

BOARD OF REGISTERED NURSING FINAL STATEMENT OF REASONS

Hearing Dates: July 11, 2016

Subject Matter of Proposed Regulations: Credit for Military Education/Experience

Amend Sections 1418, 1424, 1426, 1430
Adopt Section 1423.1, 1423.2

Updated Information

The Initial Statement of Reasons is included in the file. As a result of modifications to the regulatory proposal, the information contained therein is updated as follows:

- In the Business Impact section, the first sentence states, “This regulation may a significant adverse economic impact on businesses (schools).” The sentence should state, “This regulation may have a significant adverse economic impact on businesses (schools).” This is technical error made in the statement.
- After further review of the language, proposed language stated that upon noncompliance, the Board could take action to place the nursing program on a warning status with the intent to revoke approval and close the program or close the program when a program has been on a warning status for one year and the program fails to show substantive corrective changes. Proposed language also stated that the Board may immediately revoke approval and close a nursing program in situations that required immediate action. It was determined that language stating that a nursing program would be closed should be removed. The modified text went forward to the Board at the March 7, 2017 Board meeting and was approved for changes. The Board moved forward with the modified text comment period on March 7, 2017 and the modified text comment period ended on March 23, 2017. During this modified text comment period, no comments were received.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact

This action may have a significant adverse economic impact on small businesses; Schools will have to change processes in order to comply with the proposed regulation that will allow the applicants to receive credit for applicable military education and experience. These changes should be all procedural changes and should not affect the schools monetarily.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted

regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Objections or Recommendations/Responses – July 11, 2016

The Board received comments during the 45-day comment period. Following is a summary of the responses and proposed Board responses.

Chancellor’s Office California Community Colleges and California State University Office of the Chancellor: In a joint letter from Ms. Walker of the Chancellor’s Office California Community Colleges, and Dr. Blanchard of the California State University Office of the Chancellor objection was expressed regarding “section 1430. Previous Education Credit” relative to the requirement of “individualized instructional plans.” Alternate language was suggested.

Response: Reject the recommendation.

It is believed that the authors of the letter intended to comment on section 1426(d)(1) which is where the language of individualized instructional plans is included. The requirement for an individualized instructional plan refers to the student’s demonstration that some required elements of the approved curriculum have already been met, thus the student would not be required to complete those elements, which comprises the individualized plan. The nursing program will develop policies/procedures to determine how prior learning/experience will be assessed in the context of the program’s required curriculum, and will award credit for same when applicable in accordance with the program policies.

Western Governors University: In a letter from Dr. Martanegara of Western Governors University concern was expressed regarding section 1423.1(a) regarding validation methodology to be applied to clinical competencies for the purpose of awarding credit relative to prior experience.

Response: Reject the comments.

The proposed regulatory language does not specify how programs will conduct equivalency validation relative to their curriculum requirements, including evaluation of clinical competency for awarding of credit or advanced placement. It will be the responsibility of the program to establish policy/procedure which defines the methodology and related requirements for demonstrating applicability of prior knowledge/experience.