



I certify that the attached records are a true copy of the Ohio Board of Nursing disciplinary records.



Marlene Anielski

Marlene Anielski
Executive Director



Case # 24-006303

**CONSENT AGREEMENT
BETWEEN
EASTLAND-FAIRFIELD CAREER CENTER & TECHNICAL SCHOOLS
ADULT PRACTICAL NURSE PROGRAM
AND
OHIO BOARD OF NURSING**

This Consent Agreement is entered into by and between **EASTLAND-FAIRFIELD CAREER CENTER & TECHNICAL SCHOOLS ADULT PRACTICAL NURSE PROGRAM**, located at 4300 Amalgamated Place, Groveport, Ohio 43125 (**EFCTS**), and the Ohio Board of Nursing (Board), the state agency charged with enforcing Chapter 4723. of the Ohio Revised Code (ORC), and all administrative rules promulgated thereunder.

EFCTS voluntarily enters into this Consent Agreement being fully informed of its rights under Chapter 119., ORC, including the right to representation by legal counsel and the right to a formal adjudicative hearing on the issues considered herein.

This Consent Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4723.06(A)(4), ORC, to define the minimum standards for educational programs of the schools of registered nursing and schools of practical nursing in this state. Section 4723.06(A)(6), ORC, authorizes the Board to grant conditional approval, by a vote of a quorum of the board, to a new prelicensure nursing education program or a program that is being reestablished after having ceased to operate, if the program meets and maintains the minimum standards of the board established by rules adopted under section 4723.07 of the Revised Code. If the Board does not grant conditional approval, it shall hold an adjudication under Chapter 119. of the Revised Code to consider conditional approval of the program. If the Board grants conditional approval, at the first meeting following completion of the survey process required by division (A)(5) of Section 4723.06, ORC, the Board shall determine whether to grant full approval to the program. If the Board does not grant full approval or if it appears that the program has failed to meet and

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maintain standards established by rules adopted under section 4723.07 of the Revised Code, the Board shall hold an adjudication under Chapter 119. of the Revised Code to consider the program. Based on the results of the adjudication, the Board may continue or withdraw conditional approval or grant full approval. Chapter 4723-5, Ohio Administrative Code (OAC), establishes requirements for nursing programs to meet and maintain in order to obtain conditional, provisional and full Board approval.

- B. **EFCTS** currently operates an Adult Practical Nurse Program, located in Groveport, Ohio. The controlling agency for **EFCTS** is Eastland-Fairfield Career Center & Technical Schools. **LATISHA DAWSON, MSN, RN, Program Administrator** (Program Administrator), is legally authorized to enter this Consent Agreement on behalf of **EFCTS** and its controlling agency.
- C. **EFCTS** was granted conditional approval by the Board effective January 25, 2023.
- D. On July 19, 2024, the Board conducted an announced survey visit to review **EFCTS** for consideration for full approval at the November 20-21, 2024, Board meeting (Survey Visit). The Board issued its Survey Visit Report (SVR) on August 16, 2024, and **EFCTS** submitted its Response on or about October 3, 2024 (Response to the SVR).
- E. **EFCTS** agrees that it has not met or maintained the following requirements as set forth in the SVR, and agrees to correct these deficiencies, so that its conditional status may be continued, and its student enrollment not be adversely affected:
 - 1. Despite the requirements of Rule 4723-5-06(C), OAC, the Pre-Survey Visit Report (PSVR) was not submitted timely and was incomplete. The PSVR did not include the following Program policies: student admission; student progression; requirements for completion of the program; procedures for student illness in the classroom and clinical settings; availability of student guidance and counseling services; process for students filing grievances and appeals; and procedures for notifying students of changes in program policies. The Program Administrator provided the missing policies during the survey visit.
 - 2. Despite the requirements of Rule 4723-5-08(K), OAC, which require the Program Administrator, during the period of conditional approval, to submit a Progress Report on or before specified dates, the November 3, 2023 Progress Report was not received until May 24, 2024; the February 12, 2024 Progress Report was not received until February 15, 2024; and the May 15, 2024 Progress Report was not received until May 22, 2024.

3. Despite the requirements of Rule 4723-5-19(A)(2), OAC, the syllabus for the course, Nursing Science III, distributed Term III (March-May) 2024, listed an incorrect number of theory hours. The syllabus listed forty-eight (48) theory clock hours for the course. However, the curriculum plan identified fifty (50) theory clock hours were assigned to the course. The Program Administrator stated that the syllabus was incorrect, and students enrolled in the course received the correct number of theory clock hours, as stated in the curriculum plan.
 4. Despite the requirements of Rule 4723-5-21(D)(3), OAC, the record for faculty member Emily Tufts did not contain verification of current, valid licensure as a registered nurse at the time of appointment. Ms. Tufts was appointed in September 2023, and the license verification was not completed until March 20, 2024. The Program Administrator stated that she viewed the license verification online prior to the appointment but did not print the verification for inclusion in the faculty record.
- F. In its Response to the SVR, **EFCTS** stated that it is in the process of developing procedures that will ensure that **EFCTS** remains compliant with Chapter 4723-5, OAC. Regarding paragraph 1, above, **EFCTS** stated that, to prevent late submissions of the PSVR and ensure all components are complete, calendar reminders will be utilized, the instructions provided will be followed, and a peer review will be requested prior to submission. Regarding paragraph 2, above, **EFCTS** stated that, to prevent late submissions of Progress Reports, calendar reminders will be utilized. Regarding paragraph 3, above, **EFCTS** stated that the course syllabus for Nursing Science III has been corrected to reflect that fifty (50) theory clock hours will be delivered during the term, which is the same number of hours that are identified on the curriculum plan. **EFCTS** indicated that it has implemented a “Start of Term Checklist” that will be used to ensure that the course syllabus and the curriculum plan are in sync and that they match identically for theory, laboratory, and clinical hours for each course before the course syllabus is distributed to students. Regarding paragraph 4, above, **EFCTS** stated that to prevent records for faculty members being incomplete in the future it has implemented a “Faculty New Hire Checklist” that will identify all the requirements for new faculty members before and during the time of appointment.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, **EFCTS** knowingly and voluntarily agrees with the Board to the following terms, conditions, and limitations: The Board denies full approval status to **EFCTS** and **EFCTS**'s conditional approval status is hereby continued until the November 2025

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Board Meeting, at which time its status will be reviewed by the Board pursuant to Section 4723.06(A)(6), ORC, subject to the following terms and conditions:

1. **EFCTS** shall not expand its program to any other locations prior to November 19, 2025.
2. **EFCTS** shall not make any changes in its curriculum without advance approval by the Board or its designee.
3. **EFCTS** shall submit the reports and documentation required by this Consent Agreement or any other documents required by the Board in order to determine the program's compliance with Chapter 4723-5, OAC, by email to: education@nursing.ohio.gov.
4. **EFCTS** shall verify, within ten (10) days of submission, that the reports and documentation required by this Consent Agreement are received in the Board office. An email generated receipt is sufficient proof of verification.
5. In addition to the requirements set forth in Rule 4723-5-09, OAC, **EFCTS** shall inform the Board within ten (10) business days, in writing, of any change in its administrator.
6. At least one (1) survey visit of **EFCTS** will be conducted, in accordance with Rule 4723-5-06, OAC, prior to the Board's consideration of **EFCTS's** program approval status at the November 2025 Board meeting. **EFCTS** acknowledges that representatives from the Board may conduct announced or unannounced survey visits, including but not limited to auditing student records, to determine if **EFCTS** is complying with the terms and conditions of this Consent Agreement in addition to meeting and maintaining the requirements of Chapter 4723-5, OAC. **EFCTS** agrees to cooperate with all survey visits and ensure that all materials are made available timely to the Board or its representative.
7. **EFCTS**, through its administrator, shall submit written progress reports to the Board on or before the following dates: **January 15, 2025; May 14, 2025; and October 15, 2025**. These progress reports shall address **EFCTS's** progress in meeting the terms and conditions of this Consent Agreement, in addition to complying with the requirements of Chapter 4723-5, OAC.
8. The program, through its Program Administrator, will appear before the board at its March 2025 meeting to report on its progress in meeting the requirements of Chapter 4723-5, OAC, and respond to questions.

9. **Within thirty (30) days of any change regarding any cooperating entity** (including changes involving any separate division within the same entity, facilities utilized for student clinical experiences, or termination of any existing agreement or the acquisition of any new affiliation agreement), **EFCTS** will report such change and provide documentation of the termination or new agreement to the Board.
10. **By December 17, 2024, EFCTS** shall submit to the Board, for review and approval, a draft of notification to every facility with whom it has an affiliation agreement securing clinical experiences for its students, in accordance with Rule 4723-5-17, OAC. The notification shall inform the facility that **EFCTS's** conditional approval status is subject to the terms and conditions of this Consent Agreement and that this Consent Agreement is available on the Board's website or will be provided by **EFCTS** upon the facility's request. **Within thirty (30) days of receiving Board approval of the notification, EFCTS** shall provide the notification to every facility with whom it has an affiliation agreement. Further, **within thirty (30) days of providing the notification to every facility, EFCTS** shall submit documentation to the Board identifying each facility that has received the Board-approved notification; identifying each facility that requested a complete copy of this Consent Agreement; and attesting that, when requested, **EFCTS** has provided a complete copy of this Consent Agreement to the requestor.
11. **EFCTS** is under a continuing duty to provide notification and, upon request, a complete copy of this Consent Agreement to any new facility providing clinical experiences for its students, in accordance with Rule 4723-5-17, OAC.
12. **By December 17, 2024, EFCTS** shall provide a copy of this Consent Agreement to all licensed nurses who are teaching nursing courses at **EFCTS** as faculty or as teaching assistants. **By January 15, 2025, EFCTS** shall submit documentation to the Board signed by all licensed nurses who are teaching nursing courses at **EFCTS** as faculty or as teaching assistants to verify that they received a copy of this Consent Agreement. A typed roster will also be provided to the Board listing the names and positions of each faculty member or teaching assistant who has signed a verification.
13. **EFCTS** is under a continuing duty to provide a copy of this Consent Agreement to any new faculty members or teaching assistants who are teaching nursing courses.
14. **By December 17, 2024, EFCTS** shall provide written notification to all students that a copy of this Consent Agreement is available upon request. Such notification shall be displayed in a prominent manner in a common area, such as

a student bulletin board and through the program electronic list serve communities. Upon request from a student, **EFCTS** shall provide a copy of this Consent Agreement. Further, **by January 15, 2025**, **EFCTS** shall submit documentation to the Board explaining how it provided written notification to all students and attesting that, when requested, **EFCTS** has provided a copy of this Consent Agreement.

15. **EFCTS** is under a continuing duty to provide written notification to all new students that a copy of this Consent Agreement is available upon request.
16. **EFCTS**, its administrator, and its other employees or agents shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board, to **EFCTS's** students or applicants for admission, or to facilities with whom **EFCTS** contracts for student clinical experiences.

FAILURE TO COMPLY

EFCTS agrees that its conditional approval status will be considered at the November 2025 Board meeting, at which time the Board may grant or deny full approval status. If it appears that **EFCTS** has violated or breached any terms or conditions of the Consent Agreement or failed to comply with Chapter 4723 of the ORC or any of the rules promulgated thereunder, prior to the November 2025 Board meeting, the Board may issue a Notice of Opportunity for Hearing and propose to withdraw **EFCTS's** conditional approval status. The Board reserves the right to take action based upon any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

DURATION/ MODIFICATION OF TERMS

The terms, limitations and conditions of this Consent Agreement may be modified or terminated in writing at any time upon the agreement of both **EFCTS** and the Board.

ACKNOWLEDGMENTS/LIABILITY RELEASE

EFCTS acknowledges that it has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

EFCTS waives all of its rights under Chapter 119., ORC, as they relate to matters that are the subject of this Consent Agreement.

EFCTS waives any and all claims or causes of action it may have against the Board, and its members, officers, employees and/or agents arising out of matters that are the subject of this Consent Agreement.

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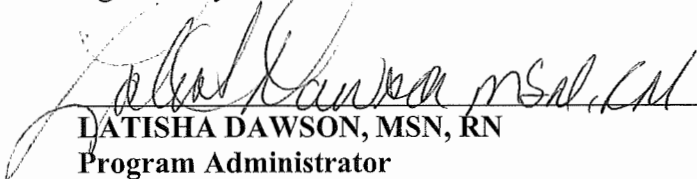
This Consent Agreement shall be considered a public record as that term is used in Section 149.43, ORC. The information contained herein may be reported to appropriate organizations, data banks and governmental bodies.

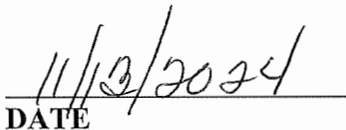
This Consent Agreement is not an adjudication order within the meaning Chapter 119., ORC. Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedures Act, Chapter 119., ORC.

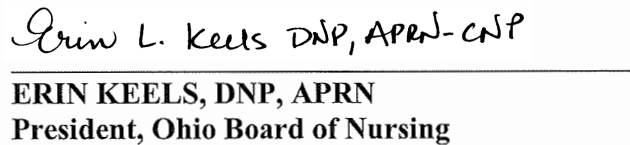
EFCTS agrees that the Board is legally authorized under Section 4723.06(A)(6), ORC, to enter this Consent Agreement with EFCTS, in lieu of a hearing under Chapter 119., ORC, in order to continue its conditional approval status, and waives any legal argument to the contrary.

EFFECTIVE DATE

EFCTS understands that this Consent Agreement is subject to ratification by the Board prior to signature by the Board President and shall become effective upon the last date of signature below.


LATISHA DAWSON, MSN, RN
Program Administrator


DATE


ERIN KEELS, DNP, APRN
President, Ohio Board of Nursing

11/21/2024
DATE