

**CHAPTER 54-03.2-07**  
**NURSING EDUCATION PROGRAM APPROVAL**

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**54-03.2-07-01. Evaluation of compliance with the standards for nursing education programs.** Evaluation of continuing compliance with the standards of nursing education involves the submission of a self-study report by the nursing education program and a survey by a board representative. This process includes the following elements:

1. Dates mutually acceptable to the board and the nursing program will be set at least six months in advance of the scheduled survey;
2. No less than one month prior to a survey, a program must submit a narrative self-evaluation report that provides evidence of compliance with the standards of nursing education;
3. Unscheduled surveys may be conducted at the discretion of the board;
4. The program shall schedule survey activities;
5. The surveyor shall make a verbal report to the program at the end of the survey;
6. The surveyor's written report shall be sent to the program prior to the review by the board;
7. The board shall assess a fee for each program surveyed; and
8. Written notification of the board action regarding the program approval must be sent to the nurse administrator.

**History:** Effective November 1, 1996; amended effective April 1, 2004.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-01.1. Performance of graduates on licensing examination.**

Acceptable performance on the licensing examination for each program is a pass rate of eighty percent for its first-time writers in any given fiscal year. A program with a pass rate that falls below eighty percent for first-time writers in any two consecutive fiscal years shall:

1. Present to the board a plan for identifying possible contributing factors and for correcting any identified deficiencies; and
2. Submit a periodic progress report to the board on a schedule determined by the board.

**History:** Effective April 1, 2004.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-02. Initial approval status.** The board may grant initial approval status to a proposed nursing education program that complies with chapter 54-03.2-08.

1. Before a nursing education program is permitted to admit students, the program shall submit evidence of the ability to meet the standards for nursing education according to chapter 54-03.2-01.
2. The board may continue initial approval status:
  - a. Prior to the graduation of the first class, when review of materials specified in article 54-03.2, the most recent annual report, and the most recent survey report reveals substantial compliance with the rules; or
  - b. After graduation of the first class, when review of the criteria for full approval reveals time is needed to fully comply with the rules.

**History:** Effective November 1, 1996; amended effective April 1, 2004; July 1, 2008; April 1, 2011.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-03. Full approval status.** The board may grant full approval status under the following circumstances to:

1. A program with initial approval status that demonstrates compliance with the rules after:
  - a. The most recent annual report;
  - b. The most recent survey report;

- c. The first class graduates; and
  - d. The program pass rate for first-time writers of the licensing examination is eighty percent or greater in the first fiscal year.
2. A program with full approval status that demonstrates continued compliance with the rules by:
    - a. The most recent annual report;
    - b. The most recent survey report; and
    - c. The program pass rate for first-time writers of the licensing examination do not fall below an average of eighty percent pass rate for two consecutive fiscal years.
  3. A program with conditional approval status that demonstrates compliance with the rules by:
    - a. The most recent annual report;
    - b. The most recent survey report; and
    - c. The program pass rate for first-time writers of the licensing examination do not fall below an average of eighty percent pass rate for two consecutive fiscal years.

**History:** Effective November 1, 1996; amended effective April 1, 2004; July 1, 2008.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-03.1. Program delivery.** The board may grant approval for changes or expansion in program delivery as long as the program:

1. Holds full approval status;
2. Demonstrates to the satisfaction of the board that there is sufficient qualified faculty available; and
3. Has sufficient resources to maintain compliance with the standards for nursing education according to this article.

**History:** Effective July 1, 2008.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-04. Conditional approval status.** If the board determines that a program does not meet board rules, the nursing program must be notified in writing detailing the deficiencies requiring correction within a given time period set by the board. The board may impose conditional approval for a length of time to be determined by the board but not to exceed two years following the date of written notification. Conditional approval status allows the program to continue to operate while the program corrects the deficiencies and works toward full approval. If at the end of that time period established by the board the deficiencies have not been corrected, board approval shall be withdrawn and a date to discontinue the program shall be set by the board.

The deficiencies are evidenced by:

1. The review of the most recent annual report;
2. The most recent survey report; or
3. The program pass rate for first-time writers of the licensing examination fall below an average of eighty percent pass rate for two consecutive fiscal years.

**History:** Effective November 1, 1996; amended effective April 1, 2004; July 1, 2008.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-05. Withdrawal of approval.**

1. The board may withdraw initial approval when a new program fails to qualify for full approval within eighteen months following the graduation date of the first class.
2. The board may withdraw any approval when a program fails to correct documented deficiencies within a period of time specified by the board but not to exceed two years following the date of written notification.

**History:** Effective November 1, 1996.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-06. Reinstatement of approval status.**

1. Upon receipt of notice of intent to withdraw approval, the administrator of the program may request a hearing pursuant to North Dakota Century Code chapter 28-32.
2. After demonstration of compliance with rules, a program may petition the board in writing for reinstatement of approval status.

3. Upon written request, representatives of the program may appear before the board to review board findings regarding program deficiencies or the adequacy of corrective actions taken by the program.
4. If denied reinstatement, the school must comply with all rules for the development and implementation of a new nursing education program.

**History:** Effective November 1, 1996.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-07. Certificate of approval.** Following the board's review and action regarding the survey report, a certificate shall be issued by the board to the program indicating the approval status.

**History:** Effective November 1, 1996; amended effective April 1, 2004; July 1, 2008.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-08. Publishing approval status.** The board shall annually publish a list of programs and the approval status for each program.

**History:** Effective November 1, 1996; amended effective July 1, 2008.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)

**54-03.2-07-09. Continuing compliance.**

1. Each program shall submit an annual report to the board providing requested information pertaining to the time period between July first and June thirtieth.
2. A program with continuing compliance shall be reevaluated:
  - a. At a minimum of every five years to ensure compliance with the standards for nursing education;
  - b. At the request of the nursing education program; or
  - c. At the discretion of the board.

**History:** Effective November 1, 1996; amended effective April 1, 2004.

**General Authority:** NDCC 43-12.1-17

**Law Implemented:** NDCC 43-12.1-17(1)