

Consideration of Request for Charges To The Advisory Committee on Education

Summary of Request:

Consider Staff's request for the Board to approve and issue three charges to the Advisory Committee on Education (ACE) related to Sunset Advisory Commission adopted Recommendation 1.2 and regarding the use of standardized exit examinations as a graduation requirement in prelicensure nursing education programs in Texas.

Historical Perspective:

In December 2016, the Sunset Advisory Commission adopted Recommendation 1.2 that requires the Board to develop a path to initial licensure for graduates of out-of-state programs that are determined not to be substantially equivalent to Texas programs. This recommendation is currently in both the House and Senate bill versions filed during the 85th, 2017 Texas Legislative Session. If passed, the Board will be required to develop rules with stakeholder input from ACE defining substantially equivalent standards to be used to recognize out-of-state programs and to develop rules to provide a path to initial licensure for graduates of out-of-state programs that are determined not to be substantially equivalent to Board standards for Texas programs.

Board Staff have received numerous telephone calls and email communications from nursing education program stakeholders expressing concerns related to the use of standardized exit examinations as a high stakes graduation requirement. Currently, no Board rules prohibit this practice.

- In 2010, when this concern was brought to Board Staff's attention, the Board published [Education Guideline 3.7.4.a., Using Standardized Examinations](#). The guideline was developed in consultation with standardized examination vendors, who cautioned that standardized exams are not intended to be used as a high stakes, sole determinant of student progression or graduation.
- The number of nursing education programs issued sanctions by the Board for areas of noncompliance, including NCLEX examination pass rates below 80%, has increased over the past few years. Resultantly, some programs began using standardized exams not only to predict a student's chance of success on the licensure examination and to determine a student's need for remediation, but also required that a minimum score be achieved to graduate in an effort to improve the program's NCLEX examination pass rate.
- Over the past six months, Board Staff have received complaints from students, parents, and legislative stakeholders regarding this practice. Among these complaints include concerns regarding changes to progression and/or graduation policies without student input and/or notice.

- Shortly following the sudden closure of two nursing education programs in fall 2016, former nursing students contacted Board Staff. Many of these students had transcripts indicating successful completion of all required program courses, yet the students had not received affidavits of graduation. An affidavit of graduation is required before a student can register to take the licensure examination. The programs' policies required students to earn a minimum score on a standardized exit examination before the program director would release the affidavit of graduation. Following the school closures, these policies were rescinded by the program administrators. Subsequently, former students contacted Board Staff requesting transcript reviews and authorization to take the licensure examination. Some students had completed all academic courses as long as two years ago, but were unable to meet the exit examination score minimum, and simply stopped trying.

Rationale for Staff Recommendation:

- Board Staff anticipate the need to begin planning implementation of the Sunset Advisory Commission recommendations and recognize that the currency of the standardized examination issue indicates a need for study by ACE to advise the Board regarding policy or rule development on the use of standardized exit examinations as a graduation requirement.

Staff Recommendation:

Move to issue the following three charges to the Advisory Committee on Education:

1. Advise on development of rules to define substantially equivalent education standards for the purpose of ensuring out-of-state nursing education programs are substantially equivalent to Board standards;
2. Advise on development of rules to provide a clear pathway to initial licensure for graduates of out-of-state programs the Board determines are not substantially equivalent to Board standards for Texas programs; and
3. Review the use of standardized exit examinations as a graduation requirement by approved prelicensure nursing education programs and advise the Board regarding policy recommendations.