

UNSAFE PRACTICE POLICY - SCHOOL OF NURSING

(Available on-line at <http://deanofstudents.uncg.edu/policy/>)

This policy was accurate as of the date printed. For the most current revisions to this policy refer to the Web site referenced above.

The nursing faculty of the School of Nursing have an academic, legal, and ethical responsibility to prepare graduates who are competent as well as protect the public and health care community from unsafe nursing practice. It is within this context that students can be disciplined or dismissed from the School of Nursing for practice or behavior which threatens or has the potential to threaten the safety of a client, a family member or substitute familial person, another student, a faculty member, or other health care provider.

I. STUDENT AWARENESS

All students are expected to be familiar with the principles of safe practice and are expected to perform in accordance with these requirements. Within courses, counseling and advising processes, and other instructional forums, students will be provided with the opportunity to discuss the policy and its implications.

II. DEFINITION

An unsafe practice is defined as:

- a. an act or behavior of the type which violates the North Carolina Nursing Practice Act, Article 9 of Chapter 90 of the North Carolina General Statutes (NCGS 90-171.37; 90-171.44)
- b. an act or behavior of the type which violates the Code of Ethics for Nurses of the American Nurses' Association
- c. an act or behavior which threatens or has the potential to threaten the physical, emotional, mental or environmental safety of the client, a family member or substitute familial person, another student, a faculty member or other health care provider
- d. an act or behavior (commission or omission) which constitutes nursing practice for which a student is not authorized or educated at the time of the incident.

III. INVESTIGATION AND EVALUATION OF AN UNSAFE PRACTICE

When an incident occurs which a faculty member believes may constitute an unsafe practice, he/she shall immediately notify the student and instruct the student to leave the clinical setting. The faculty member will notify the Course Chair and/or Department Chair within the School of Nursing.

The Course Chair and/or Department Chair will investigate the incident within three working days to determine whether there are grounds for believing that an unsafe practice has occurred. If the incident is minor, the faculty member, in consultation with the Course Chair or Department Chair may require remedial work or instruction for the student.

If the incident is major, the Course Chair or Department Chair, in consultation with the involved faculty member, will review the student's clinical performance evaluation(s), academic record, and potential for successful completion of the major in nursing. Based upon this careful and deliberate review, a decision to reprimand the student, require withdrawal from the clinical course, or to dismiss the student from the School will be made.

The Dean will be informed of the decision and will send written notification of the decision to the student via certified mail.

Should the student wish to appeal the decision, the student will submit a written request to the School of Nursing Student Admission, Progression and Appeals Committee. The Department Chair will provide the accumulated correspondence or documentation related to the issue to the committee.

A request for an appeal should occur within seven (7) working days of receipt of written notification of the decision from the Dean.

IV. HEARING PROCESS

The Chair of the School of Nursing Student Admission, Progression and Appeals Committee will thereafter notify the student, the faculty member, Course Chair, and Department Chair as to the time and place for a hearing.

The Committee will hold a closed hearing within ten (10) days of receipt of the request for an appeal, at which time the faculty member, Course Chair, and Department Chair may be present and provide documentation and other oral or written evidence regarding the incident. The student may be present and will be given an opportunity to provide documentation and other oral or written evidence regarding the incident. The student will be allowed an advocate/support person at the hearing; **however, the support person cannot be an attorney, and will not be permitted to speak.**

Following the factual presentation, the Committee will convene in executive session to review the actions taken against the student for unsafe practice and to make a recommendation regarding the resolution of the incident. The Committee will base its recommendation on the evidence presented at the hearing.

The Committee shall make its recommendation in writing to the Dean and forward pertinent documentation. The Committee may recommend the following remedies: support for the action taken, remedial work or instruction, a reprimand, withdrawal from the course, or dismissal from the School of Nursing.

V. POST-HEARING PROCESS

The Dean may accept or reject the Committee's recommendation. The Dean's decision will be made after review of the minutes of the hearing and report of the Committee. The Dean will notify the student and the faculty member(s) as to the decision made.

Dismissal from the School of Nursing does not constitute dismissal from the University.

A student who has been dismissed may reapply for admission to the School of Nursing. The application will be reviewed by the School of Nursing Student Admission, Progression, and Appeals Committee.

Graduate students in the School of Nursing should refer to the current *Graduate School Bulletin* for the *Policy on Unsafe Practice* for Graduate Students.

POLICY ON DISMISSAL OF STUDENTS WHO PRESENT PHYSICAL OR EMOTIONAL PROBLEMS THAT DO NOT RESPOND TO TREATMENT

Students can be dismissed from the School of Nursing for physical and/or emotional problems that do not respond to appropriate treatment and/or counseling within a reasonable period of time.

I. INVESTIGATION AND EVALUATION

When faculty members identify a student that presents physical and/or emotional problems that do not respond to appropriate treatment and/or counseling, they immediately suspend the student from the course. Faculty notify the Course Chair and/or Department Chair within the School of Nursing. Upon determination by the faculty, Course Chair, and Department Chair, that the physical and/or emotional problems warrant dismissal from the School of Nursing, the Dean will be notified. The Dean, in consultation with the faculty, and upon review of the documentation, will make a decision regarding dismissal of the student from the School of Nursing. The Dean will send written notification of the decision to the student. Should the student wish to appeal the decision, the student will submit a written request to the School of Nursing Student Admission, Progression and Appeals Committee. The Dean will provide the accumulated correspondence or documentation related to the issue to the committee.

A request for an appeal should occur within seven working days of written notification of the decision from the Dean.

II. HEARING PROCESS

The Chair of the School of Nursing Student Admission, Progression and Appeals Committee will thereafter notify the student, the faculty member, the Course Chair, and Department Chair as to the time and place for a hearing to determine whether the physical and/or emotional problems warrant dismissal.

The Committee will hold a closed hearing within ten days at which time the faculty member, Course Chair, and Department Chair will be present and will provide documentation and other oral or written evidence regarding the incident. The student will be present and will be given opportunity to provide documentation and other oral or written evidence regarding the problem.

The student will be allowed an advocate/support person at the hearing; **however, the support person cannot be an attorney, and will not be permitted to speak.**

Following the factual presentation, the Committee will convene in executive session to determine whether the problem warrants dismissal from the School. The Committee shall make its recommendation in writing to the Dean and forward pertinent documentation. The Committee may recommend dismissal from the School of Nursing major, or reinstatement in the program.

III. POST-HEARING PROCESS

The Dean may accept, reject, or modify the Committee's recommendation. The Dean's decision will be made after review of the minutes of the hearing and report of the Committee. The Dean will notify the student and the faculty member(s) as to the determination.

Dismissal from the School of Nursing does not constitute dismissal from the University.

A student who has been dismissed may reapply for admission to the School of Nursing under the provisions published in the *Undergraduate Bulletin*.

Graduate students in the School of Nursing should refer to the current *Graduate School Bulletin* for the *Policy for Dismissal of Students Who Present Physical and/or Emotional Problems That Do Not Respond to Treatment* for graduate students.