

**BEFORE THE ALABAMA BOARD OF NURSING**

**IN THE MATTER OF** ) **PETITION FOR A**  
 ) **DECLARATORY RULING**  
**UNIVERSITY OF SOUTH ALABAMA** )  
**COLLEGE OF NURSING** )  
 )

**Comes** now the Alabama Board of Nursing, by and through its Executive Officer, N. Genell Lee, RN, MSN, JD, and issues the following ruling.

**FINDINGS OF FACT**

1. On November 15, 2001, the Alabama Board of Nursing placed the University of South Alabama College of Nursing, Mobile, Alabama, on Approval With Deficiency. This was based upon the failure of two nurse faculty members to have graduate degrees in nursing as required by Alabama Board of Nursing Administrative Code §610-X-3-.08(3)(b)(3) which was effective May 23, 1997.
2. On January 19, 2002, the Alabama Board of Nursing received a notice of appeal dated January 3, 2002 from the University of South Alabama College of Nursing, Mobile, Alabama.
3. It was later clarified with the University of South Alabama College of Nursing, Mobile, Alabama, that while their January 3, 2002 letter used the word "appeal," it was their intent to seek relief from Alabama Board of Nursing Administrative Code §610-X-3-.08(3)(b)(3), through a declaratory ruling from the Board pursuant to Alabama Board of Nursing Administrative Code §610-X-1-.11.
4. The at the University of South Alabama College of Nursing, Mobile, Alabama, has submitted additional information relating to the educational preparation and credentials of the two faculty members at issue, Ms. Alice Godfrey and Ms. Suzanne DeWitt.
5. Ms. Alice Godfrey received a Master's Degree in 1971 in Public Health from the University of North Carolina at Chapel Hill. The public health nursing program at the University of North Carolina at Chapel Hill is housed in the School of Public Health. This program has been accredited by the National League for Nursing since 1970. Ms. Godfrey attended this program on a federally funded Public Health Nursing traineeship. Her advisor was a nurse, her clinical work was completed as a nurse with nurse faculty preceptors and she graduated with a major in public health nursing. Ms. Godfrey joined the University of South Alabama College of Nursing faculty in 1976 and has attained tenured status. She has been certified as a community health nurse by the Board on Certification for Community Health Nursing Practice since 1997.

6. Ms. Suzanne DeWitt holds a Master's Degree in Public Health from Tulane University, New Orleans, Louisiana. The public health nursing program at Tulane University was housed in the School of Public Health at the time Ms. DeWitt was enrolled. While at Tulane University, Ms. DeWitt had a nurse faculty advisor and was taught by Ph.D. prepared nurses. She completed an interdisciplinary care curriculum for Public Health Nursing as well as courses for a major in nursing. Ms. DeWitt joined the University of South Alabama College of Nursing faculty in 1975 and has attained tenured status.

### **CONCLUSIONS OF LAW**

1. The Board of Nursing has jurisdiction over the University of South Alabama College of Nursing pursuant to Alabama Code 1975, §34-21-21-2(c)(2).
2. The University of South Alabama College of Nursing is substantially affected by §610-X-3-.08(3)(b)(3) in that it has been placed on approval with deficiency status by the Alabama Board of Nursing due to the failure of two faculty members to meet the technical requirements of this rule.
3. The Alabama Board of Nursing has the authority pursuant to Alabama Board of Nursing Administrative Code §610-X-1-.11 to grant relief from a Board rule upon receipt of sufficient proof with respect to the applicability of the rule to any person or particular fact situation.
4. The University of South Alabama College of Nursing, Mobile, Alabama, has presented sufficient facts with regard to the educational preparation of the two faculty members at issue so as to warrant relief from §610-X-3-.08(3)(b)(3).

### **RULING**

The University of South Alabama College of Nursing is hereby placed on Full Approval status.

**DONE** and **ORDERED** this 13th day of March, 2002.

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**N. GENELL LEE, RN, MSN, JD**  
**EXECUTIVE OFFICER**  
**ALABAMA BOARD OF NURSING**