

Agenda Item: 7.6
Board Meeting on April 19-20, 2018
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**Consideration of Proposed Amendments to 22 Tex. Admin. Code Chapter 214,
relating to *Vocational Nursing Education***

Background: Through its routine review of Board rules, Staff has identified several areas in Chapter 214 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 214, relating to Vocational 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 214, relating to Vocational Nursing Education, as proposed.

Attachment "A"

§214.2. 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 director/coordinator verifying that the applicant has successfully completed all requirements for graduation from an approved vocational nursing program that meets the requirements set forth in §214.9 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 vocational nursing education program that meets the requirements set forth in §214.9 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) - (9) (No change).

(10) 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 [~~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) - (13) (No change).

(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.

(15) (No change).

(16) 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 or registered nurse and setting forth both the basis for potential ineligibility and the Board's determination of ~~[the]~~ disclosed eligibility issues.

(17) - (21) (No change).

(22) Faculty waiver--a waiver granted by a director or coordinator of a vocational nursing education program to an individual who meets the criteria specified in §214.7(e)(1)-(3) ~~[(d)(1)]~~ of this chapter.

(23) - (29) (No change).

(30) 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.

(31) Pass rate--the percentage of first-time candidates within the ~~[one (1)]~~ examination year, as that term is defined in paragraph (19) of this section, who pass the National Council Licensure Examination for Vocational Nurses (NCLEX-PN®).

(32) - (33) (No change).

(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.

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

(36) (No change).

(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].~~

(38) (No change).

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

(40) - (44) (No change).

§214.3. Program Development, Expansion and Closure.

(a) New Programs.

(1) (No change).

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

(A) An educational unit in nursing within the structure of a school, including a college, university, or career school or college, or a hospital or military setting is eligible to submit a proposal to establish a new vocational nursing education program.

(B) The new vocational 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 vocational 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-PN® pass rates are at least 80% for the current examination year, as that term is defined in §214.2(19) 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 vocational 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 vocational 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 §214.6(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 director or coordinator must be employed by the~~

~~program early in the development of the proposal, and in no event shall the director or coordinator be hired later than six (6) months prior to the submission of the proposal to the Board.]~~

~~[(iii) The prospective 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) - (G) (No change).

(H) 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 director or coordinator 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)

(I) - (K) (No change).

(L) 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.

(M) (No change).

(3) Survey visits shall be conducted, as necessary, by staff until full approval status is granted.

(b) Extension Site/Campus.

(1) Only vocational nursing education programs that have full approval with a current NCLEX-PN® 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 vocational 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 community colleges. ~~and~~

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

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

(c) - (d) (No change).

(e) Approval of a Vocational 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-PN® examination rate is at least 80% for the current examination year, as that term is defined in §214.2(19) 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. §214.4. 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-PN® 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-PN® 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 vocational 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 vocational nursing education programs.

(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-PN® 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-PN® Pass Rates. The annual NCLEX-PN® examination pass rate for each vocational 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-PN® candidates ~~is~~ [are] required to achieve a passing score on the NCLEX-PN® examination during the examination year.

(B) When the passing score of first-time NCLEX-PN® 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 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-PN® 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) - (F) (No change).

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

(8) A vocational 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-PN® pass rate, as determined by the Board, on the NCLEX-PN® 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 director or coordinator and others as determined by the Board. The chief administrative officer of the governing entity shall be notified by the Board when there is a change in approval status of the program.

§214.6. Administration and Organization.

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

(f) Each vocational nursing education program shall be administered by a qualified individual who is accountable for the planning, implementation, and evaluation of the vocational nursing education program. ~~[The director/coordinator shall:]~~

(1) The director/coordinator shall hold an unencumbered [a] current license or privilege to practice as a registered nurse in the state of Texas.[:]

(2) The director/coordinator shall have been actively employed in nursing for the past five (5) years, preferably in administration or teaching, with a minimum of one (1) year teaching experience in a pre-licensure nursing education program.[:]

(3) If [if] the director/or coordinator has not been actively employed in nursing for the past five (5) years, the director's or coordinator's advanced preparation in nursing, nursing education, and nursing administration and prior relevant nursing employment may be taken into consideration by Board Staff in evaluating qualifications for the position.[:]

(4) The director/coordinator shall have a degree or equivalent experience that

will demonstrate competency and advanced preparation in nursing, education, and administration.[:]

(5) The director/coordinator must have had five (5) years of varied nursing experience since graduation from a professional nursing education program.[:]

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

~~(7)~~[(6)] The [the] director or coordinator may have responsibilities other than the program, provided that another qualified nursing faculty member is designated to assist with the program management.[:; and]

~~(8)~~[(7)] A [a] director or coordinator with responsibilities other than the program shall not have major teaching responsibilities.

(g) When the director/coordinator or of the program changes, the director/coordinator 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 vocational nursing education program, other qualifications may be considered if there is supporting evidence that the candidate has competencies to fulfill the responsibilities.]~~

(h) A newly appointed director/coordinator or interim director/coordinator of a vocational nursing education program shall attend a [the next] scheduled new director/coordinator [education] workshop provided by the Board related to [the] education

rules and the role and responsibilities of newly appointed directors/coordinators within one (1) year of his/her hire date in that role.

(i) - (j) (No change).

§214.7. 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 §214.6 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 vocational 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)~~[(e)]~~ Faculty Qualifications and Responsibilities.

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

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

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

~~[(5) The director or coordinator shall submit a sworn (notarized) notification of waiver to the Board.]~~

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

(f)~~[(e)]~~ Military faculty. Federal laws and regulations regarding licensure of military nursing personnel shall apply to Texas based military faculty members functioning within vocational nursing education programs.

(g)~~[(f)]~~ 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.

(h)~~[(g)]~~ 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, body structure and function, microbiology, pharmacology, nutrition, signs of emotional health, and human growth and development, shall have sufficient educational preparation verified by the program director/coordinator as appropriate to these areas of teaching responsibility.

(i)~~[(h)]~~ 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.

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

~~(k)~~~~(+)~~ Faculty shall be responsible for:

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

~~(l)~~~~(*)~~ Teaching activities shall be coordinated among full-time faculty, part-time faculty, and clinical preceptors.

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

~~(n)~~~~(m)~~ A director/coordinator 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 vocational nursing education program.

~~[(n) Substitute faculty may be employed to meet emergent program needs. Substitute faculty beyond ten (10) consecutive working days and/or on an interim basis shall meet qualifications as specified in subsection (c)(2) of this section.]~~

~~[(o) 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.]~~

§214.8. 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 a requested 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) - (4) (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).

§214.9. Program of Study.

(a) (No change).

(b) The faculty shall be responsible for the development, implementation, and evaluation of the curriculum based upon the following guidelines:

(1) (No change).

(2) Instruction shall be provided in nursing roles; biological, physical, social, behavioral, and nursing sciences, including body structure and function, microbiology, pharmacology, nutrition, signs of emotional health, human growth and development, vocational nursing scope of practice [adjustments], and nursing skills. Courses may be integrated or separate.

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

(4) Clinical practice 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 that

meet specific learning objectives.

(5) - (9) (No change).

(d) - (e) (No change).

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

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

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

(5) (No change).

(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.

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

(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, which may include:

(A) (No change).

(B) The addition of tracks or alternate programs of study, including advanced placement or Dual-Credit High School programs that provide educational mobility;

(C)[(B)] Revisions in program hours; and

(D)[(C)] Addition/reduction of course(s) in the program of study.

(j) (No change).

(k) Vocational 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.]~~

~~[(t) Vocational 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. Vocational 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 vocational 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.

§214.10. 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) - (k) (No change).

§214.11. 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).

§214.13. 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).