

Revised August, 2019

Welcome PHCC Nursing Student,

The faculty at Patrick Henry Community College welcomes each student to the Associate Degree Nursing Program. The faculty and staff are here to facilitate student program completion. Students must be responsible and accountable for their individual program progression while pursuing successful attainment of program outcomes. This handbook contains policies and procedures that will apply to all students in the curriculum. It is the students responsibility to read, understand policies and procedures and possible consequences. If a student does not understand any policy or rights as a student, please contact the assigned nursing advisor or any nursing faculty member.

If a student has a disability or other need for reasonable accommodation in order to successfully complete the requirements of any course, please contact Student Support Services (LRC 109) 656-0296 (voice/tdd) or 800-232-7997 ext. 0296, sss@patrickhenry.edu) to discuss this matter confidentially.

Students are encouraged to join the Nursing Student's Association which meets periodically during the school year. This organization is responsible for many activities that will make college life enjoyable.

The nursing faculty hope the educational experience is challenging, enjoyable and rewarding. Best wishes for success in nursing.

The PHCC Associate Degree Nursing Faculty

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PHCC College Vision, Mission, and Values

Vision: Student success **IS** Patrick Henry Community College.

Mission: PHCC is a comprehensive community college committed to enriching the quality of life in its service region through academic excellence, student success, workforce development, community engagement, and lifelong learning.

Values: PHCC values excellence, innovation, diversity, and continuous improvement. We demonstrate these values in the following ways:

- **Teaching and Learning**

Teaching and learning are paramount at PHCC and simply the heart of everything we do.

- **Integrity and Respect**

Our people are our most valuable asset. To promote a culture of integrity and respect for students and employees, PHCC develops, nurtures, and sustains an engaged, diverse, and talented workforce.

- **Communication and Collaboration**

We effectively communicate and collaborate with both internal and external stakeholders. Furthermore, we seek to foster relationships and build partnerships that enhance the success and quality of life of all constituents.

PHCC Mission and Nursing Program Philosophy

Mission of the VCCS Nursing Programs is to provide affordable, community access to quality nursing education. The VCCS nursing programs prepare qualified students to provide safe, competent, entry-level nursing care in 21st century healthcare environments. Students are prepared to meet the ever-increasing complexity of the healthcare needs of the citizens of Virginia.

Philosophy: VCCS nursing faculty ascribe to the core competencies for nursing and nursing education. While firmly based in science and the arts, the essence of nursing is caring and compassionate patient centered care. Ethical standards, respect for individual dignity, and consideration of cultural context are implicit in the practice of patient centered care. The nurse advocates for patients and families in ways that promote self-determination, integrity, and ongoing growth as human beings. Nursing care is provided in collaboration with the patient, the family and members of the health care team. The nurse displays a spirit of inquiry by examining evidence to improve quality of care, promote safety and improve patient outcomes. Nursing judgment is integral to making competent decisions related to the provision of safe and effective nursing care. Information management essential to nursing care is communicated via a variety of technological and human means.

Program Outcomes

Eighty percent of all program graduates will pass the NCLEX-RN licensing exam as first time test takers within 12 months of program graduation.

Sixty-five percent of students of who start the first semester of clinical courses will graduate within 150% of the program length.

One hundred percent of graduates seeking employment will indicate working in the field as an RN within in six months of graduation.

One hundred percent of graduating students will receive a satisfactory grade at the conclusion of the clinical experience.

Student Learning (Graduate) Outcomes

Student Learning Outcomes:

Students who complete the Associate Degree of Applied Science with a major in Nursing will be expected to:

1. Provide patient centered care promoting therapeutic relationships, caring behaviors, and self-determination across the lifespan for diverse populations.
2. Practice safe nursing care that minimizes risk of harm across systems and client populations.
3. Demonstrate nursing judgment through the use of clinical reasoning, the nursing process, and evidence-based practice in the provision of safe, quality care.
4. Practice professional behaviors that encompass the legal/ethical framework while incorporating self-reflection, leadership and a commitment to recognize the value of life-long learning.
5. Manage client care through quality improvement processes, information technology, and fiscal responsibility to meet client needs and support organizational outcomes.
6. Demonstrate principles of collaborative practice within the nursing and interdisciplinary teams fostering mutual respect and shared decision-making to achieve stated outcomes of care.

Student Learning Outcomes with Competencies

- 1. *Provide client centered care promoting therapeutic relationships, caring behaviors, and self-determination across the lifespan for diverse populations.***
 - a. Coordinate client centered care delivery with sensitivity and respect.
 - b. Evaluate the effectiveness of teaching plans and outcomes and revise for achievement of desired outcomes.
 - c. Promote client self-determination in making healthcare decisions as a level 4 student.
 - d. Integrate therapeutic communication skills when interacting with clients and the client's support network.
 - e. Advocate independently for diverse individuals, families, and communities across the lifespan.
- 2. *Practice safe nursing care that minimizes risk of harm across systems and client populations.***

- a. Evaluate human factors and safety principles.
 - b. Participate in the analysis of errors and designing system improvements.
 - c. Incorporate client safety initiatives into the plan of care.
 - d. Practice safe client care as a level 4 student.
- 3. Demonstrate nursing judgment through the use of clinical reasoning, the nursing process, and evidence-based practice in the provision of safe, quality care.**
- a. Evaluate an individualized plan of care based on client values, clinical expertise and reliable evidence.
 - b. Independently prioritize changes in client status and intervene appropriately.
 - c. Apply the nursing process to guide care.
 - d. Prioritize client care using evidence based practice independently.
 - e. Evaluate existing practices and seek creative approaches to problem solving.
- 4. Practice professional behaviors that encompass the legal/ethical framework while incorporating self-reflection, leadership and a commitment to recognize the value of life-long learning.**
- a. Incorporate ethical behaviors and confidentiality in the practice of nursing.
 - b. Assume responsibility and accountability for delivering safe client care.
 - c. Deliver nursing care within the scope of nursing practice.
 - d. Evaluate professional behaviors in interactions with clients, families and healthcare providers.
 - e. Engage in reflective thinking for the purpose of improving nursing practice.
 - f. Develop a plan for lifelong learning in the nursing profession.
- 5. Manage client care through quality improvement processes, information technology, and fiscal responsibility to meet client needs and support organizational outcomes.**
- a. Evaluate the common quality measures encountered in clinical practice.
 - b. Evaluate use of technology and information management to promote quality.
 - c. Evaluate fiscally responsible client care.
- 6. Demonstrate principles of collaborative practice within the nursing and healthcare teams fostering mutual respect and shared decision-making to achieve stated outcomes of care.**
- a. Compare and contrast the effectiveness of the members of the interdisciplinary team to promote optimal client outcomes.
 - b. Participate in the interdisciplinary plan of care to promote optimal client outcomes.
 - c. Evaluate communication strategies that are inclusive of various communication and cultural differences.
 - d. Evaluate management skills and principles of delegation when working with other members of the health care team.
 - e. Reflects at a professional level on individual and team performance.

Nursing Program Approval and Accreditation Status

The Associate Degree Nursing program is fully approved by the:

Virginia Board of Nursing
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463
Telephone: (804)367-4400
Fax: (804)527-4475
Official Website: <https://www.dhp.virginia.gov/nursing/>
Next Scheduled Site Visit: 2025

The Associate Degree Nursing program is accredited by the:

Accreditation Commission for Education in Nursing (ACEN)
3343 Peachtree Road NE, Suite 850
Atlanta, Georgia 30326
Telephone: (404)975-5000
Fax: (404)975-5020
Official Website: www.acenursing.org
Next Scheduled Site Visit: Spring, 2021

Nursing Program Guidelines

I. Professional Behavior

Students are to adhere to the Student Conduct Policy as it appears in the College Catalog. Found on page 229 of the catalog, which can be accessed from the PHCC website. All matters relating to the patient, the patient's family, and clinical facilities are to remain confidential. Breach of confidentiality will be grounds for dismissal from the nursing program as outlined in the Clinical Incompetence Policy. Students are expected to conduct themselves in a professional manner at all times on campus and clinical facilities. Failure to do so may result in dismissal from the program.

According to Federal laws, all individuals that come in contact with patients in health care agencies must have a criminal background check completed. Therefore, a criminal background check will be completed on each student when as a part of the admission process to the Nursing Program. The background check must document no prior barrier crime convictions indicated by the Virginia Board of Nursing. The barrier crimes are identified on the Virginia Board of Nursing website (www.dhp.state.va.us). Also, Please refer to Appendix A – Virginia Board of Nursing Guidance Document 90-55. The fee for the background check/drug screen is a **minimum** of \$91 and student's will receive instructions upon acceptance to initiate the process. Program acceptance will be pending results of background check and drug screening.

II. Health

- Students are expected to obtain a complete physical examination upon entering into the nursing program at their own expense. Students will not be allowed to enter the clinical facility until this information is on file in the nursing office. All immunizations and TB skin test must be current throughout the student's enrollment in the program. The **initial** TB Skin test must be a **two-step method**. See Health Certificate for details. Students are also required to have proof of 2 MMR's, 2 Varicella vaccines or titer, current Tdap, and a yearly flu vaccine or doctor verification of allergy. **Be aware that TB skin test must be done annually. Students who do not provide this documentation to the nursing office or who do not complete the annual update will not be allowed to attend any clinical experiences and will result in failure of the course.**
- During your educational experience in the Nursing Program at PHCC you may have exposure to blood or other potentially infectious materials and may be at risk of acquiring Hepatitis B virus (HBV) infection. You may obtain the Hepatitis B vaccination at your own expense if you so desire.
- The student will assume financial responsibility for any illness or injury incurred. No accident or hospitalization insurance is provided.

- Should a student be injured while at a clinical facility, the following procedure must be followed:
 - a. Notify instructor immediately however, if with assigned preceptor notify immediately followed by instructor notification.
 - b. Report injury to nurse in charge of unit
 - c. Fill out facility incident report with the assistance of the instructor
 - d. Policies of the institution regarding such incidents will be followed
- Students must be certified in **American Heart Association Healthcare Provider CPR with the Automatic External Defibrillator**. This certification must be updated **every two years**. Please provide the nursing office with copies of your CPR card. **Students who do not provide a copy of current CPR credential will not be allowed to participate in clinical. If a CPR credential is going to expire mid-clinical, students should plan to recertify at the beginning of the semester in order to participate in clinical.**

III. **Grades:**

- At the beginning of each nursing course, students will receive a detailed course syllabus. It is the responsibility of the student to be familiar with the content of each course syllabus. The course syllabus will also state the manner in which the course grade will be determined.
- The student must complete all general education and related courses either before or concurrent with nursing program requirements. A grade of "C" or above in all nursing program curricular courses (NSG prefixes and general education) is required to continue in the nursing program. Pre- and co-requisite courses for the nursing program are listed in the college catalog (<http://catalog.patrickhenry.edu/content.php?catoid=2&navoid=117>). Students who do not successfully complete the appropriate pre- and co-requisite general education courses may have to withdraw from nursing courses until those general education requisites are successfully completed. Program progression at that point will depend on seat availability.
- In determining NSG course grades, the following guidelines will be adhered to:
 - 1) If a student receives a theory grade of "C" or above, plus a "satisfactory" in clinical, the student will receive the theory grade as a final grade.
 - 2) A "C" or above plus a concurrent clinical "satisfactory" must be earned in the same semester to continue in the program.
 - 3) If a student receives a theory grade of D or F and an "unsatisfactory" in clinical, the student will receive a final grade of "F".
 - 4) If a student receives a theory grade of "C" or above and an "unsatisfactory" in clinical, the student will receive a final grade of "D".
 - 5) If a student receives a theory grade of D or F and a "satisfactory" in clinical, the student will receive the theory grade as a final grade.

- 6) If a student receives a lab/clinical grade of unsatisfactory (below a grade of C) in a standalone lab/clinical, course the syllabus will define the grade parameter for a grade of D or F.

A final course grade of C is required to progress to the next nursing semester.

- The following is the suggested grading scale (see individual course syllabus for exact grading scale) used in the NSG courses of the Department of Nursing:

92-100%	A
84-91%	B
80-83%	C
70-79%	D
69% or below	F

- An overall “C” (2.0) curricular average is required to graduate with an AAS Degree in Nursing. All courses in the program must be a grade of “C” or higher.
- Should it become necessary to withdrawal from any of the courses you are enrolled in, your nursing course faculty/advisor member must be notified immediately.

Student Clinical Responsibilities

I. Dress Code

Students must look professional at all times in clean, appropriate attire. Students will be required to follow clinical agency expectations for physical presentation which includes but is not limited to the following: hair color, jewelry, body art, perfume, hygiene, nails, student identification, and student uniform.

Campus Nursing Laboratory:

Nursing scrubs or school uniform, closed toe/heel shoes and name tag. Hair should be pinned up and off the shoulders.

Clinical Units:

Complete PHCC designated nursing uniform must be worn at all times. Generally the PHCC nursing uniform and physical presentation shall consist of:

Women:	School uniform, white hose and all white washable shoes (no backless shoes), PHCC name pin, scissors, watch with a second hand, and a black ink pen (no felt tip or erasable are allowed). Length of uniform is <u>below the knee</u> . The uniform should be clean, pressed and an appropriate size. (Caps will be worn during traditional pinning ceremony)
Men:	School uniform, white T-shirt, white socks and all white washable shoes, name pin, watch with a second hand, scissors and a black ink pen (no felt tip or erasable are allowed). The uniform should be clean, pressed and an appropriate size.
Jewelry & Body Art:	All jewelry is discouraged because of infection control issues. Jewelry will be limited to wedding and engagement ring, watch, one set of small plain post earrings if ears are pierced. Students are prohibited from displaying any other form of visible body piercing, i.e., nose rings, lip piercing, or tongue piercing, etc. No ear gauges are permitted. Visible tattoos must be covered while in the clinical area.
Perfume:	Perfume, after-shave, hairspray, or other scented products shall <u>not</u> be worn in the clinical or the classroom area as it is not tolerated well by fellow students and patients with respiratory disorders.
Hygiene	Students are expected to maintain good hygiene habits with no offensive body odors. Deodorant and antiperspirant should be donned.

Hair:	Hair should be neat and clean. It should be confined in such a manner that it does not interfere with patient care. Keep hair off the shoulders and collar and away from the face. The student must be prepared with the necessary equipment to confine hair in the clinical setting. Hair color must be a natural color that is not deemed distracting per clinical agency policy. Male facial hair (i.e. mustache and beard) should be neat and groomed.
Nails:	Short (i.e., not beyond the end of the fingertips) and clean. Wearing of acrylic nails is not allowed because of infection control issues. Nail polish is discouraged but if worn, must be clear or light colored polish only with no chipping.
Laboratory	Students MUST wear lab coat with a student identification badge while on a nursing unit unless wearing the nursing uniform. Wearing the nursing uniform without a lab coat requires wearing the student identification badge on the uniform. When wearing lab coat on clinical units for clinical preparation, professional dress is required (no jeans, sweat suits, etc.)
Identification:	Students must wear student identification badge at all times while in the clinical area. Failure to do so may result in the student being sent home. (Make-up clinical experiences will not be offered.)
Tobacco Products:	Students are not allowed to use any form of tobacco at clinical sites.

Non-Uniform Clinical Laboratory

1. During specific laboratory experiences and field trips, the student uniform will not be worn. The instructor will discuss suitable clothing with the students at the appropriate time.
2. The student is expected to be prepared for clinical and the clinical laboratory. If the student has not adequately prepared they may be sent home. Adequate clinical preparation will be determined by the faculty.
3. All students are expected to be in the clinical area each clinical day. Make-up clinical experiences will not be offered.
4. Satisfactory performance in the clinical area indicates the student has met all summative objectives for the course.

II. Student Behavior

A student who appears to be practicing in an unsafe manner in the lab or clinical area, upon request of a lab/clinical instructor, will be subject to nursing faculty review (See Clinical Incompetence Policy). If upon faculty review, the student is deemed to be practicing in an unsafe manner, the student may receive an unsatisfactory in the expected outcomes. This may constitute a course failure for the semester.

****Students must observe regular visiting procedures and hours for personal visits at the hospitals. Students not on clinical assignment are not allowed in clinical facilities interacting with students at clinical site because of disruption of the educational experience. No uniforms or lab coats are to be worn outside of clinical activities. It is inappropriate to make a return visit to a patient that is NOT a personal friend.**

III. Clinical Simulation Center Expectations

- **Dress code:** To enter the CSC the student must dress in their School of Nursing (SON) mandated uniform including photo ID badge. Student is also required to follow their SON clinical dress code policy. Students inappropriately dressed will be sent home and will be responsible to reschedule their clinical experience with their clinical instructor.
- **Audio-Video Taping:** All participants in simulation courses will be audio-videotaped. The audio-video tape will be used in the debriefing portion of the simulation experience and will be available for the student and their instructor to review.
- **Confidentiality:** All records, documents or communications in the CSC are considered confidential and privileged. Disclosure of such records, documents or communications to any person during or after their CSC experience is a violation of their respective school's honor code.

Nursing Program Policies

I. Integrated Testing Policy

The Nursing Department uses a Nationally Standardized Testing Program to assess students on their mastery and retention of nursing content areas throughout the program. These tests will be used throughout the curriculum in specified courses.

Students will purchase online Kaplan resources through the PHCC bookstore each semester. The online resources include case studies, skill videos, sample/practice test questions, focus tests, text, integrated exams, and includes an end of program Kaplan NCLEX-RN review. Participation in Kaplan and the end of program Kaplan NCLEX-RN review is MANDATORY for all students. Students who fail to participate in the NCLEX-RN live review may receive an incomplete grade until course requirements are fulfilled.

In nursing courses where a final written comprehensive exam is required the final exam score will be 20% of the final nursing course grade. Kaplan integrated exams may be used as a final course exam, and may only be taken once.

II. Drug Dosage Competency Policy

Students will be required to demonstrate competency in dosage calculation in each nursing semester. Failure to maintain competency in dosage calculation may result in program dismissal. Specified nursing courses will establish the course expectation for drug dosage competency and the syllabus will clearly indicate the measure used to determine competency.

III. Clinical Incompetence Policy

- **Clinical Attendance:** The Virginia State Board of Nursing mandates students complete a required number of clinical hours. Students who fail to meet the criteria set forth by the Virginia State Board of nursing will not be eligible for graduation. Students who fail to attend required clinical hours may be dismissed from the respective program due to clinical failure regardless of academic status. Attendance is mandatory. Any student who has **three** total program clinical absences will be subject to clinical probation and counseling. Further clinical absenteeism may lead to program dismissal. Students must achieve satisfactory clinical performance in each clinical semester.
- **Clinical Incompetence Policy:** Following are excerpts from the Virginia State Board Regulations regarding revocation, suspension or issuance of your nursing license. The PHCC faculty supports the Board of Nursing and therefore, uses excerpts from these regulations as standards of conduct in the Associate Degree Nursing Program. Consequently the appropriate regulations for students are included in the Clinical Incompetence Policy. Any unsafe clinical performance will be handled according to this clinical incompetence policy and **may be grounds for failure of a course and or dismissal from the program.**

FAILURE TO PRACTICE IN A SAFE MANNER INCLUDES THE FOLLOWING:

1. Regulatory Deficiencies:
 - A. Failing to safely perform procedures or follow policies as specified in the Policies & Procedures Manuals of the affiliated institution or health care agency.
 - B. Failure to correctly administer a medication according to accepted standards to include: PHCC check-off and agency policy.

2. Ethical Deficiencies:
 - A. Failure to report errors of commission or omission by self or other health care personnel.(highlighted – out)
 - B. Failure of student to report any biological, psychological, social or cultural problem related to the student's emotional and physical stability which might compromise the student's ability to perform in a satisfactory manner in the clinical setting and/or failure to institute means to correct these problems.
 - C. Breach of confidentiality

3. Deficiencies in Accountability:
 - A. Failure to utilize, at the appropriate level, the nursing process:
 - in the preparation,
 - documentation, and,
 - care of patients.
 - which includes: written, verbal, and non-verbal communication.
 - B. Failure to notify staff and clinical instructor of any circumstances which would require the student to practice beyond the scope of his/her preparation.

4. Fraud or deceit shall mean, but shall not be limited to: Giving or receiving assistance in writing examinations. (i.e. failure to follow PHCC's honor code.)

5. Unprofessional conduct shall mean, but shall not be limited to:
 - A. Performing acts:
 - student feels, unprepared to carry out,
 - uncomfortable doing without assistance
 - has not been performed previously in lab or clinical
 - without adequate training or when competency has not been maintained
 - B. Obtaining supplies, equipment, or drugs for personal use or other unauthorized use.
 - C. Requesting assistance from unqualified persons to perform functions that require a licensed practitioner of nursing.
 - D. Falsifying or otherwise altering patient documentation
 - E. Abusing, neglecting, or abandoning patients or clients
 - F. Use of tobacco in any form including but not limited to smokeless, chewing, liquid, vaping, or other is prohibited.

6. Practicing in a manner that is a danger to the health and welfare of patients or others.

7. Any mental or physical illness that poses a danger to the health, welfare and safety of others while in the clinical setting.

8. Abuse, negligent practice or misappropriation of a patient's or resident's property.
9. Lack of respect or insubordination toward clinical faculty or agency staff.
10. No student will perform duties under the influence of prescription drugs which may affect the student's ability to perform safely or effectively.
11. Tardiness without notice will be considered patient abandonment.

A student demonstrating any of the above characteristics is in danger of dismissal from the Associate Degree Nursing Program.

IV. Procedure for Implementing the Clinical Incompetence Policy

If a student practices in an unsafe manner, the clinical instructor who identifies or is notified of such unsafe practice will meet with the student. The course coordinator will be contacted immediately (if clinical instructor is an adjunct). The Nursing Program Head will be contacted by the course coordinator the day of the unsafe behavior. Student and clinical instructor will be required to document the event in writing and student will be sent home. Unsafe practice will result in dismissal from the program. Unsafe practice/behavior is defined as any action that endangers the wellbeing of the patient/co-worker.

Course Coordinators:

- | | |
|-----------------------|------------------------------|
| • NSG 100/200/106/130 | Tammy Gammons/Bethany O'Neil |
| • NSG 152/170 | Tammy Gammons/Bethany O'Neil |
| • NSG 210/211 | Debbie Shelton |
| • NSG 230/252/270/115 | Linda Wallace |

The following steps are required:

1. Clinical Instructor and student will document the event.
2. The Course Coordinator and/or clinical instructor will notify the Program Head of Nursing the day of the unsafe behavior.
3. Program Head of Nursing and course coordinator will meet with the student to review the unsafe behavior and policy with the student within 3 business days.
4. If the student does not agree with the decision, the event can be addressed using the existing college grievance procedure. The Grievance Procedure can be found in the online College Catalog
<http://catalog.patrickhenry.edu/content.php?catoid=2&navoid=88#student-grievanceprocedure>

***Faculty member may be an adjunct clinical instructor.**

V. Drug and Alcohol Policy

The Nursing and Health Science Programs at Patrick Henry Community College are firmly committed to maintaining an environment free of the influence of illegal drugs and alcohol. This commitment provides for the health and safety of students, patients, and faculty.

A. Terms of Policy

Violations of any of the following requirements may result in dismissal from the program in which the student is enrolled. No student shall be under the influence of, use, consume, possess, purchase, sell, dispense, distribute, manufacture, or display any illegal drugs or alcoholic beverages while on duty. No student shall violate any federal or state criminal drug statute at any time. No student will perform duties under the influence of prescription drugs which may affect the student's ability to perform safely or effectively.

- a. The term "on duty" includes class time, clinical time, break time, and meal time on the Patrick Henry Community College campus or on the property of clinical agencies including daycares and physician offices.
- b. The term "under the influence" includes not only obvious impairment but also having a level of illegal drugs, or alcohol in the body that would produce a positive result in a drug or alcohol screening test.
- c. The term "illegal drugs" as used in this policy includes not only any drug which is not legally obtainable, but any controlled substance for which the student does not have a lawful prescription or which the student is using in a non-prescribed manner.
- d. No student shall engage in any off-duty involvement with illegal drugs, including but not limited to cocaine, marijuana, heroin, or any hallucinogenic agent.

B. Policy Administration

1. Drug/alcohol testing is required as part of the entrance process to Nursing and Health Science Programs at Patrick Henry Community College. All students must sign the acknowledgement form and return it to the Program Office during the specified period. (If the student wishes to be considered for entrance into one of the Nursing or Health Science Programs, he/she must consent to testing and sign the acknowledgement form indicating he/she has read and understood the Nursing and Health Science Programs Drug and Alcohol Policy.
2. Nursing and Health Science programs maintain the right to require any student to undergo appropriate kinds of testing at any time during the program to determine that student is fit for duty.
3. If a student refuses to be tested for drugs or alcohol as requested or if a student attempts to alter or tamper with a sample or any part of the testing process, he/she will be dismissed from the Nursing or Health Sciences Program in which he/she is enrolled.
4. Student(s) taking prescribed medication or an over the counter medication which may affect the ability to perform his/her duties safely and effectively is expected to discuss the situation with their instructor. If they can't perform duties safely they will be withdrawn/dismissed.

5. It is not possible to describe all of the situations that may result in drug testing. Examples include but are not limited to the following:
 - a. Post-Accident: The Nursing and Allied Health Programs may require testing any time an on-duty accident results in an injury requiring medical treatment or examination by a medical care provider or results in significant damage to property.
 - b. Physical Indications: The Nursing and Allied Health Programs may require testing when there is detectable odor of alcohol; drug use; or other observable indications of possible drug or alcohol (i.e., significant disorientation or lack of coordination).
 - c. Possession: If a student is found to possess drugs or alcohol on duty, the Program Director/Faculty may conclude there are reasonable grounds to believe the student may be under the influence of drugs or alcohol.
 - d. Erratic Behavior: Program Director/Faculty may require testing when a student's behavior indicates the possibility of being under the influence. Such indications could include repeated failure to follow instructions, procedures, or safety rules or behavior that nearly causes an accident.
6. As a security matter, the Nursing and Allied Health Programs maintain the right to carry out reasonable searches of individuals or their personal property while on Patrick Henry Community College locations or any clinical agency. This applies to students and faculty.
7. Students are subject to disciplinary action, including course or program dismissal/withdrawal, under certain circumstances. These circumstances include, but are not limited to the following: coming to clinical and demonstrating behavior that reflects impairment of judgment and/or ability to perform patient care responsibilities: such as (but not limited to) being under the influence of drugs or alcohol, or being mentally or physically ill. It is the responsibility of the nursing faculty using their professional judgment to determine unsafe behavior.
8. Students are responsible for all costs associated with drug/alcohol testing.

VI. Academic Integrity Policy for Nursing

1. The nursing program expects students to conduct themselves with a high level of integrity. Cheating and dishonesty will not be tolerated in the program. Students who are caught cheating will be dismissed from the program without an opportunity of readmission to any of the health education programs.

VII. Program Progression and Retention Policy

In accordance with VCCS policy, a student may enroll in the same course no more than twice. Students accepted to the nursing clinical semesters following the program application cycle must graduate from the nursing program within three academic years (six total semesters not including summer) which is 150% of program completion. Students will only be reaccepted to the nursing program once following program separation for non-academic or academic reasons. NSG 100 and NSG 106 are co-requisites, withdrawing from one of these courses will automatically cause withdrawal from the other as they are required to be completed together. In addition withdrawing from NSG 152 or NSG 170; NSG 210 or NSG 211, or withdrawing from NSG 230, NSG 252 and/or NSG 270 will require withdrawal from all of the co-requisite courses with a NSG prefix in the specified semester. Transition students who withdraw from NSG 115 must also withdraw from NSG 200, as NSG 200 is a co-requisite to NSG 115.

A. Non-Academic Suspension (from Nursing): A student who withdraws from the nursing program with a current passing grade for non-academic reasons will be considered for readmission on an individual basis based on seat availability and course availability. There is no guarantee of readmission. Requests for readmission must be submitted in the semester prior to re-entry no later than November 15th for a spring semester readmission date, or April 15th for a fall semester readmission date. Readmission request must be submitted within one year of the last successful clinical nursing semester. Students may only be readmitted once on the basis of non-academic suspension.

B. Academic Suspension (from Nursing):

1. Nursing Course Failure: All nursing clinical semesters and related general education courses are pre-requisites to the next sequenced nursing semester. The following will apply:

a. Any **first semester traditional nursing** student who fails any combination of NSG 100/106/200/130 (grade D or F) must reapply to the program during posted application times, reacceptance is not guaranteed. If a student is separated from the program for more than 12 months following a first semester program failure, NSG courses must be retaken upon program re-acceptance. Any student who withdraws from NSG 100 must also withdraw from NSG 106. This student cannot provide direct patient care without demonstrating competency of skills presented in NSG 106.

b. Any **first semester transition** student who fails (grade D or F) any combination of NSG 115 or NSG 200 must reapply to the program during posted application times, reacceptance is not guaranteed. If a student is separated from the program for more than 12 months following the initial transition semester, the NSG courses must be retaken upon program reacceptance.

c. Any student who is unsuccessful (grade D or F) in NSG 152,170,210, or 211 with no previous NSG course failures, must sit out a minimum of one fall or one spring semester but may not sit out for more than one academic year. Readmission request will be accepted no later than November 15th for a spring semester readmission date or April 15th for a fall semester readmission date. Withdrawing from a NSG class with a grade of D or F at the time of withdraw constitutes a nursing program failure. Students may only be readmitted once to the nursing program following a NSG course failure in second, third or fourth semester nursing. There is no guarantee of readmission, seat availability and course availability will also be factors for consideration. (see Retention/Readmission Policy)

d. Any student who is unsuccessful (grade D or F) in a NSG 230, 252, and/or 270,(senior level course failures) may request immediate readmission upon receipt of final grade into the next available course offering pending space availability and students program status. Withdrawing from a NSG class with a grade of D or F at the time of withdraw constitutes a nursing program failure. Students may only be readmitted once to the nursing program following a NSG course failure in second, third or fourth semester nursing. There is no guarantee of readmission, seat availability and course availability will also be factors for consideration. (see Retention/Readmission Policy)

2. General Education Course Failure: Any student who is unsuccessful in a general education required course for the nursing program (receives a grade of D or is on academic suspension from the nursing program until the course is completed with a grade of C or higher.(see Retention/Readmission Policy) **Students may not sit out for more than one**

semester for failed co-requisite general education courses during the curriculum or program dismissal may occur. Failure to comply with the outlined notification process may result in program dismissal.

Special Note: The nursing curricular model establishes the program sequence per semester. Students must follow the pre-requisite and co-requisite course requirements as outlined in the college catalog (page: 108). Students must maintain a GPA of 2.0 or higher for program continuance and no grade below a C is accepted in any program course.

C. Retention (Readmission Policy): Request for readmission will follow the guidelines below. Readmission requests will be prioritized in the following order, non-academic suspension followed by academic suspension. There is no guarantee of readmission, and contributing factors will include but will not be limited to length of separation, seat availability, course availability, GPA, clinical performance, and compliance with nursing and readmission policies.

1. **Non-academic suspension readmission request** will be accepted in the nursing, office by November 15th for a spring readmission request and April 15th for a fall readmission request. Students must submit the Nonacademic Suspension Readmission Form (Form # NSG-1) Readmission request must be submitted within one year of the last successful nursing semester. An official letter indicating your readmission status will be sent from the nursing program director by mail within three business days of the official grades due date of the current semester as stated on the academic calendar in the PHCC College Catalog. Students may only be readmitted once on the basis of non-academic suspension.
2. **Academic- Suspension Readmission Request due to Nursing Course Failure:** Readmission request due to nursing course failure will be accepted in the nursing office during the specified dates. A student who wishes to request readmission to the nursing program must complete the Readmission Form for Nursing Course Failure (Form # NSG-2) and include required Nursing Program Readmission Portfolio. An official letter indicating your readmission status will be sent from the nursing program director by mail within three business days of the official grades due date of the current semester as stated on the academic calendar in the PHCC College Catalog.

Special Note: A student who is unsuccessful in first semester nursing program or the first semester of the transition program must reapply to the nursing program during posted nursing application dates. Reacceptance is not a guarantee.

3. **Academic-Suspension Readmission Request due to General Education Course Failure:** The student must complete the Readmission General Education Course Failure Form (Form #NSG-3) and submit within three business days of the official Patrick Henry Community College grades due date as posted on the current college academic calendar. Students may not sit out for more than one semester (fall or spring) for failed co-requisite general education courses during the curriculum or program dismissal may occur. Failure to comply with the outlined notification process may result in program dismissal. There is no guarantee of readmission.

Special Note: Students who are readmitted must provide proof of current American Heart Association BLS-CPR, and current immunizations. Students may be required to repeat drug and criminal background screening process at time of readmission.



Non-Academic Suspension: Readmission

Form NSG-1

STUDENT INFORMATION:

NAME: _____ STUDENT ID: _____

CURRENT MAILING ADDRESS: _____

STEP ONE: TO BE COMPLETED BY FACULTY INSTRUCTOR AND STUDENT

Student must meet with the instructor of the unsuccessful course(s). The nursing faculty member will review the steps to be taken by the student so he/she may plan to pursue program re-admission and complete the Exit Interview. (This must occur within three business days of program withdraw.)

FACULTY SIGNATURE REQUIRED: _____ **DATE:** _____

STEP TWO: TO BE COMPLETED BY STUDENT

1. Semester and year you are requesting return to the nursing program:

FALL SPRING YEAR: _____

2. Semester and year you withdrew from the Nursing program: MONTH: _____ YEAR: _____

3. Select the nursing course(s) you plan to re-enroll in if readmitted:

- | | | | |
|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| <input type="checkbox"/> NSG 100 | <input type="checkbox"/> NSG 115 | <input type="checkbox"/> NSG 170 | <input type="checkbox"/> NSG 230 |
| <input type="checkbox"/> NSG 106 | <input type="checkbox"/> NSG 200 | <input type="checkbox"/> NSG 210 | <input type="checkbox"/> NSG 252 |
| <input type="checkbox"/> NSG 130 | <input type="checkbox"/> NSG 152 | <input type="checkbox"/> NSG 211 | <input type="checkbox"/> NSG 270 |

4. Please indicate your final course grade in the following courses. If you are currently enrolled in the course, indicate IP (in progress), if you are not enrolled or have not yet completed the course leave it blank:

SEMESTER 1	GRADE	SEMESTER 2	GRADE	SEMESTER 3	GRADE	SEMESTER 4	GRADE
NSG 100		NSG 152		NSG 210		NSG 230	
NSG 106		NSG 170		NSG 211		NSG 252	
NSG 200		BIO 205		SOC 200		NSG 270	
NSG 115						HUM EEE	
NSG 130		<i>SPECIAL NOTE: NSG 115 MAY NOT BE REPEATED. SEE PROGRAM PROGRESSION AND RETENTION FAILURE POLICY IN HANDBOOK.</i>				SDV 299	
BIO 142							

STUDENT SIGNATURE REQUIRED: _____ **DATE OF SUBMISSION:** _____

~~-----Nursing Department Processing/Do Not Write or Mark-----~~

Did student submit request to the nursing department by established deadline?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a curricular GPA of 2.0 or higher?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a grade of C or higher in all general education curricular courses?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a grade of C or higher in pre-requisite nursing courses required to re-enroll in sequenced progression?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is there course seat availability in the requested re-entry nursing course?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Additional Information:	<u>READMISSION STATUS</u> <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED REASON: _____

PROGRAM DIRECTOR SIGNATURE: _____ DATE: _____



Academic Suspension: Readmission Form
Nursing Course Failure

Form NSG-2

STUDENT INFORMATION:

NAME: _____ STUDENT ID: _____

CURRENT MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

CURRENT PHONE NUMBER: _____

PLEASE COMPLETE THE FOLLOWING:

You MUST submit this form and the required elements to the nursing department office by the required readmission request dates

1. Semester and year you are requesting return to the nursing program:

FALL SPRING YEAR: _____

2. Date of Last Successful Nursing Semester:

MONTH: _____ YEAR: _____

3. Select the nursing course prefix and number you were unsuccessful in completing with a grade of D or F or withdrew failing from:

- NSG 100 NSG 106 NSG 130 NSG 115 NSG 200 NSG 152 NSG 170 NSG 210 NSG 211 NSG 230 NSG 252 NSG 270

STEP ONE: TO BE COMPLETED WITH FACULTY INSTRUCTOR

A. To be completed by Faculty and Student:

Student must meet with the instructor of the unsuccessful course(s). The nursing faculty member will review the steps to be taken by the student so he/she may plan to pursue program re-admission.

- Discuss and document student strengths and weaknesses related to course failure.
Complete the Exit Interview: (This must occur within three business days of program withdraw or course failure).

FACULTY SIGNATURE REQUIRED: _____ DATE: _____

B. To be completed by Faculty Instructor:

Faculty please identify the required elements of the Nursing Program Readmission Portfolio that will be required for submission at time of readmission request.

- Kaplan Focus Review Practice Specify:
Kaplan Case Studies Specify:
Kaplan Skills Videos Specify:
Judith Miller Content Specific Review Videos Specify:
Judith Miller Test Taking Skills Video and Outline (LRC)
NCLEX Review Questions Minimum Number: Mastery Level:
Sources: Saunders NCLEX RN Review; Incredibly Easy Series, LWW-Prepu; other
Dosage Calculations: Specify: type, number of problems, must show proof of completion:
Other Specify:

FACULTY SIGNATURE REQUIRED: _____ DATE: _____

STEP TWO:

Student must submit the following documentation by the established readmission deadline request dates:

1. **Completed Readmission Form for Nursing Course Failure**
2. **Nursing Program Readmission Portfolio**
 - a. Portfolios should be a three ring binder that includes supporting materials and evidence of completed required elements outlined by faculty in Step I B. Examples of evidence may include performance reports from Kaplan, and Prepu. Dosage calculation practice problems with setup, steps, and solution. Judith Miller outlines.
3. **Written Letter Requesting Readmission**
 - b. The written request (typed 12 point font) for readmission to the nursing program must include a summary of strengths and weaknesses, discussion of self-remediating activities completed, plans for success, and any additional information the student feels will support program readmission.

STEP THREE:

Complete the following Student Readmission Validation Statement:

I _____ (student name) attest that I have completed all required elements outlined in the readmission policy. My signature below indicates completion of all required steps as stated in this Academic Suspension Readmission Form for Nursing Course Failure.

STUDENT SIGNATURE REQUIRED: _____ **DATE:** _____

-----Nursing Department Processing/Do Not Write or Mark-----

Did student submit request to the nursing department by established deadline?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a curricular GPA of 2.0 or higher?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a grade of C or higher in all general education curricular courses?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a grade of C or higher in pre-requisite nursing courses required to re-enroll in sequenced progression?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is there course seat availability in the requested re-entry nursing course?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Additional Information:	<u>READMISSION STATUS</u> <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED REASON: _____

PROGRAM DIRECTOR SIGNATURE: _____ **DATE:** _____



**Academic Suspension: Readmission Form
General Education Course Failure
Form NSG-3**

STUDENT INFORMATION:

NAME: _____ STUDENT ID: _____

CURRENT MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

CURRENT PHONE NUMBER: _____

PLEASE COMPLETE THE FOLLOWING:

You MUST submit this form and the required elements to the nursing department office by the required readmission request dates

1. Select the general education course you were unsuccessful in this current academic semester:

<input type="checkbox"/> BIO 142	<input type="checkbox"/> BIO 205	<input type="checkbox"/> SOC 200	<input type="checkbox"/> HUM EEE	<input type="checkbox"/> SDV 299
----------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------

2. What grade did you earn in the general education course you were unsuccessful in? Circle Below

D F W

3. Please indicate your final course grade in the following courses. If you are currently enrolled in the course, indicate IP (in progress), if you are not enrolled or have not yet completed the course leave it blank:

SEMESTER 1	GRADE	SEMESTER 2	GRADE	SEMESTER 3	GRADE	SEMESTER 4	GRADE
NSG 100		NSG 152		NSG 210		NSG 230	
NSG 106		NSG 170		NSG 211		NSG 252	
NSG 200		BIO 205		SOC 200		NSG 270	
NSG 130						HUM EEE	
NSG 115						SDV 299	
BIO 142							

4. Please indicate which semester you plan to repeat the general education course you were unsuccessful in?

FALL SPRING SUMMER YEAR: _____

5. Upon successful completion of the general education course requirement (grade of "C" or higher) which nursing semester are you requesting readmission to? Please note you may not proceed to the sequential nursing semester if the general education course is a ore-requisite of the nursing semester.

FALL SPRING SUMMER YEAR: _____

STUDENT ACKNOWLEDGEMENT OF UNDERSTANDING:

I _____ (student name) understand that my seat in the nursing program is not guaranteed due to my failure of a general education curricular course. I understand it is my responsibility to notify the nursing program director or assigned nursing program advisor of my failed general education course within three business days of the official grades due date as stated in the academic calendar in the current PHCC College Catalog. I also understand that I must notify the program director of the official grade of my repeated general education course attempt within three business days of the official grades due date as stated in the academic calendar in the current PHCC College Catalog. Failure to comply with the outlined notification process may result in program dismissal.

STUDENT SIGNATURE REQUIRED: _____ **DATE OF SUBMISSION:** _____

Nursing Department Processing/Do Not Write or Mark

Did student submit request to the nursing department by established deadline?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a curricular GPA of 2.0 or higher?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a grade of C or higher in all general education curricular courses?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does student have a grade of C or higher in pre-requisite nursing courses required to re-enroll in sequenced progression?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is there course seat availability in the requested re-entry nursing course?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Additional Information:	<p style="text-align: center;"><u>READMISSION STATUS</u></p> <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED REASON: _____

PROGRAM DIRECTOR SIGNATURE: _____ DATE: _____

VII. Nursing and Health Science Inter-Program Transfer Policy

Purpose

The Nursing and Health Science Program Faculty at Patrick Henry Community College are firmly committed to providing a quality education to all students. This policy will serve as a guideline for students wishing to transfer between Applicant Nursing and Health Sciences Programs at PHCC. This would include Associate Degree Nursing, Practical Nursing and Emergency Medical Services Programs.

Students dismissed from any PHCC Nursing and Health Science Program for violations of College Honor Code, program Drug and Alcohol policies or unprofessional conduct will not be eligible to be considered for admission, readmission, or transfer to any other PHCC Nursing and Health Sciences programs such as but not limited to Associate Degree Nursing, Practical Nursing or EMS programs.

Policy

1. Procedure for transfer

- a. Students who wish to transfer from one applicant program to another at PHCC must follow the regular admission procedures and meet all the admission requirements of the program to which they are transferring.
- b. See specific program information for admission requirements
- c. Application period dates are posted in the Nursing Office and the PHCC website (www.patrickhenry.edu).

2. Course transfer between programs

- a. No courses will be evaluated for transfer into the new program until all admission requirements are met.
- b. Students may be required to complete exams to evaluate retention of knowledge and skill before placement in a clinical nursing course.

3. Transfer Exception Request

- a. When the time frame for application to the next schedule Practical Nursing class exceeds 3 months from the time of inquiry, a student wishing to consider transfer from the PHCC RN program to the PN program may submit a transfer exception request.
- b. The transfer request will be considered by the nursing faculty panel and the following will be evaluated:
 - Program course sequencing
 - Space availability
 - Instructor recommendation
 - GPA
 - Successful completion of at least the first and second semester of the Associate Degree Nursing program (Clinical Semesters)
 - Transfer consideration must occur within a year of the last Associate Degree nursing course attempt
- c. If the transfer request is granted, the requesting student will only receive credit for the first semester of the Practical Nursing program.

VIII. Social Media/Technology/Networking Policy

Social Media includes but is not limited to blogs, podcasts, discussion forums, on-line collaborative information and publishing systems that are accessible to internal and external audiences (i.e. Wikis), RSS feeds, video sharing, and social networks like, but not limited to Facebook, Instagram, Snapchat, or others.

Students may not use or disclose any of the following:

Patient identifiable information, including name, family members, diagnosis, or admission/care circumstance, facility, unit, or other potentially identifying personal information.

Students may not use or disclose any patient identifiable information of any kind on social media outlets. Disclosure of patient identifiable information, even if name is not used, could constitute a violation of the Health Insurance Portability and Accountability Act (HIPAA). Such a violation may result in disciplinary action and/or program dismissal. Furthermore, disclosure of such information is also noted as a violation of the confidentiality agreement and may result in disciplinary action and/or program dismissal. Furthermore, disclosure of such information is also noted as a violation of the confidentiality agreement and may result in disciplinary action and/or program dismissal.

Students are not to reference Patrick Henry Community College faculty or staff or any clinical site/facility employees without **their express consent**.

At no time are students permitted to use video or audio recording devices or cameras in the clinical environment or classroom. Pictures in a clinical site may disclose pictures of patients resulting in violation of HIPAA or personal rights of privacy. Pictures within the clinical facility of a said clinical group should only be taken after receiving appropriate administrator approval, as the clinical agency may want to approve the setting, environment, or props portrayed by any picture of the said clinical institution.

Students are expected to be respectful to Patrick Henry Community College, the faculty and staff, other students, employees of all clinical sites, and partners and competitors.

Students should think before they post on social media accounts and utilize privacy settings when appropriate. What a student posts or writes is ultimately the responsibility of the student, as are any repercussions.

Students are limited to accessing program eBooks, Course Point Nursing Concepts, Kaplan, college Learning Management Systems and other instructor directed resources while in the classroom setting. Students should not use any electronic or instant messaging devices/applications while in clinical or classroom.

I have read the above policy concerning Social Media/Networking and understand that it is now a policy of the Nursing Program here at PHCC. By signing this form, I agree to abide by this policy during my enrollment in the Nursing Program at PHCC. Failure to abide could result in loss of privileges, disciplinary action and/or program dismissal.

PRINTED NAME

SIGNATURE

DATE

IX. Miscellaneous Program Information

A. Nursing Department Office: The nursing department office is located in Philpott Hall 123. The office is generally open between 8:00 a.m. and 5:00 p.m. weekly. If you need to meet with the Nursing Program Director, please schedule an appointment.

B. Faculty Access: Faculty mailboxes are located outside faculty office doors. Care plans, reports, etc. may be placed in the faculty mailboxes. All nursing faculty maintain office hours as posted on their office doors. Faculty are available to assist nursing students with academic and/or program questions and problems. Faculty office hours will change from semester to semester based on course offerings. Students should schedule an appointment should access be needed outside of posted office hours.

C. Class Officers:

1. After the first ten weeks of NUR 100 the students will elect class officers (President, Vice President, Secretary, Treasurer, etc.) See position descriptions below. The officers will coordinate class activities, fund raisers, etc. The officers may stay in office the entire four semesters or serve only one semester depending what each individual class desires.

2. Each class will also elect a class director during this same election period. The class director **must be** a member of the Nursing Student Association (NSA) and will serve as the class representative on the NSA Board of Directors. The NSA will pay membership dues for the class director. The class director may serve the entire four semesters or serve only one semester depending on what each individual class desires. If a vacancy occurs in any of the offices, the class will hold a special election to fill the vacancy. The faculty who coordinates the semester will serve as the class advisor for that semester.

3. Nursing Student Advisory Council (NSAC): The class president and the NSA director from each class will serve on the NSAC. These students are responsible for voicing group concerns or raising issues to the program head or nursing faculty. They may be invited to address a nursing faculty meeting. The NSAC or class officers may bring issues to the course faculty member or Program Head at any time.

4. Position Descriptions

- a. President - calls meetings, chairs meetings using parliamentary procedure (see below) and prepares agenda (plan for the meeting) with help of Secretary,
- b. Vice President - Assists President, chairs meetings in absence of President, supervises committees,
- c. Secretary - prepares and reads the minutes (record of what was decided during the meeting) of each meeting, prepares and types the agenda for each meeting,
- d. Treasurer - meets with college Business Office when elected to review business office procedures for having class account, collects dues, keeps accurate records of all monies, arranges for timely payment of class expenses from class account in business office, participates on fundraiser committees.

5. The purpose of fundraising by each nursing class cohort will be limited to raising funds for the following:

- a. the total cost of pinning ceremony "Lamps"
- b. the pinning ceremony decorations
- c. the cost of printing pinning ceremony invitations and programs
- d. the cost of a class gift left to the college or nursing program in honor of the current graduating class, or other as approved by Nursing Program Director
- e. class community projects
- f. other purchases may be approved with special consideration by the Nursing Program Director
- g. endow a nursing scholarship

Special Note: *Fundraising projects must be approved prior to implementation. Please seek approval in the following order: nursing faculty class sponsor, nursing program director, college student activities coordinator, and college public relations liaison.*

6. Parliamentary procedure for conduction of meetings (customs and rules for meetings to assist group in achieving democratic proceedings to enhance group decision-making.

- a. Main objectives of parliamentary procedure is to be fair to everyone in the group, be courteous to everyone, respect rights of minorities, keeps the group on track with one idea being discussed at a time with the majority vote making the decision
- b. Six steps to a motion (an idea to be discussed and voted on by group)
 - i. Raise hand - await recognition by President
 - ii. Make motion "I move that ..."
 - iii. Another group member seconds motion so it can be discussed
 - iv. Chair re-states motion (idea to be discussed and voted on)
 - v. Discussion - one member speaks at a time until all members who wish to speak have had a chance
 - vi. Chair re-states the motion and calls for a vote.
 - vii. The motion and the results of the vote are recorded by the Secretary in the minutes.

D. The Nursing Student Association: The Nursing Student Association is available to all PHCC nursing students for a fee of \$2.00 a year. A student may join the National Student Nursing Association for a fee of \$25.00 a year.

E. Financial Requirements: In addition to the usual college tuition and fees, this program requires additional expenses. Approximated costs include:

Uniforms	\$160
Physical Examination	\$150-\$300
Books	\$1600
Graduation Pin	cost depends on price of gold or silver
Kaplan/NCLEX Review Course	\$600
AHA BCLS CPR certification	\$158
Criminal Background Checks	\$48/minimum
Application for Licensure fees	\$430
Drug Screening	\$38/minimum
Transportation to clinical agencies, seminars, etc. as required	

F. The Pinning Ceremony:

The following policies will govern the PHCC Pinning Ceremony activities:

1. Administration/college responsibilities:

- a. Participate in the ceremony as requested by graduating students
- b. Provide a place or location in which the ceremony will be held
- c. Provide the necessary set-up as required in advance by the graduating students
- d. Provide for printing of ceremony programs. If any special paper is requested by the graduating class, they will provide it to the Nursing Office.

2. Nursing Faculty responsibilities:

- a. Serve as advisors to the graduating students to help plan the ceremony
- b. Participate in the ceremony as requested by the graduating students
- c. Assist with the presentation and pinning of students during the ceremony
- d. Approve programs, slideshows, music, and guest speaker

3. Student Responsibilities

- a. Elect a committee from the class to assist with the planning and coordination of the pinning ceremony as well as clean-up following the pinning ceremony.
- b. Invite administrators, nursing faculty and approved guest speakers in writing to participate in the ceremony
- c. Purchase the college designed program pin and lamp
- d. Purchase invitation if desired
- e. Select appropriate individuals to serve as ushers and assist with reception

4. Additional protocols and requirements:

- a. Generic content in prayers, songs, and addresses will be observed during ceremony
- b. The date of the ceremony will be at the end of the semester. In the Spring, it will be held before the College's graduation ceremony
- c. Pinning ceremony dress will be consistent with the clinical dress codes (see dress codes in handbook) and females will don the traditional nursing cap.
- d. Non-graduating students (from first, second, and/or third semester nursing) should be used as ushers.

X. PHCC Policies

A. Student Disability Policy: If you have a disability or other need for reasonable accommodation in order to successfully complete the requirements of any course, please contact Student Support Services (LRC 109) 656-0296 (voice/tdd) or 800-232-7997 ext. 0296, sss@patrickhenry.edu to discuss this matter confidentially.

B. Inclement Weather Policy: Occasionally, it is necessary to cancel classes because of inclement weather. The delayed schedule is used when necessary to allow road conditions to improve. Each student is expected, in the final analysis, to decide whether it is possible or safe to come to the college. This delayed schedule will be in effect upon authorized release to local radio and television stations. Evening classes will generally remain on the regular schedule, unless otherwise announced. Classes will operate as regularly scheduled regardless of the time the college opens. For example, if classes begin at 10:00 a.m. because of a 2-hour delay, you will attend your classes as scheduled from 10:00 a.m. forward. Classes missed due to a delay in opening will be given an assignment through the college Blackboard system, nursing classes, lab, or clinical may be rescheduled. Please refer to your class syllabus on inclement weather policy for scheduled clinical days.

Joint statement of the Department of Health and the Department of Health Professions on Impact of Criminal Convictions on Nursing Licensure or Certification and Employment in Virginia

INTRODUCTION

Certain criminal convictions may prevent licensure as a nurse or certification as a nurse aide in Virginia. Criminal convictions may also prohibit employment in certain health care settings.

This document provides information for persons interested in becoming a Certified Nurse Aide (C.N.A.), Licensed Practical Nurse (L.P.N.), or Registered Nurse (R.N.). It clarifies how convictions and other past history may affect the application process and subsequent licensure or certification by the Board of Nursing. It also clarifies the criminal convictions that prohibit employment in nursing home facilities, home care organizations, hospice programs, and assisted living facilities,¹ and identifies what is commonly referred to as “barrier crimes.”

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¹ Individuals licensed or certified by the Board of Nursing may be eligible for employment in other health care settings, depending upon the hiring and employment practices of the particular employer.

I. IMPACT OF CRIMINAL CONVICTIONS ON BOARD OF NURSING LICENSURE AND CERTIFICATION

Criminal convictions can affect an individual during the licensure or certification application process and may affect an individual's employment options after licensure or certification by the Board.

Until an individual applies for licensure or certification, the Board of Nursing is unable to review, or consider for approval, an individual with a criminal conviction, history of action taken in another jurisdiction, or history of possible impairment. The Board has no jurisdiction until an application has been filed.

APPLICATION PROCESS FOR LICENSURE OR CERTIFICATION WITH THE BOARD OF NURSING

After successfully completing an approved nursing or nurse aide education program, the individual is eligible to apply for licensure or certification by the Virginia Board of Nursing of the Department of Health Professions (DHP).

Effective January 1, 2016, there is requirement for RN and LPN initial applicants for licensure (by examination and endorsement), as well as RN and LPN applicants for reinstatement, to submit to fingerprint-based state and federal criminal background history checks (hereinafter "CBC"), pursuant to § 54.1-3005.1 of the Code of Virginia. See the Board of Nursing website for more information, instructions, and Frequently Asked Questions (FAQs) regarding the CBC process and its impact on the application process at: www.dhp.virginia.gov/nursing.

Applicants seeking licensure as a Registered Nurse (RN) or Licensed Practical Nurse (LPN) by examination: An application for licensure by examination is made directly to the Virginia Board of Nursing. These applicants must also submit to a CBC. Upon receipt of a completed application with appropriate application fee and an official transcript from the nursing education program, as well as review of results from the CBC, the Board determines and communicates eligibility for testing to the testing company that administers the NCLEX examination for licensure. The applicant must also submit a separate registration form and fee to the testing company that administers the exam for licensure. Both application for "licensure by exam" and the registration packet for the testing company are available from the Board of Nursing web site or by calling the Board office at (804) 367-4515. The applications, registration and information about testing may be obtained from the DHP - Board of Nursing website at: www.dhp.virginia.gov/nursing and choosing "Forms and Applications."

Applicants seeking certification as a Nurse Aide (CNA) by examination: The application for certification is made directly to Virginia's nurse aide testing service. Upon receipt of a completed application and appropriate fee, the testing service verifies eligibility and administers the National Nurse Aide Assessment Program (NNAAP) exam for certification by the Virginia Board of Nursing. The application for "certification by exam" and candidate handbook may be accessed directly from the DHP - Board of Nursing website at www.dhp.virginia.gov/nursing, and choosing NNAAP. They may also be obtained by calling the Board of Nursing-Nurse Aide Registry office at (804) 367-4569.

Applicants seeking licensure or certification by endorsement from another state: Endorsement applicants already licensed or certified in other jurisdictions must apply directly to the Virginia Board of Nursing, unless applicants reside and are licensed as a R.N. or L.P.N. in another state that is a member of the Nurse Licensure Compact.² These applicants must also submit to a CBC. Applications with instructions can also be accessed from the DHP- Board of Nursing web site at www.dhp.virginia.gov/nursing and choosing “Forms and Applications.”

BASIS FOR DENIAL OF LICENSURE OR CERTIFICATION

According to § 54.1-3007 of the Code of Virginia, the Board of Nursing may refuse to admit a candidate to any examination, or refuse to issue a license or certificate, to any applicant with certain criminal convictions. Likewise, the Board may refuse licensure or certification to an applicant who uses alcohol or drugs to the extent that it renders the applicant unsafe to practice, or who has a mental or physical illness rendering the applicant unsafe to practice (referred to as a history of impairment).

Criminal convictions for ANY felony can cause an applicant to be denied nursing licensure or nurse aide certification.

Misdemeanor convictions involving moral turpitude may also prevent licensure or certification. Moral turpitude means convictions related to lying, cheating or stealing. Examples include, but are not limited to: reporting false information to the police, shoplifting or concealment of merchandise, petit larceny, welfare fraud, embezzlement, and writing worthless checks. While information must be gathered regarding all convictions, misdemeanor convictions other than those involving moral turpitude will not prevent an applicant from becoming a licensed nurse or C.N.A. However, if the misdemeanor conviction information also suggests a possible impairment issue, such as DUI and illegal drug possession convictions, then there still may be a basis for denial during the licensure or certification application process.

Each applicant is considered on an individual basis. There are NO criminal convictions or impairments that are an absolute bar to nursing licensure or nurse aide certification.

ADDITIONAL INFORMATION NEEDED REGARDING CRIMINAL CONVICTIONS, PAST ACTIONS, OR POSSIBLE IMPAIRMENTS

Applications for licensure and certification include questions about the applicant’s history, specifically:

1. Any and all criminal convictions ever received;
2. Any past action taken against the applicant in another state or jurisdiction, including denial of licensure or certification in another state or jurisdiction; and
3. Any mental or physical illness, or chemical dependency condition that could interfere with the applicant’s ability to practice.

² See § 54.1-3030 et.al. of the Code of Virginia for laws related to the Nurse Licensure Compact., which Virginia began participating in on January 1, 2005. The Compact allows nurses licensed and residing in another Compact state to practice nursing in Virginia on a multi-state privilege to practice without obtaining additional licensure here. However, if the applicant is moving to Virginia and declares Virginia as the primary state of residency, licensure must be obtained here and the prior Compact state license will be invalidated. For a current list of states in the Compact, go to http://www.ncsbn.org/nlc/rnlpvcompact_mutual_recognition_state.asp.

Indicating “yes” to any questions about convictions, past actions, or possible impairment does not mean the application will be denied. It means more information must be gathered and considered before a decision can be made, which delays the usual application and testing process. Sometimes an administrative proceeding is required before a decision regarding the application can be made. The Board of Nursing has the ultimate authority to approve an applicant for testing and subsequent licensure or certification, or to deny approval.

The following information will be requested from an applicant with a criminal conviction:

- A certified copy of all conviction orders (obtained from the courthouse of record);
- Evidence that all court ordered requirements were met (i.e., letter from the probation officer if on supervised probation, paid fines and restitution, etc.);
- A letter from the applicant explaining the factual circumstances leading to the criminal offense(s); and
- Letters from employers concerning work performance (specifically from nursing related employers, if possible).

The following information will be requested from the applicant with past disciplinary action or licensure/certification denial in another state:

- A certified copy of the Order for disciplinary action or denial from the other state licensing entity; and certified copy of any subsequent actions (i.e. reinstatement), if applicable;
- A letter from the applicant explaining the factual circumstances leading to the action or denial; and
- Letters from employers concerning work performance (nursing related preferred) since action.

The following information may be requested from applicants with a possible impairment:

- Evidence of any past treatment (i.e., discharge summary from outpatient treatment and inpatient hospitalizations);
- A letter from the applicant’s current treating healthcare provider(s) indicating diagnosis, treatment regimen, compliance with treatment, and ability to practice safely;
- A letter from the applicant explaining the factual circumstances of condition or impairment and addressing ongoing efforts to function safely (including efforts to remain compliant with treatment, maintain sobriety, attendance at AA/NA meetings, etc.); and
- Letters from employers concerning work performance (specifically from nursing related employers, if possible).

NOTE: Some applicants may be eligible for the Health Practitioner’s Monitoring Program (HPMP), which is a monitoring program for persons with impairments due to chemical dependency, mental health or physical disabilities. Willingness to participate in the HPMP is information the Board of Nursing will consider during the review process for applicants with a criminal conviction history related to impairment or a history of impairment alone. Information about the Virginia HPMP may be obtained directly from the DHP homepage at www.dhp.virginia.gov.

Once the Board of Nursing has received the necessary and relevant additional information, the application will be considered. Some applicants may be approved based on review of the documentation provided. Other applicants may be required to meet with Board of Nursing representative(s) for an informal fact finding conference to consider the application. After the informal fact-finding conference, the application may be: i) approved, ii) approved with conditions or terms, or iii) denied. The Board will notify the testing company directly of all applicants approved so that testing may be scheduled. Upon notification of successful completion of the licensure or certification exam, the Board of Nursing will license or certify the individual based on the Board's Order, including any terms imposed for practice.

NOTE: Failure to reveal criminal convictions, past disciplinary actions, and/or possible impairment issues on any application for licensure or certification is grounds for disciplinary action by the Board of Nursing, even after the license or certificate has been issued. It is considered to be "fraud or deceit in procuring or attempting to procure a license," and a basis for disciplinary action that is separate from the underlying conviction, past action, or impairment issue once discovered. Possible disciplinary actions that may be taken range from reprimand to revocation of a license or certificate.

FOLLOWING LICENSURE OR CERTIFICATION

Criminal convictions and other actions can also affect an individual already licensed as a nurse or certified as a nurse aide by the Board of Nursing. Any felony conviction, court adjudication of incompetence, or suspension or revocation of a license or certificate held in another state will result in a "mandatory suspension" of the individual's license, multi-state privilege, or certificate to practice in Virginia. This is a nondiscretionary action taken by the Director of DHP, rather than the Board of Nursing, according to § 54.1-2409 of the Code of Virginia. The mandatory suspension remains in effect until the individual applies for reinstatement and appears at a formal hearing before at least a panel of the Board of Nursing and demonstrates sufficient evidence that he or she is safe and competent to return to practice. At the formal hearing, three quarters of the Board members present must agree to reinstate the individual to practice in order for the license or certificate to be restored.

II. CRIMINAL CONVICTIONS AND EMPLOYMENT IN NURSING FACILITIES, HOME CARE, HOSPICE AND ASSISTED LIVING FACILITIES³

According to §§ 32.1-126.01 and 32.1-162.9:1 of Title 32.1 and §§ 63.2-1719 and 63.2-1720 of Title 63.2 of the Code of Virginia, persons with certain criminal convictions are prohibited from employment in nursing facilities, home care organizations, hospice programs, or assisted living facilities, whether or not the person is licensed or certified by the Board of Nursing. These convictions are commonly known as "barrier crimes" to employment.

The law requires that owners/operators of nursing facilities, home care organizations, hospice programs, and assisted living facilities obtain a criminal record background check on each new hire within 30 days of their employment. The law requires that these background checks be obtained using the Central Criminal Records Exchange of the Virginia Department of State Police.

Generally, criminal convictions for offenses involving abuse or neglect disqualify an applicant. See a listing of the "barrier" crimes that prevent employment in a nursing facility, home care organization, hospice program or assisted living facility in the Appendix beginning on page 9.

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³ Individuals licensed or certified by the Board of Nursing may be eligible for employment in other health care settings, depending upon the hiring and employment practices of the particular employer.

**CONVICTIONS THAT DO NOT DISQUALIFY
AN APPLICANT FROM EMPLOYMENT**

Under Virginia law, criminal convictions for offenses unrelated to abuse or neglect would not disqualify an applicant for employment. For example, criminal convictions such as traffic violations, possession of marijuana, and prostitution, may not disqualify an applicant. However, these convictions *may* disqualify an applicant based on a particular employer's hiring or personnel policies, or based on other regulations or policies⁴.

Even if the applicant has been convicted of a barrier crime, it may not always prevent employment. An applicant may be hired if:

- (i) The individual has only one misdemeanor conviction considered to be a barrier crime;*
- (i) The criminal offense did NOT involve abuse or neglect; AND*
- (ii) Five years have lapsed since the conviction occurred.*

Examples of such misdemeanor convictions that would not necessarily be a barrier to employment may include, but are not limited to:

- Hazing
- Reckless handling of a firearm
- Access to loaded firearm by children
- Assault and battery
- Assault and battery against law enforcement officers
- Burning or destroying any other building, or structure valued less than \$200
- Burning or destroying personal property, standing grain, etc., valued less than \$200
- Threats to bomb or damage buildings or means of transportation, false information as to danger to such buildings, etc. (if person is younger than 15 years of age)
- Setting woods, etc, on fire intentionally whereby another is damaged or jeopardized
- Setting off chemical bombs capable of producing smoke in certain public buildings
- Carelessly damaging property by fire

DISCLOSURE OF CRIMINAL CONVICTIONS

If an applicant is denied employment because of convictions appearing on his criminal history record, the employer is required to provide a copy of the information obtained from the Central Criminal Records Exchange to the applicant.

While further dissemination of the results of a criminal record check by an employer is prohibited, employers may provide criminal record information and reason for employment termination to state authorities to comply with legal reporting requirements.⁵ Criminal conviction information reported to the Board of Nursing that was not revealed by the licensed nurse or C.N.A. upon initial application for licensure or certification may form the basis for disciplinary action to be taken by the Board of Nursing. Disciplinary actions for such "fraud or deceit in procuring a license or certificate" or for falsifying an employment application may range from reprimand to revocation of the license or certification.

Note: The law specifies that incomplete or false statements in an applicant's sworn statement or affirmation disclosing any criminal convictions or any pending criminal charges constitutes a misdemeanor offense. Subsequent disclosure or discovery of a relevant criminal conviction or convictions may also disqualify the person from being hired and from continuing on in the hired employment.

⁴ Such as federal Medicare or Medicaid certification regulations.

⁵ See § 54.1-2400.6 of the Code of Virginia for mandatory reporting requirements.

III. GETTING A CRIMINAL RECORD EXPUNGED

Having been granted a pardon, clemency, or having civil rights restored following a felony conviction does not change the fact that a person has a criminal conviction. That conviction remains on the individual's licensure/certification or employment record. Therefore, any criminal conviction *must* be revealed on any application for licensing or employment, unless it has been expunged.

Chapter 23.1 of Title 19.2 of the Code of Virginia describes the process for expunging criminal records. If a person wants a conviction to be removed from their record, the individual must seek expungement pursuant to § 19.2-392.2 of the Code of Virginia. Individuals should seek legal counsel to pursue this course, which involves specific petitions to the court, State Police procedures, and hearings in court.

APPENDIX.

BARRIER CRIMES PROHIBITING EMPLOYMENT
IN NURSING HOME FACILITIES, HOME CARE ORGANIZATIONS,
HOSPICE PROGRAMS AND ASSISTED LIVING FACILITIES

NOTE: This list is not all-inclusive and should be used only as a guide. For further clarification regarding criminal offenses, refer to Title 18.2 Crimes and Offenses Generally of the *Code of Virginia*.

State Code	Offense
18.2 - 30	Murder and manslaughter declared felonies
18.2 - 31	Capital murder defined
18.2 - 32	First and second degree murder defined
18.2 - 32.1	Murder of a pregnant woman
18.2 - 33	Felony homicide
18.2 - 35	How voluntary manslaughter punished
18.2 - 36	How involuntary manslaughter punished
18.2 - 36.1	Certain conduct punishable as involuntary manslaughter
18.2 - 37	How and where homicide prosecuted and punished
18.2 - 41	Malicious wounding by a mob
18.2 - 47	Abduction
18.2 - 48	Abduction with intent to extort money or for immoral purposes
18.2 - 51	Shooting, stabbing, etc. with intent to maim, kill, etc.
18.2 - 51.1	Malicious bodily injury to law enforcement officers or firefighters
18.2 - 51.2	Aggravated malicious wounding
18.2 - 51.3	Reckless endangerment/throwing objects from places higher than one story
18.2 - 51.4	Maiming, etc., of another resulting from driving while intoxicated
18.2 - 52	Malicious bodily injury by means of caustic substance
18.2 - 52.1	Possession of infectious biological substances
18.2 - 53	Shooting, etc., in committing or attempting a felony
18.2 - 53.1	Use or display of firearm in committing felony
18.2 - 54.1	Attempts to poison
18.2 - 54.2	Alteration of food, drink, drugs, cosmetics, etc.
18.2 - 55	Bodily injuries caused by prisoners, probationers, or parolees
18.2 - 56	Hazing
18.2 - 56.1	Reckless handling of firearms
18.2 - 56.2	Allowing access to firearms by children
18.2 - 57	Assault and battery
18.2 - 57.01	Pointing a laser at law-enforcement officer
18.2 - 57.2	Assault and battery against a family or household member
18.2 - 58	Robbery
18.2 - 58.1	Carjacking
18.2 - 60	Threats of death or bodily injury
18.2 - 60.3	Felony stalking
18.2 - 61	Rape
18.2 - 63	Carnal knowledge of child between 13 and 15 years of age
18.2 - 64.1	Carnal knowledge of certain minors
18.2 - 64.2	Carnal knowledge of inmate, parolee, probationer, or pre-trial or post-trial offender

State Code	Offense
18.2 - 67.1	Forcible sodomy
18.2 - 67.2	Object sexual penetration
18.2 - 67.2:1	Marital sexual assault
18.2 - 67.3	Aggravated sexual battery
18.2 - 67.4	Sexual battery
18.2 - 67.4:1	Infected sexual battery
18.2 - 67.5	Attempted rape, forcible sodomy, object sexual penetration, aggravated sexual battery, and sexual battery
18.2 - 77	Burning or destroying dwelling house, etc.
18.2 - 79	Burning or destroying meeting house, etc.
18.2 - 80	Burning or destroying any other building or structure (valued at \$200 or more)
18.2 - 81	Burning or destroying personal property, standing grain, etc. (valued at \$200 or more)
18.2 - 82	Burning building or structure while in such building or structure with intent to commit felony
18.2 - 83	Threats to bomb or damage buildings or means of transportation, false information as to danger to such buildings, etc. (if person is older than 15 years of age)
18.2 - 84	Causing, inciting, etc., commission or acts described in 18.2 - 83 (if person is older than 15 years of age)
18.2 - 85	Manufacture, possession, use, etc. of fire bombs or explosive material or devices
18.2 - 86	Setting fire to woods, fences, grass, etc.
18.2 - 87	Setting woods, etc. on fire intentionally, where another's property is damaged or jeopardized
18.2 - 87.1	Setting of chemical bombs capable of producing smoke in certain public buildings
18.2 - 88	Carelessly damaging property by fire
18.2 - 286.1	Drive by shooting
18.2 - 289	Use of a machine gun in a crime of violence
18.2 - 290	Aggressive use of a machine gun
18.2 - 300	Use of a sawed-off shotgun in a crime of violence
18.2 - 314	Failing to secure medical attention for injured child
18.2 - 355	Pandering, taking, detaining, etc., person for prostitution, etc., or consenting thereto
18.2 - 361	Crimes against nature involving children
18.2 - 366	Incest
18.2 - 369	Abuse and neglect of incapacitated adults
18.2 - 370	Taking indecent liberties with children
18.2 - 370.1	Taking indecent liberties with child by person in custodial or supervisory relationship
18.2 - 371.1	Abuse and neglect of children
18.2 - 373	Obscene items enumerated
18.2 - 374	Production, publication, sale, possession, etc., of obscene items
18.2 - 374.1	Production, publication, sale, possession with intent to distribute, financing, etc., of sexually explicit items involving children
18.2 - 374.1:1	Possession of child pornography
18.2 - 374.3	Electronic facilitation of pornography
18.2 - 375	Obscene exhibitions and performances
18.2 - 376	Advertising, etc., obscene items, exhibitions or performances
18.2 - 376.1	Enhanced penalties for using a computer in certain violations
18.2 - 377	Placards, posters, bills, etc.
18.2 - 378	Coercing acceptance of obscene articles or publications
18.2 - 379	Employing or permitting minor to assist in offense under article.

State Code	Offense
18.2 – 474.1	Delivery of drugs to prisoners
18.2 – 477	Escape from jail
53.1 - 203	Felonies by prisoners
	Equivalent offense in another state