

**Consideration of Proposed Amendments to 22 Tex. Admin. Code Chapter 214,  
Pertaining to *Vocational Nursing Education*, and Chapter 215, Pertaining to  
*Professional Nursing Education***

**Summary of Request:** Consider proposal of amendments to Chapter 214, Pertaining to *Vocational Nursing Education*, and Chapter 215, Pertaining to *Professional Nursing Education*.

**Background:** At its January, 2010, meeting, the Board charged the Advisory Committee on Education (Committee) with reviewing Board rules 214.6(f) and 214.7(c) and developing rule revisions as necessary. These rules relate to director and faculty qualifications for vocational nursing educational programs. The Board's charge stemmed from the Board's review of several vocational nursing education programs in which the program's faculty and administration lacked the appropriate nursing education experience to successfully implement the program. Although nursing education experience is vital in creating and implementing a successful educational program, the Board felt that its current rules did not clearly address the requisite level of experience that program faculty and administration must possess. As such, the Board charged the Committee with considering these concerns and recommending necessary changes, if any, to the Board's rules. The Committee convened on May 7, 2010, to consider the Board's charge.

Following its discussions, the Committee voted to recommend amendments to the vocational nursing educational rules to clarify that: (i) a director or coordinator of a vocational nursing education program must have been actively employed in nursing for the past five years, preferably in administration or teaching, with a minimum of one year teaching experience in a prelicensure nursing educational program; and (ii) each nurse faculty member must show evidence of teaching abilities and maintaining current knowledge, clinical expertise, and safety in the subject area of his or her teaching responsibility.

Additionally, Board staff is recommending several other revisions to Chapters 214 and 215, as denoted below:

- update the name of the *Differentiated Entry Level Competencies (DELIC)* to the *Differentiated Essential Competencies (DEC)* to reflect the current revisions to these guidelines;
- clarify the definition of "MEEP" so it more accurately reflects the manner in which educational programs implement this option;
- add a definition of "simulation" which provides guidance as to its appropriate use and role in nursing education programs;
- amend the definition of "clinical learning experiences" to clarify the types of activities that these experiences should encompass;
- clarify the definition of "clinical practice hours";
- emphasize the importance of faculty supervised, hands-on patient care in clinical practice; and
- clarify the Board's ability to change a program's approval status based upon

individualized program factors.

These proposed revisions were also presented to Committee members for consideration and comment, and no negative comments were received.

The proposed amendments to Chapter 214 are attached hereto as Attachment "A" and the proposed amendments to Chapter 215 are attached hereto as Attachment "B".

**Board Action:** Move to approve the proposed amendments to 22 Tex. Admin. Code Chapter 214, Pertaining to *Vocational Nursing Education*, and Chapter 215, Pertaining to *Professional Nursing Education*, with authority for 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 Tex. Admin. Code Chapter 214, Pertaining to *Vocational Nursing Education*, and Chapter 215, Pertaining to *Professional Nursing Education*, as proposed.

## Attachment “A”

### Chapter 214. Vocational Nursing Education.

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

(1) - (9) (No change.)

(10) Clinical learning experiences--faculty-planned and guided learning activities designed to assist students to meet 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 facilities, extended care facilities, clients' residences, and community agencies [~~These experiences occur in actual patient care clinical learning situations, nursing skills and computer laboratories, in simulated clinical settings, in a variety of affiliating agencies or clinical practice settings including, but not limited to: acute care facilities, extended care facilities, clients' residences, and community agencies; and in associated clinical conferences~~].

(11) Clinical practice hours--hours spent in faculty-supervised, hands-on [~~actual~~] client care assignments, simulated laboratory experiences, observations, clinical

conferences and clinical instruction.

(12) - (18) (No change.)

(19) Differentiated Essential Competencies (DEC)--the expected educational outcomes to be demonstrated by nursing students at the time of graduation, as published in *Differentiated Essential Competencies of Graduates of Texas Nursing Programs Evidenced by Knowledge, Clinical Judgment, and Behaviors: Vocational (VN), Diploma/Associate Degree (DIP/AND), Baccalaureate Degree (BSN), October 2010 (DEC).*  
~~[Differentiated Entry Level Competencies (DELC)--the expected educational outcomes to be demonstrated by nursing students at the time of graduation as published in *Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/AND), Baccalaureate (BSN), September 2002 (DELC).*]~~

(20) - (26) (No change.)

(27) MEEP--an exit option which is a part of a professional nursing educational program designed for students to complete coursework and apply to take the NCLEX-PN® examination after they have successfully met all requirements needed for the examination  
~~[a Multiple-Entry-Exit Program which allows students to challenge the NCLEX-PN® examination when they have completed sufficient course work in a professional nursing educational program that will meet all requirements as outlined in Chapter 213 of this title (relating to Practice and Procedure)].~~

(28) - (38) (No change.)

(39) 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.

~~[(39) Staff--employees of the Texas Board of Nursing.]~~

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

~~[(40) Supervision--immediate availability of a faculty member or clinical preceptor to coordinate, direct, and observe first hand the practice of students.]~~

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

~~[(41) Survey visit--an on-site visit to a vocational nursing educational program by a Board representative. The purpose of the visit is to evaluate the program of learning by gathering data to determine whether the program is meeting the Board's requirements as specified in §§214.2 - 214.13 of this chapter.]~~

(42) Survey visit--an on-site visit to a vocational nursing educational program by a Board representative. The purpose of the visit is to evaluate the program of learning by gathering data to determine whether the program is meeting the Board's requirements as specified in §214.1 - §214.13 of this chapter.

~~[(42) Systematic approach--the organized process in nursing that provides individualized, goal-directed nursing care that includes the vocational nurse's role in~~

~~participating in data collection, assessment activities, planning and implementing client care, and evaluating the client's responses to nursing interventions and identification of client needs.]~~

(43) Systematic approach--the organized process in nursing that provides individualized, goal-directed nursing care that includes the vocational nurse's role in participating in data collection, assessment activities, planning and implementing client care, and evaluating the client's responses to nursing interventions and identification of client needs.

~~[(43) Texas Higher Education Coordinating Board (THECB)--a state agency created by the Legislature to provide coordination for the Texas higher education system, institutions, and governing boards, through the efficient and effective utilization and concentration of all available resources and the elimination of costly duplication in program offerings, faculties, and physical plants (Texas Education Code, Title 3, Subtitle B, Chapter 61).]~~

(44) Texas Higher Education Coordinating Board (THECB)--a state agency created by the Legislature to provide coordination for the Texas higher education system, institutions, and governing boards, through the efficient and effective utilization and concentration of all available resources and the elimination of costly duplication in program offerings, faculties, and physical plants (Texas Education Code, Title 3, Subtitle B, Chapter 61).

~~[(44) Texas Workforce Commission (TWC)--the state agency charged with overseeing and providing workforce development services to employers and job seekers of Texas (Texas Labor Code, Title 4, Subtitle B, Chapter 301).]~~

(45) Texas Workforce Commission (TWC)--the state agency charged with overseeing and providing workforce development services to employers and job seekers of Texas (Texas Labor Code, Title 4, Subtitle B, Chapter 301).

~~[(45) Vocational Nursing Educational Program--an educational unit within the structure of a school, including a college, university, or proprietary school (career school or college); and a program conducted by a hospital that provides a program of study preparing graduates who are competent to practice safely and who are eligible to take the NCLEX-PN® examination.]~~

(46) Vocational Nursing Educational Program--an educational unit within the structure of a school, including a college, university, or proprietary school (career school or college); and a program conducted by a hospital that provides a program of study preparing graduates who are competent to practice safely and who are eligible to take the NCLEX-PN® examination.

### **§214.3. Program Development, Expansion and Closure.**

(a) (No change.)

(b) Extension Program/Campus.

(1) (No change.)

(2) Instruction provided for the extension program/campus may include a variety of instructional methods, shall be congruent with the program's curriculum plan, and shall enable students to meet the goals, objectives, and competencies of the educational program and requirements of the Board as stated in §214.1 - §214.13 ~~[§§214.2 - 214.13]~~ of this chapter (relating to Vocational Nursing Education).

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

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

**§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 response 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) - (2) (No change.)

(3) Full or initial approval with warning is issued by the Board to a vocational nursing educational program that is not meeting legal and educational requirements.

(A) - (B) (No change.)

(4) Conditional Approval. Conditional approval is issued by the Board for a specified time to provide the program opportunity to correct deficiencies.

(A) - (B) (No change.)

(C) Depending upon the degree to which the Board's legal and educational requirements are met, the Board may change the approval status from conditional approval to full approval or full approval with warning, or may withdraw approval.

(b) (No change.)

(c) Ongoing Approval Procedures. Approval status is determined biennially by the Board on the basis of the program's compliance audit, NCLEX-PN® examination pass rate, and other pertinent data.

(1) (No change.)

(2) NCLEX-PN® Pass Rates.

(A) - (B) (No change.)

~~[(C) A warning shall be issued to the program when the pass rate of first-time candidates, as described in subsection (c)(2)(A) of this section, is less than 80% for two consecutive examination years.]~~

~~[(D) A program shall be placed on conditional approval status if, within one examination year from the date the warning is issued, the performance of first-time candidates fails to be at least 80% on the NCLEX-PN® examination, or the faculty fail to implement appropriate corrective measures.]~~

~~[(E) Approval may be withdrawn if the performance of first-time candidates fails to be at least 80% during the examination year following the date that the program was placed on conditional approval.]~~

~~[(F) 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 if the program's pass rate for first-time candidates during one examination year is at least 80%.]~~

(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 NCLEX-PN® examination pass rates, compliance audits, survey visits, and other factors listed under subsection (b) of this

section.

(A) A warning may be issued to a program when:

(i) the pass rate of first-time candidates, as described in subsection (c)(2)(A) of this section, is less than 80% for two consecutive examination years;

(ii) the program has been in serious violation of the rules and regulations; or

(iii) the program has engaged in activities or situations that demonstrate to the Board that the program is not meeting legal requirements and standards.

(B) A program may be placed on conditional approval status if:

(i) within one examination year from the date of the warning, the performance of first-time candidates on the NCLEX-PN® examination fails to be at least 80%;

(ii) the faculty fails to implement appropriate corrective measures during the year; or

(iii) the program has continued to engage in activities or situations that demonstrate to the Board that the program is not meeting legal requirements and standards.

(C) Approval may be withdrawn if:

(i) the performance of first-time candidates fails to be at least 80% during the examination year following the date the program is placed on conditional approval;

(ii) the program is consistently unable to meet requirements issued by the Board; or

(iii) the program persists in engaging in activities or situations that demonstrate to the Board that the program is not meeting legal requirements and standards.

(D) 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 if:

(i) the program's pass rate for first-time candidates during one examination year is at least 80%; and

(ii) the program has met all Board requirements.

(4)~~(3)~~ Survey Visit. Each vocational nursing educational program shall be visited at least every six years after full approval has been granted, unless accredited by a Board-recognized national nursing accrediting agency.

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

(5)~~(4)~~ The Texas Board of Nursing will select one or more national nursing accrediting agencies, recognized by the United States Department of Education and determined by the Board to have standards equivalent to the Board's ongoing approval standards. Identified areas that are not equivalent to the Board's ongoing approval standards will be monitored by the Board on an ongoing basis.

(6)~~(5)~~ The Texas Board of Nursing will periodically review the standards of the national nursing accrediting agencies following revisions of accreditation standards or revisions in Board requirements for validation of continuing equivalency.

(7)~~(6)~~ The Texas Board of Nursing will deny or withdraw approval from a school of nursing or educational program that fails to:

(A) (No change.)

(B) meet or maintain voluntary accreditation, by a school of nursing or educational program approved by the Board as stated in paragraph (8)~~(7)~~ of this subsection, with the national nursing accrediting agency selected by the Board under which it was approved or sought approval by the Board.

(C) (No change.)

(8)~~(7)~~ A school of nursing or educational program is considered approved by the Board and exempt from Board rules that require ongoing approval if the program:

(A) - (B) (No change.)

(9)~~(8)~~ A school of nursing or educational program that fails to meet or maintain an acceptable pass rate, as determined by the Board, on applicable licensing examinations is subject to review by the Board.

(10)~~(9)~~ A school of nursing or educational program, approved by the Board as stated in paragraph (8)~~(7)~~ of this subsection, that does not maintain 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 is subject to review by the Board.

(11)~~(10)~~ The Board may assist the school or program in its effort to achieve compliance with the Board's standards.

(12)~~(11)~~ A school or program from which approval has been withdrawn may reapply for approval.

(13)[(12)] A school of nursing or educational program accredited by an agency recognized by the Board shall:

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

(d) (No change.)

**§214.5. Philosophy/Mission and Objectives/Outcomes.**

(a) (No change.)

(b) Program objectives/outcomes derived from the philosophy/mission shall reflect the Differentiated Essential Competencies of Graduates of Texas Nursing Programs Evidenced by Knowledge, Clinical Judgment, and Behaviors: Vocational (VN), Diploma/Associate Degree (DIP/AND), Baccalaureate Degree (BSN), October 2010 (DEC) [~~Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/AND), Baccalaureate (BSN), September 2002 (DELG)~~].

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

**§214.6. Administration and Organization.**

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

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

(1) (No change.)

(2) have been actively employed in nursing for the past five years, preferably in administration or teaching, with a minimum of one year teaching experience in a prelicensure nursing educational program [~~supervision or teaching~~];

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

(g) - (i) (No change.)

**§214.7. Faculty.**

(a) - (b) (No change.)

(c) Faculty Qualifications and Responsibilities.

(1) (No change.)

(2) Each nurse faculty member shall:

(A) (No change.)

(B) Have been actively employed in nursing for the past three years or have advanced preparation in nursing, nursing education, and/or nursing administration;[-]

(C) Have had three years varied nursing experiences since graduation; and [-]

(D) Show evidence of teaching abilities and maintaining current knowledge, clinical expertise, and safety in subject area of teaching responsibility.

(d) - (o) (No change.)

**§214.8. Students.**

(a) - (b) (No change.)

~~[(c) The vocational nursing educational program shall maintain written receipt of eligibility notification for up to six months after the enrolled individual completes the nursing educational program or permanently withdraws from the nursing educational program.]~~

(c)[(d)] The program shall have well-defined written nursing student policies based upon statutory and Board requirements, including nursing student admission, dismissal,

progression, and graduation policies that shall be developed, implemented and enforced.

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

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

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

(e)~~(f)~~ Policies shall facilitate mobility/articulation, be consistent with acceptable educational standards, and be available to students and faculty.

(f)~~(g)~~ Student policies shall be furnished manually or electronically to all students at the beginning of the students' enrollment in the nursing educational program.

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

(g)~~(h)~~ Acceptance of transfer students and evaluation of allowable credit for advanced placement remains at the discretion of the director or coordinator of the program and the controlling agency/governing institution. Upon completing the receiving program's requirements, the individual is considered to be a graduate of the program.

(h)~~(i)~~ Students shall have mechanisms for input into the development of academic policies and procedures, curriculum planning, and evaluation of teaching effectiveness.

(i)~~(j)~~ Students shall have the opportunity to evaluate faculty, courses, and learning resources and these evaluations shall be documented.

#### **§214.9. Program of Study.**

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

(1) - (7) (No change.)

(8) 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 (VN), Diploma/Associate Degree (DIP/AND), Baccalaureate Degree (BSN), October 2010 (DEC)  
~~[Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/AND), Baccalaureate (BSN), September 2002 (DELC)]; and~~

(9) (No change.)

(b) (No change.)

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

(1) - (9) (No change.)

(d) - (m) (No change.)

## Attachment “B”

### Chapter 215. Professional Nursing Education.

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

(1) - (8) (No change.)

(9) Clinical learning experiences--faculty planned and guided learning activities designed to assist students to meet 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 facilities, extended care facilities, clients' residences, and community agencies [~~These experiences occur in actual patient care clinical learning situations; nursing skills and computer laboratories; in simulated clinical settings; in a variety of affiliating agencies or clinical practice settings including, but not limited to: acute care facilities, extended care facilities, clients' residences, and community agencies; and in associated clinical conferences~~].

(10) - (18) (No change.)

(19) Differentiated Essential Competencies (DEC)--the expected educational

outcomes to be demonstrated by nursing students at the time of graduation, as published in *Differentiated Essential Competencies of Graduates of Texas Nursing Programs Evidenced by Knowledge, Clinical Judgment, and Behaviors: Vocational (VN), Diploma/Associate Degree (DIP/AND), Baccalaureate Degree (BSN), October 2010 (DEC)* [~~Differentiated Entry Level Competencies (DELG)--the expected educational outcomes to be demonstrated by nursing students at the time of graduation as published in *Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/AND), Baccalaureate (BSN), September 2002 (DELG)*].~~

(20) - (25) (No change.)

(26) MEEP--an exit option which is a part of a professional nursing educational program designed for students to complete coursework and apply to take the NCLEX-PN® examination after they have successfully met all requirements needed for the examination [~~a Multiple Entry-Exit Program which allows students to challenge the NCLEX-RN® examination when they have completed sufficient course work in a professional nursing educational program that will meet all requirements as outlined in Chapter 213 of this title (relating to Practice and Procedure)].~~

(27) - (37) (No change.)

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

(39) Staff--employees of the Texas Board of Nursing.

~~[(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.]~~

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

~~[(40) Survey visit--an on-site visit to a professional nursing educational program by a Board representative. The purpose of the visit is to evaluate the program of learning by gathering data to determine whether the program is meeting the Board's requirements as specified in §§215.2 - 215.13 of this chapter (relating to Professional Nursing Education).]~~

(41) Survey visit--an on-site visit to a professional nursing educational program by a Board representative. The purpose of the visit is to evaluate the program of learning by gathering data to determine whether the program is meeting the Board's requirements as specified in §215.1 - §215.13 of this chapter (relating to Professional Nursing Education).

~~[(41) Systematic approach--the organized process in nursing that provides individualized, goal-directed nursing care by performing comprehensive nursing assessments regarding the health status of the client, making nursing diagnoses that serve as the basis for the strategy of care, developing a plan of care based on the assessment and nursing diagnosis, implementing nursing care, and evaluating the client's responses to nursing interventions.]~~

(42) Systematic approach--the organized process in nursing that provides individualized, goal-directed nursing care by performing comprehensive nursing assessments regarding the health status of the client, making nursing diagnoses that serve as the basis for the strategy of care, developing a plan of care based on the assessment and nursing diagnosis, implementing nursing care, and evaluating the client's responses to nursing interventions.

~~[(42) Texas Higher Education Coordinating Board (THECB)--a state agency created by the Legislature to provide coordination for the Texas higher education system, institutions, and governing boards, through the efficient and effective utilization and concentration of all available resources and the elimination of costly duplication in program offerings, faculties, and physical plants (Texas Education Code, Title 3, Subtitle B, Chapter 61).]~~

(43) Texas Higher Education Coordinating Board (THECB)--a state agency created by the Legislature to provide coordination for the Texas higher education system, institutions, and governing boards, through the efficient and effective utilization and concentration of all available resources and the elimination of costly duplication in program offerings, faculties, and physical plants (Texas Education Code, Title 3, Subtitle B, Chapter

61).

~~[(43) Texas Workforce Commission (TWC)--the state agency charged with overseeing and providing workforce development services to employers and job seekers of Texas (Texas Labor Code, Title 4, Subtitle B, Chapter 301).]~~

(44) Texas Workforce Commission (TWC)--the state agency charged with overseeing and providing workforce development services to employers and job seekers of Texas (Texas Labor Code, Title 4, Subtitle B, Chapter 301).

### **§215.3. Program Development, Expansion, and Closure.**

(a) (No change.)

(b) Extension Program/Campus.

(1) (No change.)

(2) Instruction provided for the extension program/campus may include a variety of instructional methods, shall be congruent with the program's curriculum plan, and shall enable students to meet the goals, objectives, and competencies of the educational program and requirements of the Board as stated in §215.1 - §215.13 ~~[[§§215.2 - 215.13]~~ of this chapter (relating to Professional Nursing Education).

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

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

### **§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) - (2) (No change.)

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

(A) - (B) (No change.)

(4) Conditional Approval. Conditional approval is issued by the Board for a specified time to provide the program the opportunity to correct deficiencies.

(A) - (B) (No change.)

(C) Depending upon the degree to which the Board's legal and educational requirements are met, the Board may change the approval status from conditional approval to full approval or full approval with warning, or may withdraw approval.

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

(b) (No change.)

(c) Ongoing Approval Procedures. Approval status is determined biennially by the Board on the basis of the program's compliance audit, NCLEX-RN® examination pass rate, and other pertinent data.

(1) (No change.)

(2) NCLEX-RN® Pass Rates.

(A) - (B) (No change.)

~~[(C) A warning shall be issued to the program when the pass rate of first-time candidates, as described in subparagraph (A) of this paragraph, is less than 80% for two consecutive examination years.]~~

~~[(D) A program shall be placed on conditional approval status if, within one examination year from the date of the warning, the performance of first-time candidates on the NCLEX-RN® examination fails to be at least 80%, or the faculty fails to implement appropriate corrective measures.]~~

~~[(E) Approval may be withdrawn if the performance of first-time candidates fails to be at least 80% during the examination year following the date that the program is placed on conditional approval.]~~

~~[(F) 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 if the program's pass rate for first-time candidates during one examination year is at least 80%.]~~

(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 NCLEX-RN® examination pass rates, compliance audits, survey visits, and other factors listed under subsection (b) of this

section.

(A) A warning may be issued to a program when:

(i) the pass rate of first-time candidates, as described in subsection (c)(2)(A) of this section, is less than 80% for two consecutive examination years;

(ii) the program has been in serious violation of the rules and regulations; or

(iii) the program has engaged in activities or situations that demonstrate to the Board that the program is not meeting legal requirements and standards.

(B) A program may be placed on conditional approval status if:

(i) within one examination year from the date of the warning, the performance of first-time candidates on the NCLEX-RN® examination fails to be at least 80%;

(ii) the faculty fails to implement appropriate corrective measures during the year; or

(iii) the program has continued to engage in activities or situations that demonstrate to the Board that the program is not meeting legal requirements and standards.

(C) Approval may be withdrawn if:

(i) the performance of first-time candidates fails to be at least 80% during the examination year following the date the program is placed on conditional

approval;

(ii) the program is consistently unable to meet requirements

issued by the Board; or

(iii) the program persists in engaging in activities or situations

that demonstrate to the Board that the program is not meeting legal requirements and standards.

(D) 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 if:

(i) the program's pass rate for first-time candidates during one examination year is at least 80%; and

(ii) the program has met all Board requirements.

(4)[(3)] Survey Visit. Each professional nursing educational program shall be visited at least every six years after full approval has been granted, unless accredited by a Board-recognized national nursing accrediting agency.

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

(5)[(4)] The Texas Board of Nursing will select one or more national nursing accrediting agencies, recognized by the United States Department of Education and determined by the Board to have standards equivalent to the Board's ongoing approval standards. Identified areas that are not equivalent to the Board's ongoing approval standards will be monitored by the Board on an ongoing basis.

(6)[(5)] The Texas Board of Nursing will periodically review the standards of

the national nursing accrediting agencies following revisions of accreditation standards or revisions in Board requirements for validation of continuing equivalency.

(7)~~(6)~~ The Texas Board of Nursing will deny or withdraw approval from a school of nursing or educational program that fails to:

(A) (No change.)

(B) meet or maintain voluntary accreditation, by a school of nursing or educational program approved by the Board as stated in paragraph (8)~~(7)~~ of this subsection, with the national nursing accrediting agency selected by the Board under which it was approved or sought approval by the Board; and

(C) (No change.)

(8)~~(7)~~ A school of nursing or educational program is considered approved by the Board and exempt from Board rules that require ongoing approval if the program:

(A) - (B) (No change.)

(9)~~(8)~~ A school of nursing or educational program that fails to meet or maintain an acceptable pass rate, as determined by the Board, on applicable licensing examinations is subject to review by the Board.

(10)~~(9)~~ A school of nursing or educational program, approved by the Board as stated in paragraph (8)~~(7)~~ of this subsection, that does not maintain 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 is subject to review by the Board.

(11)~~(10)~~ The Board may assist the school or program in its effort to achieve

compliance with the Board's standards.

(12)~~[(11)]~~ A school or program from which approval has been withdrawn may reapply for approval.

(13)~~[(12)]~~ A school of nursing or educational program accredited by an agency recognized by the Board shall:

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

(d) (No change.)

#### **§215.5. Philosophy/Mission and Objectives/Outcomes.**

(a) (No change.)

(b) Program objectives/outcomes derived from the philosophy/mission shall reflect the *Differentiated Essential Competencies of Graduates of Texas Nursing Programs Evidenced by Knowledge, Clinical Judgment, and Behaviors: Vocational (VN), Diploma/Associate Degree (DIP/AND), Baccalaureate Degree (BSN), October 2010 (DEC)* [~~*Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/AND), Baccalaureate (BSN), September 2002 (DELC)*~~].

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

#### **§215.8. Students.**

(a) - (b) (No change.)

~~[(c) The professional nursing educational program shall maintain written receipt of eligibility notification for up to six months after the enrolled individual completes the nursing~~

~~educational program or permanently withdraws from the nursing educational program.]~~

(c)~~(d)~~ The program shall have well-defined written nursing student policies based upon statutory and Board requirements, including nursing student admission, dismissal, progression, and graduation policies that shall be developed, implemented and enforced.

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

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

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

(e)~~(f)~~ Policies shall facilitate mobility/articulation, be consistent with acceptable educational standards, and be available to students and faculty.

(f)~~(g)~~ Student policies shall be furnished manually or electronically to all students at the beginning of the students' enrollment in the nursing educational program.

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

(g)~~(h)~~ Acceptance of transfer students and evaluation of allowable credit for advanced placement remains at the discretion of the director or coordinator of the program and the controlling agency/governing institution. Upon completing the receiving program's requirements, the individual is considered to be a graduate of the program.

(h)~~(i)~~ Students shall have mechanisms for input into the development of academic policies and procedures, curriculum planning, and evaluation of teaching effectiveness.

(i)~~(j)~~ Students shall have the opportunity to evaluate faculty, courses, and learning resources and these evaluations shall be documented.

**§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 (VN), Diploma/Associate Degree (DIP/AND), Baccalaureate Degree (BSN), October 2010 (DEC) [~~Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/AND), Baccalaureate (BSN), September 2002 (DELC)~~]; 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, simulated laboratory instruction, and faculty-supervised, hands-on [actual] patient care clinical learning experiences.

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

(d) - (m) (No change).