

Agenda Item #9.D.



STATE AND CONSUMER SERVICES AGENCY • ARNOLD SCHWARZENEGGER, GOVERNOR

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: September 3, 2009

TO: Board Members

FROM: Anne Powers, Ph.D., R.N.
Nursing Education Consultant

SUBJECT: Career Colleges of America, Southgate, Vocational Nursing Program – Consideration of Revocation of Provisional Accreditation and Removal from List of Accredited Vocational Nursing Programs (Director: Kelly Lyons, South Gate, Los Angeles County, Private)

On February 1, 2008, the Board placed the Career Colleges of America, Southgate, Vocational Nursing Program on provisional accreditation for the two-year period from February 1, 2008, through January 31, 2010. Subsequent to that action, the Career Colleges of America, Southgate, Vocational Nursing Program is presented to the Board for consideration of revocation of provisional accreditation and removal from the Board's *List of Accredited Vocational Nursing Schools*.

Section 2883 of the B&P Code states:

“It shall be the duty of the board, through an official representative, to inspect all schools of vocational nursing in this state at such times as the board shall deem necessary. Written reports of the representative's visits shall be made to the board, which shall thereupon approve as accredited such schools of nursing as meet the requirements provided by the board.

Upon receiving the report of the representative, if the board determines that any accredited school of vocational nursing is not maintaining the standard required by the board, notice thereof in writing specifying the defect or defects shall be immediately given to the school. If the defects are not corrected within a reasonable time, the school of nursing may be removed from the accredited list and notice thereof in writing given to it.”

The following table shows the variance of the program's pass rates from the state average annual pass rates of first time graduates of accredited vocational nursing programs for the past 17 quarters. These data substantiate the program's noncompliance with section 2530(l) of the Vocational Nursing Rules and Regulations. The program has failed to comply with the annual pass rate regulations for a total of 17 consecutive quarters. These 17 quarters reflect the entire pass rate history of the program since its inception.

NCLEX-PN® LICENSURE EXAMINATION PASS RATES			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Apr – Jun 2005	76%	28%	-48
Jul – Sep 2005	79%	25%	-54
Oct – Dec 2005	79%	19%	-60
Jan – Mar 2006	80%	36%	-44
Apr – Jun 2006	76%	33%	-43
Jul - Sep 2006	79%	57%	-22
Oct - Dec 2006	77%	59%	-18
Jan - Mar 2007	77%	57%	-20
Apr - Jun 2007	77%	65%	-12
Jul - Sep 2007	76%	60%	-16
Oct - Dec 2007	76%	57%	-19
Jan - Mar 2008	75%	54%	-21
Apr - Jun 2008	74%	46%	-28
Jul - Sep 2008	74%	33%	-41
Oct – Dec 2008	73%	30%	-43
Jan - Mar 2009	72%	29%	-43
Apr - Jun 2009	70%	29%	-41

History of Prior Board Actions

- On November 14, 2003, the Board approved Career Colleges of America, Southgate, Vocational Nursing Program's request to begin a full-time class of 30 students in Southgate, California on November 8, 2004, with a projected graduation date of January 21, 2005.

The Board also approved the program's curriculum for 1560 hours, including 600 theory and 960 clinical hours.

- On September 10, 2004, the Board approved initial full accreditation for the Career Colleges of America, Southgate, Vocational Nursing Program for the period September 10, 2004, through September 9, 2008, and issued a certificate accordingly.

The Board approved the program's request to admit 60 students into the full-time program starting January 24, 2005, only, to replace students graduating January 21, 2005; thereby increasing the number of students from 30 to 60 per class.

The Board also approved the program's request to admit 60 students into a second full-time program starting on September 13, 2004, only.

The director later notified the Board that the January 24, 2005, class start date was changed to February 14, 2005.

- On May 13, 2005, the Board approved the Career Colleges of America, Southgate, Vocational Nursing Program to admit 60 students in the full-time program on June 6, 2005, only, with a projected graduation date of August 3, 2006.

The Board also approved the program's request to admit 60 students in the full-time program on September 26, 2005, graduating on November 23, 2006.

- On August 17, 2005, the Board approved the Career Colleges of America, Southgate, Vocational Nursing Program's request to admit 60 full-time students starting January 23, 2006, to replace students graduating November 10, 2005

The Board approved the program's request to begin a third full-time class of 60 students starting on October 3, 2005, with a completion date of December 7, 2006.

The Board approved ongoing admissions to replace graduating classes, only, for the Career Colleges of America, Southgate, Vocational Nursing Program with the stipulation that no additional classes are added to the program's current pattern of admissions without prior Board approval. The program's current pattern of admissions includes one class admission every 4 months.

- On April 11, 2006, the director notified the Board that her responsibility as director for the Career Colleges of America Vocational Nursing Program campus had change and she would no longer be the director for the Career Colleges of America, San Bernardino and Los Angeles campuses.
- In May 2006, the director informed the Board that she would be leaving her position as director at the Career Colleges of America, Southgate, Vocational Nursing Program.
- On June 8, 2006, the Board notified the director that the pass rates for the Career Colleges of America, Southgate, Vocational Nursing Program had fallen below 10 percentage points of the state average annual pass rate for the past four quarters.
- On June 16, 2006, the Board was notified of a change of directors.
- On July 5, 2006 the Board was notified of a change of directors.
- On July 13, 2006, the new director submitted a written plan for improving the program pass rates.
- On July 17, 2006, the new director came to the Board headquarters for orientation.
- On July 21, 2006, the nursing education consultant requested the director re-submit a written plan to improve the pass rates by August 31, 2006.

- On August 30, 2006, the director requested an extension on the response to the Board regarding the requested plan to improve the low pass rates. The nursing education consultant requested the plan be submitted by October 15, 2006.
- On September 20, 2006, the Board notified the director that the pass rates for the Career Colleges of America, Southgate, Vocational Nursing Program had fallen below 10 percentage points of the state average annual pass rate for the past five quarters.
- October 10, 2006, the director submitted to the Board a strategic plan to improve pass rates.
- On December 13, 2006, the Board notified the director that the pass rates for the Career Colleges of America, Southgate, Vocational Nursing Program had fallen below 10 percentage points of the state average annual pass rate for the past six quarters.
- On March 15, 2007, the Board notified the director that the pass rates for the Career Colleges of America, Southgate, Vocational Nursing Program had fallen below 10 percentage points of the state average annual pass rate for the past seven quarters.
- In April 2007 the director submitted revisions of the evaluation methodology for student progress, instructional plan, course outlines and objectives.
- On May 9, 2007, the director reported on the implementation of the policy revisions and utilization of the Educational Resources, Inc. (ERI) testing program. To date this revision has facilitated assessment of baseline comparisons of student progression and early recognition of high-risk students. The policy revisions include the addition of the ERI tests as a formal diagnostic tool for student progress throughout all levels and the revised Evaluation Methodology for Student Progress as discussed in April 2007. Another policy revision involves the addition of an exit exam as part of graduation requirements, which will be effective for the next class start. The rationale for this revision was to administer a comprehensive exam after completion of Level IV in order to ensure the student's overall knowledge base. The policy allows for a failure on the first attempt, affording such students the choice of extending their expected completion date and sitting for the exam a second and final time within 30 days of the first attempt. Students who fail the exit exam are considered not to have met graduation requirements.
- On June 1, 2007, the director submitted program changes including updated text books and a summary of Instructional Plan hours for pediatrics and obstetrics.
- On June 30, 2007, the Board notified the director that the pass rates for the Career Colleges of America, Southgate, Vocational Nursing Program had fallen below 10 percentage points of the state average annual pass rate for the past eight quarters

and that on September 7, 2007, the program will be considered for provisional accreditation.

- On September 7, 2007, in the absence of a quorum, a committee of the Board heard the consultant's report recommending provisional status. The report will be presented at the February 2008 meeting for full Board action.
- On February 1, 2008, the Board placed the Career Colleges of America, Southgate, Vocational Nursing Program on provisional accreditation for the two-year period from February 1, 2008, through January 31, 2010 (see Attachment A).

The Board issued a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in section 2526.1(e) of the Vocational Nursing Rules and Regulations.

- On April 30, 2009, the Board representative sent an electronic communication to the program indicating that its average annual licensure examination pass rates for the past 16 quarters remain more than ten percentage points below the state average annual pass rate. The program is not in compliance with Section 2530(1) of the Vocational Nursing Rules and Regulations. The Board representative requested program and student information, due May 21, 2009.

The program director responded to the Board request on July 28, 2009.

Enrollment

The program has board approval to admit three classes per year to the 60 week full-time program.

The following table represent current and proposed student enrollment based on current and proposed class starts and completions. The enrollment table indicates a **maximum enrollment of 41 students** during the period October 2008 through April 2010.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
10/08		29	24	24
2/09		23	17	24+17 = 41
	2/10 (10/08 class)		-24	41 - 24 = 17
	4/10 (2/09 class)		-17	17 - 17 = 0

Licensing Examination Statistics

The following statistics, furnished by Pearson VUE, and published by the National Council of State Boards of Nursing as "Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction," for the period July 2007 through June 2009, specify the pass percentage rates for graduates of Career Colleges of America, Southgate, Vocational Nursing Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®).

NCLEX-PN® Licensure Examination Data						
Quarterly Statistics					Annual Statistics*	
Quarter	# Candidates	# Passed	% Passed	State Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate
Jul - Sep 2007	31	19	61%	76%	60%	76%
Oct - Dec 2007	16	6	38%	76%	57%	76%
Jan - Mar 2008	17	6	35%	75%	54%	75%
Apr - Jun 2008	28	11	39%	70%	46%	74%
Jul - Sep 2008	28	6	21%	74%	33%	74%
Oct - Dec 2008	16	4	25%	73%	30%	73%
Jan - Mar 2009	23	7	30%	70%	29%	72%
Apr - Jun 2009	23	9	39%	71%	29%	70%

*The Annual Pass Rate changes every quarter. It is calculated by dividing the number of candidates who passed during the current and previous three quarters by the number of candidates who tested during the same period.

Based on the most recent data available (April to June 2009) the program's average annual pass rate is 29%. The California average annual pass rate for graduates from accredited vocational nursing programs who took the NCLEX-PN® for the first time during the same period is 70%. The pass rate for the Career Colleges of America, Southgate, Vocational Nursing Program is 41 percentage points below the state average annual pass rate.

Faculty and Facilities

Section 2534(d) of the Vocational Nursing Rules and Regulations states:

“For supervision of clinical experience, there shall be a maximum of 15 students for each instructor.”

The current number of faculty, including the director, totals 23. The director has 100% administrative responsibility. Of the total faculty, 22 are approved to teach in the clinical area. For a maximum enrollment of 41 students, three (3) instructors are required for clinical supervision. Therefore, the current number of faculty is adequate for the current and proposed enrollment.

Section 2534 (b) of the Vocational Nursing Rules and Regulations states:

“Schools shall have clinical facilities adequate as to number, type and variety of patients treated, to provide clinical experience for all students in the areas specified by Section 2533. There must be available for student assignment, an adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught.”

The program has sufficient clinical facilities to afford the number, type and variety of patients that will provide clinical experience consistent with competency-based objectives and theory being taught.

Recommendations:

1. If Career Colleges of America, Southgate, Vocational Nursing Program fails to bring the average annual pass rate of its first-time graduates on the NCLEX-PN® to no more than ten percentage points below the State annual average pass rate by January 31, 2010:
 - a. Revoke the program’s accreditation, effective January 31, 2010.
 - b. Remove the program from the *List of Accredited Vocational Nursing Schools*.
2. If Career Colleges of America, Southgate, Vocational Nursing Program brings the average annual pass rate of its first-time graduates on the NCLEX-PN® to no more than ten percentage points below the State annual average pass rate by January 31, 2010, restore full accreditation in accordance with the notification dated March, 2008.

Rationale: The program has failed to demonstrate compliance with California Business and Professions Code, Division 2, Chapter 6.5, Article 4 and California Code of Regulations, Division 25, Chapter 1, Article 5 for the past 15 quarters.

If the program’s accreditation is revoked, 24 students admitted in October 2008 and 17 students admitted in February 2009 will remain. Their status is reflected in the table below.

Students Remaining After 1/31/10	
Start Date (#)	Completion Date
October 2008 (24)	February 2010
February 2009 (17)	May 2010

If the Board adopts recommendation #3, the following options are available for these students.

- a. Students may apply for admission to other programs, requesting transfer credit for previously completed theory and clinical instruction.
- b. Students with prior paid work experience may apply for vocational nurse licensure based on equivalent education and experience.

Attachment A: Notification of Change in Accreditation Status Dated March 12, 2008