

## **21 NCAC 36 .0302 ESTABLISHMENT OF A NURSING PROGRAM - INITIAL APPROVAL**

(a) A controlling institution seeking initial approval to operate a program shall employ a program director qualified pursuant to Rule .0317(a) of this Section. A controlling institution can seek initial approval to establish one program and one program entry option at a time.

(b) The program director shall develop and submit an application for initial approval at least six months prior to the proposed program start date. The application shall contain the following:

- (1) a narrative description of the organizational structure of the program and its relationship to the controlling institution, including accreditation status. The controlling institution shall be an accredited institution;
- (2) a general overview of the entire proposed curriculum that includes:
  - (A) the program philosophy, purposes, and objectives;
  - (B) a master plan of the curriculum, indicating the sequence for both nursing and non-nursing courses, as well as prerequisites and corequisites;
  - (C) course descriptions and course objectives for all courses; and
  - (D) course syllabi pursuant to 21 NCAC 36 .0321(j) for all first-year nursing courses;
- (3) the projected student enrollment;
- (4) evidence of learning resources and clinical experiences available to implement and maintain the program;
- (5) financial resources to begin and maintain the program;
- (6) physical facilities to house the program;
- (7) support services available to the program from the controlling institution;
- (8) approval of the program by the governing body of the controlling institution;
- (9) approval from the applicable licensing regulatory body in North Carolina for the controlling institution;
- (10) student policies for admission, progression and graduation of students;
- (11) an emergency preparedness plan for addressing situations which shall include a reduction in the availability of clinical agencies, a transition from in-person to virtual learning platforms, and a need for increased use of simulation;
- (12) a comprehensive program evaluation plan, pursuant to 21 NCAC 36 .0317(e); and
- (13) a plan with a specified time frame for:
  - (A) availability of qualified faculty as specified in 21 NCAC 36 .0318; and
  - (B) course syllabi as specified in 21 NCAC 36 .0321(i) and (j) of this Section for all nursing courses.

(c) The application to establish a program shall contain accurate information required in Paragraph (b) of this Rule, be complete, and be signed by the program director and the chief executive officer of the controlling institution.

(d) The completed application required in Paragraph (b) of this Rule shall be received by the Board not less than 120 days prior to a regular meeting of the Board to be considered for placement on the agenda of that meeting.

(e) If another program exists in the institution, the application shall include:

- (1) the organizational relationship of the existing program and the proposed program in the institution;
- (2) the NCLEX pass rate of the existing program for the past three years; and
- (3) a description of the expected impact of the proposed program on the existing program, including:
  - (A) the availability of a program director for each program;
  - (B) the availability of qualified faculty;
  - (C) the physical facilities adequate to house both programs;
  - (D) the availability of learning resources;
  - (E) the availability of clinical experiences; and
  - (F) the availability of student services.

(f) No new program application shall be considered if a program currently exists in the institution if:

- (1) any currently approved program at the institution is on warning status; or
- (2) resources are not available to maintain both the existing and the proposed program in compliance with Rules .0300 to .0323 of this Section.

(g) The proposed program shall be subject to an on-site survey after the application meets all the requirements set forth in this Rule. Following the on-site survey, the Board shall prepare a report outlining the program's compliance with established regulations and afford the proposed program an opportunity to respond to this report.

(h) When the Board grants initial approval, it shall establish a maximum enrollment and implementation date for the program based on the resources outlined under Paragraph (b) of this Rule.

- (i) The institution seeking initial approval shall not solicit students until the program has been granted initial approval status by the Board.
- (j) Programs which have not received initial approval pursuant to Rule .0303 of this Chapter, shall not admit students.
- (k) The program shall enroll the first class of students within one year after the Board issues initial approval status.
- (l) For a minimum of 12 months after initial approval is rescinded, the controlling institution shall not submit an application to establish a program.
- (m) A program shall retain initial approval status for the time necessary for full implementation of the curriculum and graduation of the first cohort of students, provided the program complies with Section .0300 of this Chapter.
- (n) Programs with initial approval status shall be surveyed by the Board:
  - (1) during the final term of curriculum implementation of the program; and
  - (2) upon receipt by the Board of information that the program may not be complying with Section .0300.
- (o) The program shall be granted full approval status provided:
  - (1) the Board finds that the program has complied with Section .0300 of this Chapter while on initial approval status;
  - (2) an on-site survey is completed during the final term of curriculum implementation; and
  - (3) the program demonstrates an NCLEX® examination pass rate that meets or exceeds 90 percent of the national pass rate for licensure level on first writing of the licensure examination for calendar years ending December 31.
- (p) If at any time a program on initial approval status is not complying with Section .0300 of this Chapter, the program, upon written notification, shall:
  - (1) correct the area of noncompliance and submit documentation of this correction to the Board; or
  - (2) submit and implement a plan for correction to the Board.
- (q) If a program fails to correct the areas of noncompliance identified by the Board, in writing, pursuant to Paragraph (p) of this Rule and is found to be in noncompliance with the requirements of Section .0300 of this Chapter, the Board shall provide the program with written notice of the decision to rescind initial approval status.
- (r) Upon written request from the program submitted within 10 business days of the Board's written notice of rescinding the initial approval status, the Board shall schedule a hearing at the next meeting of the Board for which appropriate notice can be provided, or at a meeting of the Board that is scheduled by consent of the parties.
- (s) Following the hearing and consideration of all evidence provided, the Board shall assign the program full approval status or shall enter an Order rescinding the initial approval status, which shall constitute program closure pursuant to 21 NCAC 36 .0309.

*History Note: Authority G.S. 90-171.23(b)(8); 90-171.38;  
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