

**Report of a Comparison of Program Approval Processes Between
The Texas Workforce Commission (TWC),
The Texas Higher Education Coordinating Board (THECB), and
The Board of Nursing (BON)**

Summary of Request:

Consider the report of a comparison of program approval processes between The Texas Workforce Commission (TWC), The Texas Higher Education Coordinating Board (THECB), and the Board of Nursing (BON) as an outcome of meetings between the three (3) agencies. The most recent of the meetings was held on June 10, 2013 as a part of the ongoing interagency meetings to maintain communication regarding new nursing programs.

A summary of the June 20, 2013 meeting follows. At each meeting, agency staff share information that affects nursing program approval and discuss individual program issues to promote consistency and collaboration in decision-making.

Summary of Meeting on June 10, 2013, 1:00 – 3:30 p.m.:

Place: Board of Nursing

Attendees:	TWC:	Michael DeLong Deborah Arellano
	THECB:	Duane Hiller Cathie Maeyart
	BON	Kristin Benton Virginia Ayars Sandi Emerson Janice Hooper Jackie Ballesteros

Agenda Items: Legislation affecting education and nursing
Review and revision of flow charts (See headings below)
Specific questions about nursing programs and TWC/THECB approval
Report of Task Force to Study Implications of Growth in Nursing Programs In Texas
Approval Status of Nursing Programs with Sanctions
Progress Made by BON -Contracted Program Evaluators

The Joint Agency Comparative Approval Charts:

These three tables have resulted from regular interagency meetings with representatives from TWC and THECB, and from Board development by representatives from TWC and THECB in July 2012.

Table No. 1 presents a schematic indicating the necessary agency approvals for different types of nursing programs. The scrutiny by other agencies varies a great deal depending upon certain qualifiers such as eligibility for exemptions or accreditation status of the governing entity.

Tables No. 2 and No. 3 describe differences in approval criteria between the BON and THECB, and between the BON and TWC. It is particularly important that the BON evaluate all aspects of the nursing program of study including clinical learning experiences.

The Joint Agency Approval Flow Chart (Table No. 1):

Since many new programs are being established by career schools, it is important to realize that:

- TWC will approve a new school that has no other programs pending BON approval. After BON approval, they will license the school based on BON approval. This places a greater responsibility upon the BON to evaluate the program.
- TWC will approve a school that has a license but the approval is pending BON approval. They will approve the program following BON approval. TWC is relying upon the BON to evaluate the program after they have licensed the school. The TWC license will follow BON approval.
- If a program has been licensed or accredited for less than one year, TWC will approve the school for license but will not approve the program until the program has BON approval.
- If the program has been licensed for more than one year and is accredited, the TWC will approve the school for license but following BON approval, the program must seek accreditation approval of the program.
- TWC approves degree programs for a school license. The program must then seek a certificate of authorization or a certificate of authority from THECB prior to BON approval. The accreditor must then approve the program before they can begin operation.
- When a program receives an exemption from TWC, the BON may evaluate the program for approval. If they are not accredited, they receive no other scrutiny except that from the BON.
- THECB approval of programs is based upon cost of the new program. If it is under \$2 million dollars, approval is fairly straight forward and more evaluation is expected of the BON approval.

Co-Regulation of Nursing Education Programs: BON and THECB (Table No. 2):

This table compares the focus of evaluation between THECB and BON for review criteria. (See Attachment #2.)

Co-Regulation of Nursing Education Programs: BON and TWC (Table No. 3):

This table compares the focus of evaluation between TWC and BON for review criteria. Refinement of these tables will be an ongoing process as regulations change. (See Attachment #3.)

Evaluation of Joint Meeting:

The meeting ended with an evaluation of the joint meeting to provide feedback. There was agreement that the meeting was effective. Suggestions for future meetings included discussions about:

- distance education,
- online education, and
- a comparison of agency rules regarding clinical/lab requirements.

The interagency meetings are seen as valuable in helping with the collaboration in decision-making, improved regulation of student outcomes, to learn about the roles of other agencies, to learn about institutional and program approval processes, and to ensure that agencies are giving correct information when speaking about other agencies.

A future meeting will be scheduled for September 2013 with agenda items including distance education, online education, and clinical requirements.

This report is for information purposes. No action is required.

Professional Nursing Programs (ADN and BSN):

Career Schools and Colleges Holding National Accreditation	Career Schools and Colleges NOT Holding National Accreditation
TWC approval for school license for each campus ↓	TWC approval for school license for each campus ↓
THECB Certificate of Authorization to Institution (only programs approved by a THECB-recognized accreditor will be approved) ↓	THECB – must meet THECB requirements found in Chapter 7 for Board approval Certificate of Authority awarded ↓
BON critical review of all aspects of program ↓	BON approval for program
Accredited programs must adhere to accreditation approval requirements prior to enrolling students	
Private/Independent Colleges and Universities Holding Regional Accreditation	Texas Public Colleges and Universities Holding SACs Accreditation
Governing Entity notification to SACs about new program ↓	THECB approval based upon cost of new program <\$2 million and meeting rules →staff approval >\$2 million → Board approval process ↓
BON critical review of all aspects of program	BON review of nursing program meeting Rule 215
Out-of-State Pre-Licensure Programs Requesting to Conduct Clinicals in Texas	Out-of-State Post-Licensure Programs Requesting to Conduct Clinicals in Texas
TWC Approval for school license ↓	TWC Approval for school license ↓
THECB Certificate of Authorization to institution if accredited by a THECB-recognized accreditor (information regarding clinical locations, degree programs, number of students and clinical dates must be updated at least on an annual basis for Certificate to remain valid) THECB Certificate of Authority probably isn't feasible as expense and requirements found in Chapter 7 for Board approval would be prohibitive for schools without THECB-recognized accreditation. ↓	THECB Certificate of Authorization to institution if accredited by a THECB-recognized accreditor (information regarding clinical locations, degree programs, number of students and clinical dates must be updated at least on an annual basis for Certificate to remain valid) THECB Certificate of Authority probably isn't feasible as expense and requirements found in Chapter 7 for Board approval would be prohibitive for schools without THECB-recognized accreditation. ↓
BON approval of program to conduct clinicals in Texas (following Education Guideline 3.1.1.f.) to ensure unlicensed nursing students are exempt from the NPA and to protect the public	Supervising faculty must hold Texas nursing license or privilege to practice in Texas. Students must hold Texas nursing license or privilege to practice in Texas.

<p>Distance Education and Online Education are currently receiving consideration for oversight by regulation and accreditation. The definitions of terms among agencies and accreditation vary and standards are less specific than long-standing education standards. There is an emphasis on maintaining quality in objectives, instruction, and expectations in all education formats.</p>	
<p>Distance Education –</p> <p>Nursing education programs that hold national nursing accreditation and exempt from Board rules requiring BON approval of extension sites/campuses (distance education). Programs holding nursing accreditation are accountable to the accreditation standards and criteria. BON approval is required for nursing programs that do not hold national nursing accreditation.</p> <p>Career Schools and Colleges: BON approval for extension sites/campuses (distance education) is required for nursing programs in career schools and colleges that do not hold nursing accreditation. In addition to BON approval, the program is also responsible to seek approval for the extension site from the national accreditation organization if they hold this accreditation.</p>	<p>Online Education –</p> <p>In BON definition, online education is viewed as a format of delivery in distance education. Educational programs are expected to abide by distance education standards of the accreditation organization to which they are accountable.</p> <p>BON rules require that “delivery of the curriculum through distance education shall comply with the requirements of this section to ensure that students receive comparable curriculum, supervised clinical learning experiences, and formative and summative evaluations. Faculty shall have documented competencies specific to online education.”</p> <p>BON rules also define extension site/campus as a location other than the program’s main campus where a portion or all of the curriculum is provided. It is expected that the curriculum in the extension site/campus is identical to the curriculum on the main campus.</p>
<p>Out-of-State Programs Requesting an Extension Sites in Texas</p> <p>Out-of-state prelicensure nursing programs wishing to establish a site in Texas would follow the BON approval process to establish a new nursing program in Texas. The approval process includes their contacting TWC or THECB for their approvals, as needed.</p>	

Co-Regulation of Nursing Education Programs - 2013
Texas Board of Nursing (BON) and Texas Higher Education Coordinating Board (THECB)
Table No. 2

The co-regulation of nursing education programs in Texas provides a collaborative approach to ensuring that the nursing programs adhere to state education regulations and nursing requirements, thus strengthening both approval processes. The education rules support the mission of the BON is to protect the public by ensuring that graduates will be safe, competent nurses.

Nursing education programs that require THECB approval are those housed in

- Degree granting nursing programs in state colleges and universities (ADN and BSN),
- Degree granting nursing programs in career schools,
- Vocational nursing (VN) programs in state community colleges, or
- Out-of-state nursing programs seeking to provide nursing education with a physical presence in Texas.

Review Processes:

Review Area	THECB	BON
Considerations for Initial Approval	<p>-THECB approves the governing entity and the nursing program in state colleges and universities.</p> <p>-ICUT schools must follow SACS accreditation and approval.</p> <p>-Approves the nursing program based upon cost of program and other THECB requirements.</p> <p>-Approves private/independent colleges and universities based upon regional or national accreditation by the THECB-recognized accreditor.</p> <p>-Approves the governing entity of career schools or out-of-state colleges and universities based upon accreditation status.</p> <p>-THECB defers to BON on nursing curriculum content and nursing requirements.</p> <p>-Exemptions apply – If a school is exempted by THECB, no monitoring will occur.</p> <p>-No fees are charged to institutions under Certificates of Authorization.</p> <p>Program approval considerations for public institutions:</p> <p>-<\$2 million and meets THECB rules = staff approval</p> <p>->\$2 million – Information on</p>	<p>-Prior THECB approval is necessary before proposal will be considered by the BON</p> <p>-Approves nursing programs (not the governing entity) based upon compliance with Board rules</p> <p>-No exemptions are made</p> <p>-If a school is exempt by THECB, BON must scrutinize all criteria since they are not being monitored by another agency</p> <p>-If a school receives a letter of authorization from THECB and they have national accreditation, BON must scrutinize both the governing entity and the nursing program</p> <p>-BON must scrutinize all areas in the proposal from a private/independent college or university (regionally accredited)</p> <p>-Approval fee applies</p> <p>-BON proposal process must be followed</p> <p>-BON approves new programs at scheduled Board meeting</p> <p>-Programs remain on initial approval until graduates take the NCLEX examination and an annual pass rate is above 80%</p>

Review Area	THECB	BON
	<p>need, quality, cost must be approved by the Board</p> <ul style="list-style-type: none"> -Estimated cost of program over 5 years and committed funding are major considerations. 	
Evidence of Need for Program	<p>For public institutions, THECB:</p> <ul style="list-style-type: none"> -Considers the financial stability of the governing entity and the cost of the new program. -Uses a supply/demand pathway model. -Considers the Bureau of Labor statistics and employer need -Considers potential job placements for graduates -Considers the success of other programs in the governing entity -Considers the needs in the community for the new program -Considers the adequacy of clinical learning experiences 	<ul style="list-style-type: none"> -BON reviews community support for program, especially in providing clinical learning experiences and job opportunities following graduation. -Evidence of opportunities for program success include: adequate qualified faculty and director, facilities provide a positive learning environment, available clinical learning experiences for students, job opportunities for graduates
Standards for Administration and Organization	<p>For public institutions, THECB reviews:</p> <ul style="list-style-type: none"> -Structure of the organization -Financial stability -Qualifications of school administration and program director -Organizational structure of the governing entity -Accreditation status -School catalog, advertising, enrollment materials -Appropriateness of the program for the mission of the institution 	<ul style="list-style-type: none"> -BON requires the author of proposal and program director to meet specific qualifications. -Program director must be in place at least 6 months prior to presentation to the Board. -Financial resources must be available to effectively conduct the program. -There must be evidence that the director will have the full authority to direct all aspects of the program.
Standards for Nursing Faculty	<ul style="list-style-type: none"> -THECB regulations and accreditation standards for faculty qualifications must be met. -THECB defers to BON for nursing faculty qualification requirements -THECB reviews qualifications of core and support faculty 	<ul style="list-style-type: none"> -Nursing faculty must meet rule-specific requirements -Specific nursing faculty policies must be in place including faculty orientation, development, organization, and evaluation. -There must be assurance that the nursing faculty will be responsible for developing, implementing, and evaluating the curriculum. -Adequate faculty must be available for clinical supervision and teaching responsibilities. -There must be a plan for nursing faculty to be responsible for supervision and evaluation of students in clinical practice.
Standards for Students	<p>For public institutions, THECB reviews:</p>	<ul style="list-style-type: none"> -Number of students to be admitted annually is regulated by

Review Area	THECB	BON
	<ul style="list-style-type: none"> -enrollment projections -recruitment efforts and admission requirements -There must be a critical mass of qualified students to enter the program with sufficient enrollments to support the program into the future. 	<ul style="list-style-type: none"> the Board for new programs. -BON requires pretesting of all students. -Student policies must be in place including admission, dismissal, progression, graduation, articulation, evaluation of courses and faculty. -Student input into department governance must be planned. -Faculty to student ratio in the clinical area will be 1:10 to promote patient safety. -BON requires that students are provided with eligibility information evidenced by a signed student receipt.
Standard for Program of Study	<ul style="list-style-type: none"> -All programs must adhere to credit hour limits -ADN programs must follow WECM requirements -THECB will review degree requirements and curriculum for each program for public institutions. 	<ul style="list-style-type: none"> -THECB requires that the curriculum in programs resulting in licensure to meet the standards of the appropriate regulatory bodies (BON). -Nursing content must include nursing courses which include didactic and clinical learning experiences in medical-surgical, maternal/child health, pediatrics, and mental health nursing for individuals of all ages across the lifespan. -Curriculum must include content to prepare graduates' competencies described in the <i>Differentiated Essential Competencies</i>. -Content specific to Texas nursing laws and rules must be included. -Faculty supervised hands-on clinical learning experiences to meet clinical objectives shall be included. -Signed contracts for appropriate clinical and classroom hours to meet program objectives and include major population areas must be available.
Standards for Clinical Learning Experiences	<ul style="list-style-type: none"> -Arrangements for any essential clinical placements should be made before program approval. 	<ul style="list-style-type: none"> -Signed clinical affiliating agreements with appropriate agencies must be included to meet clinical objectives. -Faculty-supervised clinical learning experiences acceptable for each required clinical area must be planned. -Faculty to student ratios in clinical areas shall be 1:10 except

Review Area	THECB	BON
		<p>where preceptors are used.</p> <ul style="list-style-type: none"> -Clinical evaluation tools which measure student progression across program shall be included.
Standards for Facilities, Resources, and Services	<ul style="list-style-type: none"> -Adequate classroom and laboratory space, equipment, and office space should be available for the proposed program. -Facilities and equipment shall be equivalent to those provided at similar programs in the state and nation. -Library and information technology resources must be adequate for the program and meet the standards of the appropriate accrediting agencies. 	<ul style="list-style-type: none"> -Facilities and nursing skills labs and equipment must be adequate to meet program objectives and scope of practice. -Offices, lounges, and classrooms for a conducive learning environment are required. -Current information technology and library access must be available.
Standards for Records and Reports	Adequate records of each student's academic performance shall be securely and permanently maintained by the institution.	<ul style="list-style-type: none"> -Safe and secure storage for all formal documents must be provided. -Complete and organized student files shall be in place.
Standards for Total Program Evaluation	-An evaluation process must be in place that will be used to assess the quality and effectiveness of the new degree program.	-TPE shall follow BON requirements.
Standards for Expansion and for Extension Sites	<p>-Distance education is defined by the percentage of mandatory time in the presence of the instructor. An institution must submit an Institutional Plan for Distance Education for THECB approval. Each degree program offered via distance education shall be approved by an institution's governing board.</p>	<ul style="list-style-type: none"> -Extension sites with same curriculum are seen as a part of main campus. -New extension sites need BON approval based upon criteria in the rule. -Programs holding national nursing accreditation do not need to get BON approval but should submit a substantive change report to the nursing accreditation organization.
Continuing Approval	For institutions under a Certificate of Authorization: at least on an annual basis, institutions must update clinical information, including sites, degree program names, number of students and dates of clinicals.	<ul style="list-style-type: none"> -The program's NCLEX examination pass rate must be at least 80% -There must be evidence of compliance with Board rules. -Annual Data Reports shall provide required information. -Investigations of complaints and noncompliance will be made by Board Staff. -Approval status may be changed to warning or conditional, or approval may be withdrawn if noncompliance issues warrant. -Monitoring fees may apply.

Co-Regulation of Nursing Education Programs - 2013
Texas Board of Nursing (BON) and Texas Workforce Commission (TWC)
Table No. 3

The co-regulation of nursing education programs in Texas provides a collaborative approach to ensuring that the nursing programs adhere to workforce regulations and nursing requirements, thus strengthening both approval processes. The education rules support the mission of the BON is to protect the public by ensuring that graduates will be safe, competent nurses.

Nursing education programs that require TWC approval are those housed in

- Career schools
- Out-of-state nursing programs seeking to provide nursing education with a physical presence in Texas

Review Processes:

Review Area	TWC	BON
Considerations for Initial Approval	<ul style="list-style-type: none"> -TWC focuses on the School with less focus on details of specific programs within the school. -TWC defers to BON on curriculum content and nursing requirements. -Exemptions apply – If a school is exempted by TWC, no monitoring will occur. -Approval fee applies. 	<ul style="list-style-type: none"> -Prior TWC approval is necessary before the proposal will be considered by the BON. -BON approves nursing programs, not the governing entity. The governing entity will be considered for their administrative oversight and financial support. -No exemptions are made by the BON. -If a school is exempt by TWC, BON must scrutinize all criteria since they are not being monitored by another agency. -Approval fee applies. -The BON proposal process must be followed. -The Board approves new programs at scheduled Board meetings.
Evidence of Need for Program	<ul style="list-style-type: none"> -Retrospective Employment rates of graduates in the occupation for which they were trained (>60%) are examined (outcome based). -Need agreements and sufficient sites for clinical practice are reviewed. -TWC considers workforce demands. 	<ul style="list-style-type: none"> -Community support for the program, especially in clinical areas and job opportunities following graduation are required. -Evidence of opportunities for program success are evaluated: adequate qualified faculty and director, physical spaces that provide a positive work and learning environment, available clinical learning experiences for students, job opportunities for graduates.

Review Area	TWC	BON
Standards for Administration and Organization	<p>TWC reviews:</p> <ul style="list-style-type: none"> -Ownership qualifications -Structure of the organization -Business tax and corporate status -Financial stability (current assets to meet current liabilities; positive equity) -Qualifications of school representatives – school director NOT nursing program director -Accreditation status -School catalog, advertising, enrollment materials 	<ul style="list-style-type: none"> -BON requires the author of proposal and program director to meet specific qualifications. -Program director must be in place at least 6 months prior to presentation to the Board and be actively engaged in developing the program. -There must be financial stability to effectively conduct the program.
Standards for Nursing Faculty	<ul style="list-style-type: none"> -All instructors must be approved based upon TWC criteria and process for hiring. -TWC defers to BON for nursing faculty qualifications. 	<ul style="list-style-type: none"> -Nursing faculty must meet rule-specific requirements. -Specific nursing faculty policies must be in place including faculty orientation, development, organization, and evaluation. -There must be assurance that the nursing faculty will be responsible for developing, implementing, and evaluating the curriculum. -Adequate faculty for clinical supervision and teaching responsibilities are available. -There must be a plan for nursing faculty to be responsible for supervision and evaluation of students in clinical practice.
Standards for Students	<ul style="list-style-type: none"> -Student policies must be in place including academic progress standards, cancellation and refund policies, and complaint policies. -Classroom size is limited to 30 students. -TWC reviews admission requirements and school catalog. 	<ul style="list-style-type: none"> -Number of students to be admitted annually is regulated by the Board for new programs. -BON requires pretesting of all students. -Student policies must be in place including admission, dismissal, progression, graduation, articulation, evaluation of courses and faculty. -Student input into department governance must be planned. -Faculty to student ratio in the clinical area will be 1:10 to promote patient safety. -BON requires that students are provided with eligibility information evidenced by a signed student receipt.
Standard for Program of Study	<ul style="list-style-type: none"> -Programs of study must meet minimum TWC criteria. -TWC requires program outlines and class schedules. --Clear occupational objectives, 	<ul style="list-style-type: none"> -Nursing content must include nursing care of children, maternal and newborn, aged, adults, individuals with mental health problems, palliative and end of

Review Area	TWC	BON
	<p>program outlines, and course descriptions must be in place.</p> <p>-TWC reviews contact hours and length of program, skill sets, and externships.</p>	<p>life care.</p> <p>-Curriculum must include content to prepare graduates' competencies described in the <i>Differentiated Essential Competencies</i>.</p> <p>-Content specific to Texas nursing laws and rules must be included.</p> <p>-Faculty supervised hand-on clinical learning experiences to meet clinical objectives shall be included.</p> <p>-Appropriate clinical and classroom hours must be included to total 1,398 clock hours for VN programs.</p>
Standards for Clinical Learning Experiences		<p>-Signed clinical affiliating agreements with appropriate agencies must be included to meet clinical objectives</p> <p>-Faculty-supervised clinical learning experiences acceptable for each required clinical area must be planned.</p> <p>-Faculty to student ratios in clinical areas shall be 1:10 except where preceptors are used.</p> <p>-Clinical evaluation tools which measure student progression across program shall be included.</p>
Standards for Facilities, Resources, and Services	<p>-Facilities and equipment must meet TWC requirements.</p>	<p>-Facilities and nursing skills labs and equipment must be adequate to meet program objectives and scope of practice.</p> <p>-Offices, lounges, and classrooms for a conducive learning environment are required.</p> <p>-Current information technology and library access must be available.</p>
Standards for Records and Reports	<p>-Records are reviewed at each site visit.</p> <p>-Properly-completed TWC forms are required for review.</p>	<p>-Safe and secure storage for all formal documents must be provided.</p> <p>-Complete and organized student files shall be in place.</p>
Standards for Total Program Evaluation		<p>-TPE shall follow BON requirements.</p>
Standards for Expansion and for Extension Sites	<p>-Each extension site shall be viewed as a separate site and will be evaluated as such.</p>	<p>-Extension sites with same curriculum are seen as a part of main campus.</p> <p>-New extension sites need BON approval based upon criteria in the rule.</p>

Review Area	TWC	BON
Continuing Approval	<ul style="list-style-type: none"> -Annual license renewal is required. -Fees apply. -Annual site visits are made, typically unannounced. -Complaints are investigated and potential refunds may be ordered. -Sanctions for noncompliance up to and including loss of license may occur. -Some protection for students in jeopardy of losing tuition is available. -Unlicensed schools are investigated, possibly followed by cease and desist orders. -Graduate employment rates must be sustained at least 60% in the occupation for which the student was prepared. 	<ul style="list-style-type: none"> -The program's NCLEX examination pass rate must be at least 80%. -There must be evidence of compliance with Board rules. -Annual Data Reports shall provide required information. -Investigations of complaints and noncompliance will be made. -Approval status may be changed to warning or conditional, or approval may be withdrawn if noncompliance issues warrant such actions. -Monitoring fees may apply.