

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

(a) An institution seeking initial approval to operate a nursing program shall employ a program director qualified pursuant to Rule .0317(c) of this Section.

(b) The program director shall submit an application for initial approval at least six months prior to the proposed program start date that documents 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(i) for all first-year nursing courses;
- (3) the proposed student population;
- (4) the projected student enrollment;
- (5) evidence of learning resources and clinical experiences available to implement and maintain the program;
- (6) financial resources adequate to begin and maintain the program;
- (7) physical facilities adequate to house the program;
- (8) support services available to the program from the controlling institution;
- (9) approval of the program by the governing body of the controlling institution; and
- (10) a plan with a specified time frame for:
 - (A) availability of qualified faculty as specified in 21 NCAC 36 .0318;
 - (B) course syllabi as specified in 21 NCAC 36. 0321(h) of this Section for all nursing courses;
 - (C) student policies for admission, progression, and graduation of students, pursuant to 21 NCAC 36 .0320; and
 - (D) comprehensive program evaluation, pursuant to 21 NCAC 36 .0317(d).

(c) The application to establish a nursing program shall contain current and accurate information required in Paragraph (a) 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 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 adequacy of student services.

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

- (1) the NCLEX pass rate of the existing program has not met the standard for the past three years, pursuant to 21 NCAC 36 .0320(e); and
- (2) resources are not demonstrated to be adequate to maintain both the existing and the proposed program in compliance with Rules .0300 to .0323 of this Section.

(g) Programs on initial approval may admit students.

(h) The Board shall conduct an on-site survey of the proposed program after the application meets all the requirements set forth in this Rule, shall prepare a survey report, and afford the petitioning institution an opportunity to respond to the survey report.

(i) The Board shall consider all evidence, including the application, the survey report, comments from representatives of the petitioning institution, public comments, and the status of other nursing programs at the institution in determining whether to approve the application.

- (j) If the application is approved, the Board shall grant initial approval and shall establish a maximum enrollment and implementation date.
- (k) The Board shall rescind the initial approval of a program if the controlling institution fails to submit documentation as set forth in the plan required by Subparagraph (b)(10) of this Rule.
- l) The Board shall rescind the initial approval of a program if the first class of students is not enrolled in the program within one year after issuing the initial approval.
- (m) For 12 months following rescission of approval, the controlling institution shall not submit an application for establishing a nursing program.
- (n) A program shall retain initial approval status for the time necessary for full implementation of the curriculum, provided that the program complies with Section .0300 of this Chapter.
- (o) Programs with initial approval shall be surveyed:
 - (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.
- (p) If at any time a program on initial approval is not complying with Section .0300 of this Chapter, the program, upon written notification, shall:
 - (1) correct the area of noncompliance and submit written evidence of this correction to the Board; or
 - (2) submit and implement a plan for correction to the Board.
- (q) The Board shall rescind the initial approval of a program if the program does not comply with Paragraph (o) of this Rule.
- (r) If, following the survey and during final curriculum implementation, the Board finds that the program is complying with Section .0300 of this Chapter, the Board shall place the program on full approval status.
- (s) If, following the survey and during final curriculum implementation, the program does not comply with the Section .0300 of this Chapter, the Board shall rescind the program's initial approval and provide the program with written notice of the Board's decision.
- (t) Upon written request from the program submitted within 10 business days of the Board's written notice of rescinding the initial approval, the Board shall schedule a hearing at the next available 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.
- (u) 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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