth in §213.27 (relating to Good Professional Character) of this title [as evidenced by a single incident or an integrated pattern of personal, academic and/or occupational behaviors which indicates that an individual is unable to consistently conform his or her conduct to the requirements of the Nursing Practice Act, the Board's rules and regulations, and generally accepted standards of nursing practice including, but not limited to: behaviors indicating honesty, accountability, trustworthiness, reliability, and integrity].

(f) - (j) (No change).

§215.9. Program of Study.

(a) The program of study shall include both didactic and clinical learning experiences and shall be:

(1) - (6) (No change).

(7) designed and implemented to prepare students to demonstrate the *Differentiated Essential Competencies of Graduates of Texas Nursing Programs Evidenced by Knowledge, Clinical Judgment, and Behaviors: Vocational [Professional] (VN), Diploma/Associate Degree (Diploma/ADN), Baccalaureate Degree (BSN), October 2010 (DECs); and*

(8) (No change).

(b) (No change).

(c) Instruction shall include, but not be limited to: organized student/faculty interactive learning activities, formal lecture, audiovisual presentations, nursing skills laboratory instruction and demonstration, simulated laboratory instruction, and faculty-supervised, hands-on patient care clinical learning experiences.

(1) - (2) (No change).

(3) Clinical learning experiences shall include actual hours of practice in nursing skills and computer laboratories; simulated clinical experiences; faculty supervised hands-on clinical care; clinical conferences; debriefing; and observation experiences. Observation experiences provide supplemental learning experiences to meet specific learning objectives.

(4) (No change).

(d) (No change).

(e) The program of study shall include, but not be limited to, the following areas:

(1) (No change).

(2) nursing courses which include didactic and clinical learning experiences in the five (5) [~~four (4)~~] content areas, medical-surgical, geriatric, maternal/child health, pediatrics, and mental health nursing that teach students to use a systematic approach to clinical decision-making and prepare students to safely practice professional nursing through the promotion, prevention, rehabilitation, maintenance, restoration of health, and palliative and end-of-life care for individuals [~~of all ages~~] across the lifespan.

(A) - (C) (No change).

(3) Nursing courses shall prepare students to recognize and analyze patient, family, and environmental cues and use critical thinking in making nursing clinical judgments. ~~[health care needs, select and apply relevant knowledge and appropriate methods for meeting the health care needs of individuals and families, and evaluate the effectiveness of the nursing care].~~

(4) (No change).

(f) The selection and organization of the learning experiences in the curriculum shall provide continuity, sequence, and integration of learning.

(1) The learning experiences shall provide for progressive development of values, knowledge, judgment, and skills.

(2) Didactic learning experiences shall be provided either prior to or concurrent (at the same time) with the related clinical learning experiences.

(3) Clinical learning experiences shall be sufficient in quantity and quality to provide opportunities for students to achieve the stated outcomes.

(4) Students shall have sufficient opportunities in simulated or clinical settings to develop technical skills, using contemporary technologies, essential for safe, effective nursing practice.

(5) Learning opportunities shall assist students to develop communication and interpersonal skills.

(g) (No change).

(h) Faculty shall develop and implement evaluation methods and tools to measure

progression of students' cognitive, affective, and psychomotor achievements in course/clinical objectives, according to Board Education Guideline 3.7.3.a. Student Evaluation Methods and Tools. Board Education Guideline 3.7.4.a. Using Standardized Examinations outlines the effective use of standardized examinations as an evaluation of student progress.

(i) Curriculum changes shall be developed by the faculty according to Board standards and shall include information outlined in the Board Education Guideline 3.7.1.a. Proposals for Curriculum Changes. The two (2) types of curriculum changes are:

(1) (No change).

(2) Major curriculum changes requiring Board staff approval prior to implementation include:

(A) (No change).

(B) The addition of transition course(s), tracks/alternative programs of study, including MEEP and Dual-Credit High School programs, that provide educational mobility;

(C) - (D) (No change).

(j) (No change).

(k) Professional nursing education programs planning [~~that have full approval status and are undergoing~~] major curriculum changes shall submit a curriculum change [~~an abbreviated~~] proposal, as outlined in Board Education Guideline 3.7.1.a., to the Board office for approval at least four (4) months prior to implementation. [~~The abbreviated proposal shall contain at least the following:~~]

~~[(1) new and old philosophy/mission, major concepts, program objectives/outcomes, course objectives/outcomes];~~

~~[(2) new and old curriculum plans;]~~

~~[(3) rationale for the curriculum changes;]~~

~~[(4) clinical evaluation tools for each clinical course; and]~~

~~[(5) additional information, as requested, in order to provide clarity for Board Staff.]~~

~~[(f) Professional nursing education programs not having full approval status, but proposing a major curriculum change, shall submit a full curriculum change proposal, as outlined in Board Education Guideline 3.7.1.a, to the Board office and meet the requirements as outlined in subsection (i) of this section. Professional nursing education programs not having full approval status are not eligible to submit for Board approval a proposal for a new nursing education program until the program's status has been restored to full approval status by the Board.]~~

~~(l)(m)~~ All professional nursing education programs implementing any curriculum change shall submit to Board Staff an evaluation of the outcomes of the implemented curriculum change through the first graduating class under the new curriculum.

#### §215.10. Clinical Learning Experiences.

(a) - (d) (No change).

(e) Clinical learning experiences shall include the administration of medications, health promotion and preventive aspects, nursing care of persons across ~~[throughout]~~ the life span with acute and chronic illnesses, and rehabilitative care.

(1) Students shall participate in instructor-supervised [~~instructor supervised~~] patient teaching.

(2) Students shall also be provided opportunities for participation in clinical conferences/debriefing.

(3) When a high-fidelity simulation laboratory is used to meet clinical learning objectives, the faculty shall be trained in planning and guiding the experience and in debriefing and evaluating students. Programs may use up to 50% simulation activities in each clinical course. [~~Simulated laboratory experiences may also be utilized as a teaching strategy in classroom and clinical settings to meet objectives and may be counted as either classroom or clinical hours for the purpose of calculating the hours in the curriculum.~~]

(f) (No change).

(g) The following ratios only apply to clinical learning experiences involving direct patient care:

(1) - (2) (No change).

(3) Clinical learning experiences shall be designed for students to meet clinical objectives in all clinical activities (skills and simulation laboratories and hands-on care).

(4)[~~(3)~~] The faculty member shall supervise an assigned [~~that~~] group in [~~only~~] one (1) facility at a time, unless some portion or all of the clinical group are assigned to observation experiences or to preceptors in additional settings.

(5)[~~(4)~~] Direct faculty supervision is not required for an observation experience.

(h) Clinical preceptors may be used to enhance clinical learning experiences after a student has received clinical and didactic instruction in all basic areas of nursing~~[, or after a student has received clinical and didactic instruction in the basic areas of nursing for the related course or specific learning experience]~~.

(1) - (3) (No change).

(4) The preceptor shall be responsible for the clinical learning experiences of no more than two (2) students at a time ~~[per clinical group]~~.

(i) Clinical teaching assistants may assist qualified, experienced faculty with clinical learning experiences.

(1) In clinical learning experiences where a faculty member is assisted ~~[supported]~~ by a clinical teaching assistant, the ratio of faculty to students shall not exceed two (2) to fifteen (15).

(2) (No change).

(j) (No change).

#### §215.11. Facilities, Resources, and Services

(a) (No change).

(b) An appropriately equipped skills laboratory shall be provided to accommodate the maximum number of students allowed for the program and to provide a learning environment where students can receive instruction and demonstrate all basic nursing skills. A simulation laboratory may be provided to enhance clinical learning experiences where students can practice nursing care through planned scenarios that mimic real clinical situations.

(1) The laboratories [~~laboratory~~] shall be equipped with hot and cold running water.

(2) The laboratories [~~laboratory~~] shall have adequate storage for equipment and supplies.

(c) - (e) (No change).

#### §215.13. Total Program Evaluation.

(a) There shall be a written plan for the systematic evaluation of the effectiveness of the total program. The plan shall include evaluative criteria, methodology, frequency of evaluation, assignment of responsibility, and indicators (benchmarks) of program and instructional effectiveness. The following broad areas shall be periodically evaluated:

(1) - (4) (No change).

(5) affiliating agencies and clinical learning activities, including simulation experiences;

(6) - (10) (No change).

(b) - (d) (No change).