

# Agenda Item #12.A.1.



STATE AND LOCAL AGENCY SERVICES DIVISION • GOVERNMENTAL AFFAIRS  
**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
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DATE: April 25, 2012

TO: Board Members

FROM: *Diane Oran*  
Diane Oran MN, RN, PMHNP-BC, CNS-BC  
Nursing Education Consultant

SUBJECT: Academy of English Language Vocational Nursing Program –  
Reconsideration of Provisional Approval (Director: VACANT, Los Angeles, Los  
Angeles County, Private)

The Academy of English Language, Los Angeles, Vocational Nursing Program is presented to the Board for reconsideration of provisional approval<sup>1</sup>. The Board initially placed the program on provisional approval for the one – year period from May 20, 2011 through May 31, 2012. That action was taken due to the program's noncompliance with Section 2530 (I) of the California Code of Regulations which states:

"The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.

- (1) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation."

The following table shows the variance of the program's pass rates from state average annual pass rates of first time graduates of approved vocational nursing programs for the past thirteen (13) quarters. This data substantiates the program's noncompliance with Section 2530(I) of the Vocational Nursing Rules and Regulations.

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<sup>1</sup> Prior to January 1, 2012, references in article 4 of the Vocational Nursing Practice Act and article 4 of the Psychiatric Technicians Law provided that the Board accredits all vocational nursing and psychiatric technicians programs. Pursuant to Business and Professions Code Sections 2883 and 4532 (Senate Bill 539, Chapter 338, Statutes of 2011), **accredit** was changed to **approve**. There was no change to the Board's authority or jurisdiction.

<b>NCLEX-PN® Licensure Examination Pass Rates</b>			
<b>Quarter</b>	<b>State Annual Average Pass Rate</b>	<b>Program Annual Average Pass Rate</b>	<b>Variance from State Annual Average Pass Rate</b>
Jan – Mar 2009	72%	40%	-32
Apr – Jun 2009	70%	33%	-37
Jul - Sep 2009	72%	23%	-49
Oct – Dec 2009	73%	21%	-52
Jan – Mar 2010	74%	11%	-63
Apr – Jun 2010	75%	0%	-75
Jun – Sep 2010	75%	0%	-75
Oct – Dec 2010	76%	0%	-76
Jan – Mar 2011	77%	0%	-77
Apr - Jun 2011	71%	0%	-71
Jul - Sep 2011	74%	0%	-74
Oct - Dec 2011	74%	33%	-41
Jan – Mar 2012	74%	100%	+26

### **History of Prior Board Actions**

- On January 11, 2007, the Executive Officer approved Academy of English Language's request to begin a vocational nursing program with an initial class of 40 students commencing January 15, 2007 only, with a projected graduation of August 2, 2008; **and** approved the program curriculum for 1560 hours, including 600 theory, and 960 clinical hours.
- On July 2, 2008, the Executive Officer approved initial accreditation for the Academy of English Language Vocational Nursing Program for the period July 2, 2008 through July 1, 2012, and issued a certificate accordingly.
- On August 13, 2008, the Executive Officer approved the program's request to admit a part – time class of 40 students on September 22, 2008, with an anticipated graduation date of May 3, 2010.

The program delayed commencement of that class until November 10, 2008.

- On September 17, 2008, the Executive Officer approved the program's request to admit a part – time class of 40 students on January 12, 2009, only.

The program delayed commencement of that class until April 20, 2009.

- On November 19, 2009, the assigned consultant recommended the director develop a plan to improve student achievement and the performance of program graduates on the NCLEX/PN.
- On December 21, 2009, the director submitted a plan to improve the performance of program graduates on the NCLEX/PN.

- On January 7, 2010, the Executive Officer approved the program's request to admit a part – time class of 20 students to commence January 11, 2010, graduating August 25, 2011; **denied** the program's request to admit a part – time class of 20 students commencing March 1, 2010, graduating October 14, 2011 at this time; **and required** the director to complete a comprehensive analysis of the program, identify program deficiencies, and submit a report that identifies program strengths and deficiencies, specifies steps to correct identified deficiencies, and presents a timeline for implementation. The report shall be due by February 15, 2010. The following elements must be addressed:
  - a. Current Student Enrollment.
  - b. Admission Criteria.
  - c. Screening and Selection Criteria.
  - d. Terminal Objectives.
  - e. Curriculum Objectives.
  - f. Instructional Plan.
  - g. Theory and Clinical Objectives for Each Course.
  - h. Lesson Plans for Each Course.
  - i. Textbooks.
  - j. Attendance Policy.
  - k. Remediation Policy.
  - l. Evaluations of Theory and Clinical Faculty.
  - m. Evaluations of Theory Presentations.
  - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - o. Evaluation of Student Achievement
- On December 8, 2010, the Board forwarded correspondence to the director advising that the program was scheduled for consideration of placement on provisional accreditation on May 20, 2011. Information was requested by February 15, 2011.
- On March 9, 2011, the Board received correspondence from the director dated March 4, 2011.
- On April 18, 2011, the Supervising Nursing Education Consultant (SNEC) forwarded correspondence to the director requesting the submission of documents for Board presentation.
- On May 20, 2011, the Board placed the Academy of English Language, Los Angeles, Vocational Nursing Program on provisional approval for a one - year period from May 20, 2011, through May 31, 2012, and 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 California Code of Regulations. The program was required to show documented progress, satisfactory to the Board to improve the effectiveness of instruction and program pass rates on the NCLEX/PN®, by **May 1, 2012**. If no progress has been shown, the Board may revoke accreditation.

Additionally, the program was required to submit a follow-up report in nine (9) months, but no later than **February 1, 2012**. The report shall include a comprehensive analysis

of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.

- a. Current Enrollment.
- b. Admission Criteria.
- c. Screening and Selection Criteria.
- d. Terminal Objectives.
- e. Curriculum Objectives.
- f. Instructional Plan.
- g. Theory and Clinical Objectives for Each Course.
- h. Lesson Plans for Each Course.
- i. Textbooks.
- j. Attendance Policy.
- k. Remediation Policy.
- l. Evaluations of Theory and Clinical Faculty.
- m. Evaluations of Theory Presentations.
- n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
- o. Evaluation of Student Achievement.

Failure to show progress is cause for revocation of provisional accreditation

The Board required the program to notify all enrolled students of actions taken by the Board relative to the program's accreditation status, and expected time for resolution. Further, the program was required to admit no additional students unless approved by the full Board. The program is also required to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526. Reconsideration of the program's provisional approval status was scheduled for the May 2012 Board meeting.

- **On June 21, 2011, the Board received electronic correspondence from Lilibeth Leynes advising of her resignation effective June 21, 2011.**
- On June 29, 2011, the Board forwarded to the director per certified and regular mail the Notice of Change in Accreditation Status. Required corrections were specified therein.
- On July 20, 2011, the Board received the Acknowledgement of Change in Accreditation Status signed by Dave O. Frias.
- On March 19, 2012, a certified letter was sent to the program requesting information required by Corrective Action #2 in the Notice of Change in Accreditation Status, dated June 29, 2011. Additionally, the program was advised that the Board was scheduled to reconsider the program's provisional approval at the May 2012 Board meeting.
- On March 21, 2012, the assigned consultant sent correspondence to the program per certified and regular mail requesting the assistant director to contact the assigned consultant.

- On March 26, 2012, the SNEC received electronic correspondence notifying the Board of a name and address change for the program.
- On March 28, 2012, a certified letter was sent to the new school address regarding the program's noncompliance with Corrective Action #2 in the Notice dated June 29, 2011. The director was requested to submit the required report. The report must include a comprehensive program analysis, specific actions taken to improve program pass rates, information verifying sufficient resources, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment to achieve the program's objectives as specified in California Code of Regulations Section 2530 (a). The letter further advised that the program was scheduled to appear at the May 11, 2012 Board meeting, at which time the Board would reconsider the program's provisional approval and continued noncompliance with regulatory requirements.
- On April 4, 2012, the Board sent a letter to Richfield College, per certified, regular, and electronic mail, requesting documents the program wished the Board to consider at the May Board meeting by April 11, 2012.
- On April 5, 2012, the Board received a letter from Michael Rahni, President, Richfield College, requesting: an extension of the current provisional accreditation for a minimum of six months to give the college adequate time to fully prepare its resources and facilities for BVNPT inspection and reivew; **and** the cancellation of the scheduled May 11, 2012 hearing; **and** the extension of the date for the program's preparation and submission of BVNPT requested documents for 90 days. Additionally, the president stated that Richfield College will submit new applications for its newly hired vocational nursing director as soon as the new director is contracted.
- On April 11, 2012, the Board sent correspondence to Mr. Rahni per certified, regular, and electronic mail, acknowledging receipt of his correspondence dated April 5, 2012.

### **Enrollment**

The program offers a part - time course of instruction that is 80 weeks in length. Prior Board approval is required for the admission of each class. The pattern of admissions for current and projected classes is seen in the enrollment table below.

The following table represents current and projected student enrollment based on class starts and completions. The table indicates a maximum enrollment of **27** students for the period from **January 2007 through August 2011**. **However, it is noted that information received from the president on April 5, 2012 states, "All its vocational nursing students completed their studies by the end of August 2012."** Therefore, it is unclear if students remain in the program at this time.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
1/07		27	20	20
	8/08 (1/07 Class)		-20	20 - 20 = 0
11/08		9	7	0 + 7 = 7
4/09		10	8	7 + 8 = 15
1/10		18	12	15 + 12 = 27
	6/10 (6/10 Class)		-7	27 - 7 = 20
	11/10 (4/09 Class)		-8	20 - 8 = 12
	8/11 (1/10 Class)		-12	12 - 12 = 0

### Licensing Examination Statistics

The following statistics, furnished by the 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 January 2009 through March 2012, specify the pass percentage rates for graduates of the Academy of English Language, Los Angeles, Vocational Nursing Program on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®).

NCLEX-PN® Licensure Examination Data						
Quarter	Quarterly Statistics				Annual Statistics*	
	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate
Jan - Mar 2009	5	2	40%	70%	40%	72%
Apr - Jun 2009	4	1	25%	71%	33%	70%
Jul - Sep 2009	4	0	0%	74%	23%	72%
Oct - Dec 2009	1	0	0%	76%	21%	73%
Jan - Mar 2010	No Candidates Tested			76%	11%	74%
Apr - Jun 2010	No Candidates Tested			74%	0%	75%
Jul - Sep 2010	No Candidates Tested			76%	0%	75%
Oct - Dec 2010	No Candidates Tested			77%	0%	76%
Jan - Mar 2011	2	0	0%	82%	0%	77%
Apr - June 2011	No Candidates Tested			0%	0%	76%
Jul - Sep 2011	No Candidates Tested			0	0%	76%

NCLEX-PN® Licensure Examination Data						
Quarterly Statistics				Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate
Oct - Dec 2011	1	1	100%	74%	33%	75%
Jan - Mar 2012	No Candidates Tested			77%	100%	74%

\*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. If no data is available for the relevant period, the statistic is carried over from the last quarter for which data is available.

Based on the most recent data available (January – March 2012), the program's average annual pass rate is 100%. It is noted that from January through December 2009, the program's average annual pass rate was **63** percentage points **below** the state average annual pass rate. The program had no candidates tested for the next four (4) consecutive quarters (January through December 2010).

Since January 2011, the program has had three (3) candidates tested. Of the total tested, one (1) candidate passed.

For the most current period (January – March 2012), the California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time is 74%. For the same period, the Academy of English Language Vocational Nursing Program's average annual pass rate is **26** percentage points **above** the state average annual pass rate. **However, it must be noted that the program's current average annual pass rate is based on the performance of one (1) candidate.**

### 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."

Based on a maximum enrollment of 27 students, two (2) instructors are needed. **To date, the program has failed to provide current information relative to its Board-approved faculty. That information is required to determine the adequacy of the program's faculty for the current and proposed enrollment in accordance with Sections 2529, 2530, and 2534 (d) of the California Code of Regulations.**

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."

To date, the program has failed to provide current information relative to clinical facilities at which students are assigned clinical rotations. That information is required to determine the adequacy of its Board – approved clinical facilities as to type and variety of patients treated to enable current and proposed students to meet clinical objectives in accordance with Section 2534(b) of the California Code of Regulations.

### Other Considerations

Academy of English Language, Los Angeles, was approved to commence a vocational nursing program with an initial class of 40 students commencing January 15, 2007. The program admitted 27 students. Of the total admitted, 74.1% (twenty (20) students) graduated in August 2008.

Program performance statistics published by the National Council of State Boards of Nursing specify that no program candidates completed the NCLEX/PN® during the period July 2008 through December 2008. During the period January 2009 through March 2009, five (5) program graduates completed the NCLEX/PN®. **It is important to note that of the program graduates from the initial class, 18.5% completed the NCLEX/PN®. Of the total initially tested, two (2) graduates passed for an average annual pass rate of 40%.** Since that time, the program's average annual pass rates have declined markedly.

The program's average annual pass rates have never been within 10 percentage points of state annual pass rates since the program began. The program's average annual pass rates have ranged from 0% for six (6) consecutive quarters to a high of 40% during the period January to March 2009. Since the program began, only **four (4)** program graduates have passed the NCLEX/PN exam.

On November 19, 2009, the assigned consultant recommended the director develop a plan to improve student achievement and the performance of program graduates on the NCLEX/PN®. On December 21, 2009, the Board received the program's plan of correction.

As specified therein, the director cited the following plan of correction.

➤ **Prerequisite Class.**

Applicants for program admission are required to complete a prerequisite course that includes Anatomy & Physiology - 20 hours; **and** Pharmacology (Basic Math, Systems of Measurements, Dosage Calculations, and a Mini Topic of Pharmacology) - 20 hours.

➤ **Admission Criteria.**

The program revised its Admission Criteria, discontinuing utilization of the Wonderlic. Applicants for program admission are required to complete the Test of Essential Academic Skills (TEAS).

➤ **Screening and Selection Criteria.**

Candidates for program admission are required to meet the following criteria:

1. Achieve a minimum score of 65% on the Test of Essential Academic Skills (TEAS).
2. Achieve a grade of 80% on the Anatomy & Physiology and Pharmacology components of the required prerequisite course.

➤ **Revised Terminal Objectives.**

Students are required to achieve a minimum score of 85% on the exit examination, as a condition of graduation.

➤ **Instructional Methods and Materials.**

1. The director identified that additional instructional aides were required. The program reported the purchase of additional instructional equipment, including, but not limited to, mannequins, software, and DVD's. Additionally, students were provided access to a computer lab seven (7) days a week.
2. The director reported students are required to complete a comprehensive NCLEX/PN exit examination effective with the class graduating June 2010.

➤ **Revised Attendance Policy.**

As reported, the program's attendance policy was revised to specify the maximum number of absences allowed.

➤ **Evaluation of Student Achievement.**

As presented, students are required to achieve a minimum score of 75% in each module prior to matriculation to the next module.

On December 8, 2010, the assigned consultant forwarded correspondence to the director advising that the program was scheduled for consideration of placement on provisional approval on May 20, 2011. Additional information was requested by February 15, 2011.

On March 9, 2011, the Board received the requested information. The director reported implementation of previously reported interventions.

On April 18, 2011, the SNEC forwarded correspondence to the director requesting the submission of documents for Board presentation.

On May 20, 2011, the Board considered the program's status. Submitted data verified that 64 students were admitted to the program from initial approval in January 2007 through January 2010. Of the total admitted, 35 students graduated. Thus, the program graduated

54.7% of students admitted. Of that total, only 45.7% program graduates had completed the NCLEX/PN. (See Attachment A)

Representatives of the program cited the programs stringent exit examination that required students to pass with a score of 85% or better as the rationale for the program's low rate of graduation. Reported NCLEX/PN performance statistics substantiated that, of the program graduates who had passed the school's exit examination and had actually taken the NCLEX/PN, 18.8% had passed and 81.2% failed. This raised further concerns relative to the quality of instruction gauged by the program's own exit exam results.

The Board placed the program on **provisional approval for the one – year period from May 20, 2011, through May 31, 2012. At that time, the program's quarterly pass rate was 0% and its average annual pass rate was 0%. Further, the program's average annual pass rates had been more than 10 percentage points below the state average annual pass rate for nine (9) consecutive quarters.**

The program was required to show documented progress satisfactory to the Board to improve the effectiveness of instruction and program pass rates on the NCLEX/PN<sup>®</sup> by **May 1, 2012. The Board specified that if no progress had been shown, the Board may revoke program approval.** The Board required the director's submission of a follow-up report in 9 months, but no later than **February 1, 2012**, relative to a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions.

**On June 21, 2011, the Board received electronic correspondence from Lilibeth Leynes advising of her resignation as program director effective June 21, 2011. (See Attachment B)**

On June 29, 2011, the Board forwarded to the director per certified and regular mail the Notice of Change in Accreditation Status. Required corrections were specified therein. (See Attachment C)

On July 20, 2011, the Board received documentation verifying the program's receipt of the Notice of Change in Accreditation Status. The Acknowledgement of Change in Accreditation Status was signed by Dave O. Frias, dated July 14, 2011. (See Attachment D)

Since placement on provisional approval, only one (1) program graduate completed the NCLEX-PN<sup>®</sup>. That student passed the examination.

On March 19, 2012 the assigned Nursing Education Consultant (NEC) and the SNEC attempted telephone communication with the program director. The receptionist referred Board representatives to Daniel Mainea. Pursuant to information provided at the May 20, 2011, Board meeting, Mr. Mainea is the owner and administrator of the Academy of English Language. **Mr. Mainea stated that the program was operating without a Director. He stated that the Assistant Director was operating the program and that the Assistant Director was available only in the evening, during the time students were present.**

Board representatives requested Mr. Mainea communicate to the Assistant Director a pressing need to contact the assigned consultant regarding the program's status.

Furthermore, on March 19, 2012 a certified letter was sent to the owner and assistant director advising that the program had failed to submit the report specified in Corrective Action #2 of the Notice of Change in Accreditation Status, dated June 29, 2011. Information was requested documenting program progress and a comprehensive program analysis. In addition, representatives were advised that the Board was scheduled to reconsider the program's provisional approval at the May 2012 Board meeting. (See Attachment E)

On March 21, 2012 the assigned consultant sent another certified letter to the owner and the Assistant Director relative to the program's lack of communication with Board representatives. The assistant director was requested to contact the assigned consultant as soon as possible. In addition, the consultant requested information regarding the program's actions to correct identified violations. (See Attachment F)

To date, the Board has received no correspondence or telephonic or electronic communication from the Assistant Director. Further, the program has failed to submit the report specified in Corrective Action #2 of the Notice of Change in Accreditation Status.

On March 26, 2012, the SNEC received an email from Ms. Leynes stating that the American Academy of English Language Vocational Nursing Program had been sold to Richfield Technology Corporation. Ms. Leynes attached a letter dated January 12, 2012 stating a new program name, location, and phone number. **The letter further stated that Ms. Leynes, the director, had plans to implement a new curriculum and wanted authorization to enroll new students** (see Attachment G). It is noted that the letter dated January 12, 2012 contains an incorrect address for delivery. Thus, the Board did not receive the correspondence.

The assigned consultant verified with the Bureau for Private Postsecondary Education that American Academy of English Language had been sold and was approved to operate as Richfield College. The Bureau for Private Postsecondary Education approved the program to operate as an accredited institution on October 13, 2011.

The assigned consultant telephoned Richfield College at the number provided at different times during the day and afternoon. Only a recorded message was available. A message was left requesting that Ms. Leynes call her assigned consultant.

**As noted previously, electronic correspondence from Ms. Leynes, on June 21, 2011, documents her resignation effective June 21, 2011. Furthermore, official records of the Board of Registered Nursing confirm issuance of a California Registered Nurse License to Ms. Leynes; that license expired on September 30, 2011 (see Attachment H). Further, the Board has neither received an application for nor approved Ms. Leynes as program director since her June 21, 2011 resignation.**

On March 28, 2012, the assigned consultant sent a certified letter to the new school address requesting the director's submission **of information required in Corrective**

**Action #2 of the Notice of Change in Accreditation Status dated June 29, 2011.** In addition, information was requested documenting resources, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment to achieve the program's objectives as specified in California Code of Regulations Section 2530 (a). The letter further advised that the program was scheduled to appear at the May 11, 2012 Board meeting to address continued noncompliance with regulatory requirements. (See Attachment I)

On April 4, 2012, the Board sent a letter via electronic and certified mail requesting program documents to be considered for the May Board meeting by April 11, 2012. (See Attachment J)

On April 5, 2012, the Board received correspondence from Michael Rahni, president of Richfield College requesting:

1. "The extension of our current provisional accreditation for a minimum of six months to give the college adequate time to fully prepare its resources and facilities for BVNPT inspection and review"
2. "The cancelation of the scheduled May 11, 2012 hearing"
3. "The extension of date for the preparation and the submission of BVNPT requested documentations for 90 days. Richfield College will submit new applications for its newly hired vocational nursing director as soon as the new director is contracted"

(See Attachment K)

On April 11, 2012, the Board sent correspondence to Mr. Rahni, per certified and regular mail, acknowledging receipt of his correspondence of April 5, 2012 and informing him that the program would remain on May 11, 2012 agenda. (See Attachment L)

Based on corrective actions specified in the Notice of Change in Accreditation Status and the program's lack of compliance, the following violations of the California Rules and Regulations are identified.

**Section 2526.1 (f) of the Vocational Nursing Rules and Regulations states:**

**"A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional accreditation."**

**Violation #1:** On June 21, 2011, the Board received electronic correspondence from Lilibeth Leynes advising of her resignation effective June 21, 2011.

On March 26, 2012, the SNEC received an email from Ms. Leynes stating that the American Academy of English Language Vocational Nursing Program had been sold to Richfield Technology Corporation. She attached a letter dated January 12, 2012 stating a new program name, location, and phone number. The letter further stated that Ms. Leynes, the director, had plans

to implement a new curriculum and wanted authorization to enroll new students.

The Board has neither received an application for nor approved Ms. Leynes as program director since her June 21, 2011 resignation. Furthermore, official records of the Board of Registered Nursing confirm issuance of a California Registered Nurse License to Ms. Leynes; that license expired on September 30, 2011.

**Plan of Correction #1:** This violation is **not corrected**.

**Section 2527 (a) of the Vocational Nursing Rules and Regulations states:**

**“The Board shall require such reports by schools and conduct such investigations as necessary to determine whether or not accreditation will be continued.”**

**Violation #2:** The program has failed to provide progress reports as required by Corrective Action #2 in the Notice of Change in Accreditation Status, dated June 29, 2011. Further, the program has failed to comply with other requests for information. As such, the program has failed to submit information required to determine program status.

**Plan of Correction #2:** This violation is **not corrected**.

**Section 2529 (b) of the Vocational Nursing Rules and Regulations states:**

**“Each vocational nursing program shall have one faculty member, designated as director who meets the requirements of subsection (c) (1) herein, who shall actively administer the program.”**

**Violation #3:** The program has been operating without a Board - approved director since June 21, 2011.

**Plan of Correction #3:** This violation is **not corrected**.

**Section 2530 (l) of the Vocational Nursing Rules and Regulations states:**

**“The program shall maintain a yearly average minimum pass rate on Licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.”**

**Violation #4:** The program's average annual pass rate has been more than ten (10) percentage points below the state average annual pass rate for thirteen (13) consecutive quarters. **Since the program's**

**inception, 17 students have taken the NCLEX/PN and four (4) have passed. As such 23.5% of program graduates passed; 76.5% failed.**

**Plan of Correction #4:** This violation is **not corrected**.

**Recommendations:**

1. Revoke the American Academy of English Language Vocational Nursing Program's provisional approval effective May 11, 2012.
2. Remove the program from the *List of Approved Vocational Nursing Schools*.

**Rationale:** As noted previously, the Board placed the Academy of English Language Vocational Nursing Program on provisional approval on May 20, 2011, for the one year period from May 20, 2011 through May 31, 2012. The program was required to show documented progress satisfactory to the Board to improve the effectiveness of instruction and program pass rates on the NCLEX/PN® by **May 1, 2012**. Further, the program was required to submit a comprehensive report by **February 1, 2012**. The Board stated that failure to show progress is cause for revocation of provisional approval. To date, the required report has not been submitted.

The Board received electronic information on March 26, 2012 from Lilibeth Leynes with a letter attached that claims that the Board was notified on January 12, 2012 that the program had moved. (See attachment G) The address on the letter indicates that it was sent to the wrong address and was never received by the Board. Further, the program has been requested to provide critical information required to determine the adequacy of program resources, faculty, clinical facilities, library, physical space, skills laboratory and equipment to achieve the program's educational objectives. To date, the program has failed to provide the requested information.

As noted previously, Ms. Leynes identified herself as the current program director. That information is in conflict with previously submitted program information. Specifically, Ms. Leynes forwarded correspondence reporting her resignation effective June 21, 2011. The Board has neither received an application for nor approved Ms. Leynes or other applicant as program director since the June 21, 2011 resignation. Furthermore, official records of the Board of Registered Nursing confirm issuance of a California Registered Nurse License to Ms. Leynes; that license expired on September 30, 2011. Therefore, she does not meet qualifications for director, as specified in California Code of Regulations Section 2529(c)(1).

In addition, it is noted that since the program began five (5) years ago in 2007, 64 students have enrolled in the program. **Of these 64 students enrolled, only seventeen (17) program graduates have taken the NCLEX/PN exam and only four (4) have passed.**

The four (4) violations presented represent egregious actions and a blatant disregard for program requirements specified in the California Code of Regulations. Such requirements ensure students are provided with an objective - based nursing education that enables graduates to pass the licensure examination and provide safe and effective care to assigned clients. Given the foregoing information, the program's continued approval poses a significant and unacceptable risk to the public.

- Attachment A: Board Report Dated May 3, 2011; Presented May 20, 2011.
- Attachment B: Program Electronic Correspondence Dated June 21, 2011.
- Attachment C: Notice of Change in Accreditation Status Dated June 29, 2011.
- Attachment D: Acknowledgement of Change in Accreditation Status, Dated July 14, 2011; Received July 20, 2011.
- Attachment E: Board Correspondence Dated March 19, 2012.
- Attachment F: Board Correspondence Dated March 21, 2012.
- Attachment G: Program Electronic Correspondence Dated March 26, 2012, with Attached Program Correspondence, Dated January 12, 2012.
- Attachment H: Board of Registered Nursing Record Dated March 26, 2012.
- Attachment I: Board Correspondence Dated March 28, 2012
- Attachment J: Board Correspondence Dated April 4, 2012.
- Attachment K: Program Correspondence Dated April 5, 2012.
- Attachment L: Board Correspondence Dated April 11, 2012.

# Agenda Item #12.A.1 Attachment A



STATE BOARD OF PROFESSIONAL AGENCIES • STATE BOARD OF NURSING • STATE BOARD OF PSYCHIATRIC TECHNICIANS  
**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945  
Phone (916) 263-7800 Fax (916) 263-7859 Web www.bvnpt.ca.gov



DATE: May 3, 2011

TO: Board Members

FROM: Cheryl C. Anderson, M. S., R. N.  
Supervising Nursing Education Consultant

SUBJECT: Academy of English Language Vocational Nursing Program –  
Consideration of Placement on Provisional Accreditation (Director: Lillibeth  
Leynes, Los Angeles, Los Angeles County, Private)

Academy of English Language, Los Angeles, Vocational Nursing Program is presented to the Board for consideration of placement on provisional accreditation.

In accordance with Section 2526.1(c) of the Vocational Nursing Rules and Regulations,

“The Board may place any program on provisional accreditation when a program does not meet all requirements as set forth in this chapter and in Section 2526...”

Section 2530(l) of the Vocational Nursing Rules and Regulations states:

“The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.

- (1) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation.”

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 nine (9) quarters. This data substantiates the program’s noncompliance with Section 2530(l) of the Vocational Nursing Rules and Regulations.

NCLEX-PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Jan – Mar 2009	72%	40%	-32
Apr – Jun 2009	70%	33%	-37
Jul - Sep 2009	72%	23%	-49
Oct – Dec 2009	73%	21%	-52
Jan – Mar 2010	74%	11%	-63
Apr – Jun 2010	75%	0%	-75
Jun – Sep 2010	75%	0%	-75
Oct – Dec 2010	76%	0%	-76
Jan – Mar 2011	77%	0%	-77

### History of Prior Board Actions

- On January 11, 2007, the Executive Officer approved Academy of English Language's request to begin a vocational nursing program with an initial class of 40 students commencing January 15, 2007 only, with a projected graduation of August 2, 2008; **and** approved the program curriculum for 1560 hours, including 600 theory, and 960 clinical hours.
- On July 2, 2008, the Executive Officer approved initial accreditation for the Academy of English Language Vocational Nursing Program for the period July 2, 2008 through July 1, 2012, and issued a certificate accordingly.
- On August 13, 2008, the Executive Officer approved the program's request to admit a part – time class of 40 students on September 22, 2008, with an anticipated graduation date of May 3, 2010.

The program delayed commencement of that class until November 10, 2008.

- On September 17, 2008, the Executive Officer approved the program's request to admit a part – time class of 40 students on January 12, 2009, only.

The program delayed commencement of that class until April 20, 2009.

- On November 19, 2009, the assigned consultant recommended the director develop a plan to improve student achievement and the performance of program graduates on the NCLEX/PN.
- On December 21, 2009, the director submitted a plan to improve the performance of program graduates on the NCLEX/PN.
- On January 7, 2010, the Executive Officer approved the program's request to admit a part – time class of 20 students to commence January 11, 2010, graduating August 25, 2011; **denied** the program's request to admit a part – time class of 20 students commencing March 1, 2010, graduating October 14, 2011 at this time; **and required**

the director to complete a comprehensive analysis of the program, identify program deficiencies, and submit a report that identifies program strengths and deficiencies, specifies steps to correct identified deficiencies, and presents a timeline for implementation. The report shall be due by February 15, 2010. The following elements must be addressed:

- a. Current Student Enrollment.
  - b. Admission Criteria.
  - c. Screening and Selection Criteria.
  - d. Terminal Objectives.
  - e. Curriculum Objectives.
  - f. Instructional Plan.
  - g. Theory and Clinical Objectives for Each Course.
  - h. Lesson Plans for Each Course.
  - i. Textbooks.
  - j. Attendance Policy.
  - k. Remediation Policy.
  - l. Evaluations of Theory and Clinical Faculty.
  - m. Evaluations of Theory Presentations.
  - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - o. Evaluation of Student Achievement
- On December 8, 2010, the Board forwarded correspondence to the director advising that the program was scheduled for consideration of placement on provisional accreditation on May 20, 2011. Information was requested by February 15, 2011.
  - On March 9, 2011, the Board received correspondence from the director dated March 4, 2011.
  - On April 18, 2011, the Supervising Nursing Education Consultant forwarded correspondence to the director requesting the submission of documents for Board presentation.

### **Enrollment**

The program offers a part - time course of instruction that is 80 weeks in length. Prior Board approval is required for the admission of each class. The pattern of admissions for current and projected classes is seen in the enrollment table below.

The following table represents **current and projected** student enrollment based on class starts and completions. The table indicates a **maximum enrollment of 27 students** for the period from **January 2007 through August 2011**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
1/07		27	20	20
	8/08 (1/07 Class)		-20	20 - 20 = 0
11/08		9	7	0 + 7 = 7
4/09		10	8	7 + 8 = 15
1/10		18	12	15 + 12 = 27
	6/10 (6/10 Class)		-7	27 - 7 = 20
	11/10 (4/09 Class)		-8	20 - 8 = 12
	8/11 (1/10 Class)		-12	12 - 12 = 0

### Licensing Examination Statistics

The following statistics, furnished by the 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 January 2009 through March 2011, specify the pass percentage rates for graduates of the Academy of English Language, Los Angeles, 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 Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate
Jan - Mar 2009	5	2	40%	70%	40%	72%
Apr - Jun 2009	4	1	25%	71%	33%	70%
Jul - Sep 2009	4	0	0%	74%	23%	72%
Oct - Dec 2009	1	0	0%	76%	21%	73%
Jan - Mar 2010	No Candidates Tested			76%	11%	74%
Apr - Jun 2010	No Candidates Tested			74%	0%	75%
Jul - Sep 2010	No Candidates Tested			76%	0%	75%
Oct - Dec 2010	No Candidates Tested			77%	0%	76%
Jan - Mar 2011	2	0	0%	82%	0%	77%

\*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. If no data is available for the relevant period, the statistic is carried over from the last quarter for which data is available.

Based on the most current data available (January – March 2011), the program's average annual pass rate is 0%. The California average annual pass rate for graduates from accredited vocational nursing programs who took the NCLEX-PN® for the first time is 77%.

It is noted that from January through December 2009, the program's average annual pass rate was **63** percentage points **below** the state average annual pass rate. The program had no candidates tested for the next four (4) consecutive quarters (January through December 2010). For the most current period (January – March 2011), the program's average annual pass rate is **77** 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 program's Board - approved faculty totals 16, including the program director. The director has 100% administrative duties. Of the total faculty, 15 are approved to teach in the clinical area.

Based on a maximum enrollment of 27 students, two (2) instructors are needed. Therefore, the number of current 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 clinical facilities that are adequate as to type and variety of patients treated to enable current and proposed students to meet clinical objectives, in accordance with Section 2534 (b) of the Vocational Nursing Rules and Regulations. This information has been verified by the consultant.

### **Other Considerations**

Academy of English Language, Los Angeles, was approved to commence a vocational nursing program with an initial class of 40 students commencing January 15, 2007. The program admitted 27 students. Of the total admitted, 74.1% (twenty (20) students) graduated in August 2008.

Program performance statistics published by the National Council of State Boards of Nursing specify that no program candidates completed the NCLEX/PN® during the period

July 2008 through December 2008. During the period January 2009 through March 2009, five (5) program graduates completed the NCLEX/PN®. It is important to note that of the total program graduates from the initial class, 18.5% completed the NCLEX/PN®. Of the total initially tested, two (2) graduates passed for an average annual pass rate of 40%. Since that time, the program's average annual pass rates have declined markedly.

On November 19, 2009, the assigned consultant recommended the director develop a plan to improve student achievement and the performance of program graduates on the NCLEX/PN®. On December 21, 2009, the Board received the program's plan of correction.

As specified therein, the director cited the following plan of correction.

➤ **Prerequisite Class.**

Applicants for program admission are required to complete a prerequisite course that includes Anatomy & Physiology - 20 hours; **and** Pharmacology (Basic Math, Systems of Measurements, Dosage Calculations, and a Mini Topic of Pharmacology) - 20 hours.

➤ **Admission Criteria.**

The program revised its Admission Criteria, discontinuing utilization of the Wonderlic. Applicants for program admission are required to complete the Test of Essential Academic Skills (TEAS).

➤ **Screening and Selection Criteria.**

Candidates for program admission are required to meet the following criteria:

1. Achieve a minimum score of 65% on the Test of Essential Academic Skills (TEAS).
2. Achieve a grade of 80% on the Anatomy & Physiology and Pharmacology components of the required prerequisite course.

➤ **Revised Terminal Objectives.**

Students are required to achieve a minimum score of 85% on the exit examination, as a condition of graduation.

➤ **Instructional Methods and Materials.**

1. The director identified that additional instructional aides were required. The program reported the purchase of additional instructional equipment, including, but not limited to, mannequins, software, and DVD's. Additionally, students were provided access to a computer lab seven (7) days a week.

2. The director reported students are required to complete a comprehensive NCLEX/PN exit examination effective with the class graduating June 2010.

➤ **Revised Attendance Policy.**

As reported, the program's attendance policy was revised to specify the maximum number of absences allowed.

➤ **Evaluation of Student Achievement.**

As presented, students are required to achieve a minimum score of 75% in each module prior to matriculation to the next module.

On December 8, 2010, the assigned consultant forwarded correspondence to the director advising that the program was scheduled for consideration of placement on provisional accreditation on May 20, 2011. Additional information was requested by February 15, 2011. (See Attachment A)

On March 9, 2011, the Board received the requested information (see Attachment B). The director reported implementation of previously reported interventions.

On April 18, 2011, the Supervising Nursing Education Consultant forwarded correspondence to the director requesting the submission of documents for Board presentation. (See Attachment C)

Based on submitted information and the performance of program graduates on the NCLEX-PN® from January 2009 through March 2011, the following violation of the California Rules and Regulations is identified.

**Section 2530(l) of the Vocational Nursing Rules and Regulations states:**

**“The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.**

- (1) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation.”**

**Violation #1:** The program's average annual pass rate has been more than ten (10) percentage points below the state average annual pass rate for nine (9) consecutive quarters.

Submitted data substantiates that a total of 64 students have been admitted to the program from initial commencement through January 2010. Of the total admitted, 35 students have graduated

through November 30, 2010. As such, the program has graduated 54.7% of the students admitted.

Of the total program graduates, 16 have completed the NCLEX/PN through the most recent reporting period (January – March 2011). Of those program graduates tested, three (3) graduates passed; thirteen (13) graduates failed. **As such, 18.8% of program graduates passed; 81.2% failed.**

**Plan of Correction:** This violation is **not corrected**. The violation will be corrected when the program's pass rates improve consistent with regulatory requirements.

**Recommendations:**

1. Place Academy of English Language, Los Angeles, Vocational Nursing Program on provisional accreditation for the two - year period from May 20, 2011, through May 31, 2013, and issue a notice to the program to identify specific areas of non compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (see Attachment E).
2. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate for four (4) consecutive quarters by May 31, 2013.
3. Require the program to show documented progress to improve program pass rates on the NCLEX/PN<sup>®</sup> by May 31, 2012.
4. Require the program to submit follow-up reports in 9 months, but no later than **February 1, 2012**, and 21 months, but no later than **February 1, 2013**. The reports shall include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
  - a. Current Enrollment.
  - b. Admission Criteria.
  - c. Screening and Selection Criteria.
  - d. Terminal Objectives.
  - e. Curriculum Objectives.
  - f. Instructional Plan.
  - g. Theory and Clinical Objectives for Each Course.
  - h. Lesson Plans for Each Course.
  - i. Textbooks.
  - j. Attendance Policy.
  - k. Remediation Policy.
  - l. Evaluations of Theory and Clinical Faculty.
  - m. Evaluations of Theory Presentations.
  - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.

o. Evaluation of Student Achievement.

Failure to show progress may be cause for reconsideration of provisional accreditation.

5. Schedule the program for reconsideration of provisional accreditation at the May 2012 Board meeting.
6. Require the program to admit no additional students unless approved by the full Board.
7. Require the program to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.

**Rationale:** The Board has serious concerns relative to the program's non-compliance with regulations for pass rates on the NCLEX-PN®.

As noted previously, the program has reported the admission of 64 students from initial commencement through December 31, 2010. Of the total admitted, 35 students graduated. Of the total program graduates, 40% have completed the NCLEX/PN; 18.8% of those tested through the most recent reporting period passed; 81.2% failed.

It is noted that the program had no candidates tested for four (4) consecutive quarters. However, based on the reported examination statistics for the past nine (9) consecutive quarters, placement on provisional accreditation is prudent.

Attachment A: Board correspondence dated December 8, 2010.

Attachment B: Program correspondence dated March 4, 2011; received March 9, 2011.

Attachment C: Board correspondence dated April 18, 2011.

Attachment D: Draft Notice of Change in Accreditation Status.

# Agenda Item #12.A.1. Attachment B

**Cheryl Anderson**

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**From:** Mark Dominic Ilio (md.ilio23@gmail.com)  
**Sent:** Tuesday, June 21, 2011 5:52 PM  
**To:** Anderson, Cheryl@DCA  
**Subject:** Cheryl Anderson

Dear Cheryl Anderson

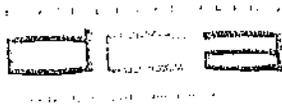
I'm tending my resignation as VN Program Director of Academy of English Language effective today 6/21/11

Thank You

Respectfully Yours,  
Lilibeth C. Leynes ✓

*Done  
6/22/11*

*Ofelia -  
Save her application.  
Do not pull file  
Thanks.  
Macinda*



**CERTIFIED MAIL**

June 29, 2011

Lilibeth Leynes, M.A., R.N.  
Director, Vocational Nursing Program  
Academy of English Language  
3470 Wilshire Boulevard, Suite 500  
Los Angeles, CA 90010

**Subject: Notice of Change in Accreditation Status**

Dear Ms. Leynes:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on May 20, 2011, the provisional accreditation status of the Academy of English Language, Los Angeles, Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the one – year period from May 20, 2011 through May 31, 2012. The purpose of this letter is to explain the areas of non-compliance found and the corrections required of your program to avoid losing accreditation completely.

Once you have reviewed this letter, please sign and return the enclosed "Acknowledgement of Change in Accreditation Status" form by **Friday, July 15, 2011**.

**AREAS OF NON-COMPLIANCE [VIOLATION(S)]**

In accordance with Section 2526.1(c) of title 16 of the California Code of Regulations,

"The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526..."

Section 2530(l) of title 16 of the California Code of Regulations states:

"The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.

- (i) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation."

The program pass rates of the Academy of English Language, Los Angeles, Vocational Nursing Program for the past nine (9) quarters are set forth in the following table:

NCLEX-PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Jan - Mar 2009	72%	40%	-32
Apr - Jun 2009	70%	33%	-37
Jul - Sep 2009	72%	23%	-49
Oct - Dec 2009	73%	21%	-52
Jan - Mar 2010	74%	11%	-63
Apr - Jun 2010	75%	0%	-75
Jun - Sep 2010	75%	0%	-75
Oct - Dec 2010	76%	0%	-73
Jan - Mar 2011	77%	0%	-77

Based on this data, the program failed to meet the annual average pass rate requirement.

**REQUIRED CORRECTION(S)**

1. The Academy of English Language Vocational Nursing Program must show documented progress satisfactory to the Board, to improve the effectiveness of instruction and program pass rates on the NCLEX/PN® by May 1, 2012. If no progress has been shown by then, the Board may revoke the program's accreditation completely.
2. The program is required to show documented progress by submitting a follow-up report in 9 months, but no later than February 1, 2012. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timelines for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis:
  - a. Current Enrollment.
  - b. Admission Criteria.
  - c. Screening and Selection Criteria.
  - d. Terminal Objectives.
  - e. Curriculum Objectives.
  - f. Instructional Plan.
  - g. Theory and Clinical Objectives for Each Course.
  - h. Lesson Plans for Each Course.
  - i. Textbooks.
  - j. Attendance Policy.
  - k. Remediation Policy.
  - l. Evaluations of Theory and Clinical Faculty.
  - m. Evaluations of Theory Presentations.

- n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
- o. Evaluation of Student Achievement

The program shall notify all enrolled students of actions taken by the Board relative to the program's accreditation status, and expected time for resolution.

3. Failure to show progress shall constitute cause for revocation of provisional accreditation.
4. The program shall admit no additional students unless specifically approved by the full Board.
5. The program shall comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.

Failure to take these corrective actions may cause the Board to revoke the program's accreditation. In the event additional violations of the accreditation standards are identified, such violations may result in further corrective action or revocation of provisional accreditation.

#### FUTURE BOARD ACTION

Your program will be placed on the May 2012 Board Meeting agenda, at which point the Board may revoke or extend the program's accreditation. If you have additional information that you wish considered beyond the required corrections listed on page 2, you must submit this documentation by the fifteenth day of the second month prior to the Board meeting.

#### OTHER IMPORTANT INFORMATION

Please be advised that, pursuant to the Board's regulations, the program will not be authorized to admit new classes beyond the established pattern of admissions previously approved by the Board. The established pattern of admissions approved by the Board is as follows: Prior Board approval was required for the admission of each class; however, based on the above corrections, the full Board's permission will be required for future class admissions.

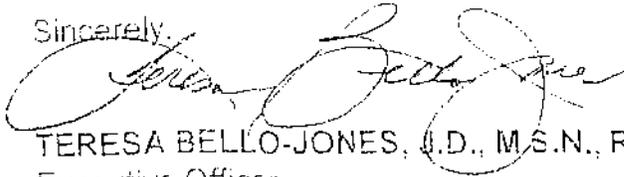
In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

The program may no longer advertise that it has full accreditation, and should take steps to correct any ongoing advertisements or publications in that regard.

A copy of title 16, California Code of Regulations, section 2526.1 regarding provisional accreditation is attached for your reference. A complete copy of the Board's laws and regulations can be found on the Board's web site at [www.bvnpt.ca.gov](http://www.bvnpt.ca.gov).

Should you have questions, please do not hesitate to contact the Board.

Sincerely,



TERESA BELLO-JONES, J.D., M.S.N., R.N.  
Executive Officer

Enclosures

cc: Board Members

TBJ:cca



## TITLE 16 CALIFORNIA CODE OF REGULATIONS

### Section 2526.1

#### 2526.1. Provisional Accreditation.

- (a) Provisional accreditation means a program has not met all requirements as set forth in this chapter and in Chapter 6.5, Division 2 of the Business and Professions Code.
- (b) Provisional accreditation shall be granted for a period determined by the Board.
- (c) The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526. If the program has not met all requirements at the end of the initial provisional accreditation period, provisional accreditation may be extended if the program demonstrates to the satisfaction of the Board a good faith effort to correct all deficiencies.
- (d) Any program holding provisional accreditation may not admit "new" classes beyond the established pattern of admissions previously approved by the Board. The admission pattern is defined by the number of students per class and the frequency of admissions for the six class admissions that immediately precede the Board action to consider provisional accreditation.
- (e) A program placed on provisional accreditation shall receive written notification from the Board. The notification to the program shall include specific areas of noncompliance and requirements for correction. A program's failure to correct delineated areas of noncompliance is cause for revocation of provisional accreditation.
- (f) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional accreditation.
- (g) A program whose provisional accreditation has been revoked shall be removed from the Board's list of accredited programs. The status of students as potential applicants for licensure will be determined by the Board.
- (h) A program that is removed from the Board's list of accredited programs subsequent to Board action based on the program's non-compliance with applicable regulations shall not reapply to establish a vocational nursing program for a minimum period of one calendar year.



## Acknowledgement of Change in Accreditation Status

I, \_\_\_\_\_, director of \_\_\_\_\_  
(Director's Name) Name of Program)

hereby acknowledge that this program's status has been changed from full accreditation to provisional accreditation. I understand that in accordance with Section 2526.1 (f) of the Vocational Nursing Rules and Regulations and Section 2581.1 (f) of the Psychiatric Technician Rules and Regulations, the Board will consider any advertisement of full accreditation while on provisional accreditation as "material misrepresentation of fact". "Material misrepresentation of fact" may lead to revocation of the program's accreditation. Further, I understand the program's provisional accreditation status will be reflected on the Board's internet website.

Please complete and return this form to the Board by July 15, 2011.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
(Signature of Director)

\_\_\_\_\_  
(Date)

# Agenda Item #12.A.1. Attachment D



STATE OF CALIFORNIA  
BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS  
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945  
Phone (916) 263-7800 Fax (916) 263-7859 Web www.bvnpt.ca.gov

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2011 JUN 18 PM 4:20

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BVNPT Received  
on 7-20-11 with KR

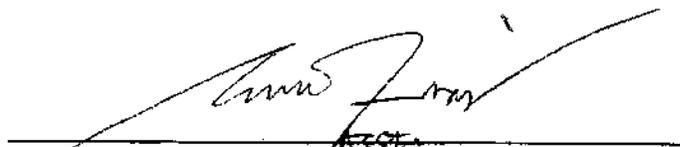
## Acknowledgement of Change in Accreditation Status

I, NEL DAVE O. FURAS, <sup>asst.</sup> director of ACADEMY OF ENGLISH LANGUAGE  
(Director's Name) Name of Program)

hereby acknowledge that this program's status has been changed from full accreditation to provisional accreditation. I understand that in accordance with Section 2526.1 (f) of the Vocational Nursing Rules and Regulations and Section 2581.1 (f) of the Psychiatric Technician Rules and Regulations, the Board will consider any advertisement of full accreditation while on provisional accreditation as "material misrepresentation of fact". "Material misrepresentation of fact" may lead to revocation of the program's accreditation. Further, I understand the program's provisional accreditation status will be reflected on the Board's internet website.

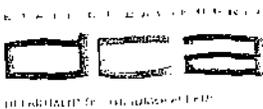
Please complete and return this form to the Board by July 15, 2011.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

  
(Signature of Director)

07/14/11  
(Date)

# Agenda Item #12.A.1. Attachment E



BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS  
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945  
Phone (916) 263-7800 Fax (916) 263-7866 | Web: www.bvnpt.ca.gov



March 19, 2012

Academy of English Language  
Vocational Nursing Program  
Nel Dave O. Frias  
Daniel Mainea  
3470 Wilshire Boulevard, Suite 500  
Los Angeles, CA 90010

CERTIFIED

Dear Mr. Frias and Mr. Mainea:

On May 20, 2011, The Academy of English Language, Los Angeles came before the Board of Vocational Nursing and Psychiatric Technicians. First, the Board placed the program on provisional accreditation for a one-year period from May 20, 2011, through May 31, 2012. Second, the Board required the program to show documented progress satisfactory to the Board to improve the effectiveness of instruction and program pass rates on the NCLEX/PN by May 1, 2012. Third, Academy of English Language, Los Angeles was required to show documented progress by submitting a follow-up report in nine months, **but no later than February 1, 2012** which was to include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. Failure to show progress is cause for revocation of provisional accreditation.

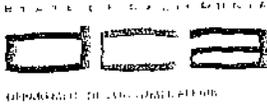
This letter serves to notify you that you are scheduled to appear at the May 10, 2012 Board meeting, to address your continued noncompliance with accreditation standards in Article 4 of the VN Practice Act, and Article 5 of the Board's Regulations. Revocation of provisional accreditation may be considered. Be prepared to answer questions from Board members at that time.

Should you have questions, please do not hesitate to contact me at (916) 263-7838

Sincerely,

Diane Oran, MN, RN, CNS-BC  
Nursing Education Consultant

# Agenda Item #12.A.1. Attachment F



STATE OF CALIFORNIA DEPARTMENT OF EDUCATION

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS  
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945  
Phone (916) 263-7800 Fax (916) 263-7866 | Web www.bvnpt.ca.gov



March 21, 2012

Academy of English Language  
Vocational Nursing Program  
Nel Dave O. Frias  
Daniel Mainea  
3470 Wilshire Boulevard, Suite 500  
Los Angeles, CA 90010

**CERTIFIED**

Dear Mr. Frias and Mr. Mainea:

On March 19, 2012, Supervising Nursing Education Consultant Cheryl Anderson and Nursing Education Consultant Diane Oran spoke to Mr. Mainea and requested that Mr. Frias call Ms. Oran regarding current violations. Violations included not having a current Director and failure to submit requested follow-reports by February 1, 2012. To date, Mr. Frias has not contacted the Board.

**This letter serves to update you that you are scheduled to appear at the May 11, 2012 Board meeting (not May 10, 2012), to address your continued noncompliance with accreditation standards in Article 4 of the VN Practice Act, and Article 5 of the Board's Regulations. Revocation of provisional accreditation may be considered. Be prepared to answer questions from Board members at that time.**

Should you have questions, please do not hesitate to contact me at (916) 263-7838

Sincerely,

Diane Oran, MN, RN, CNS-BC  
Nursing Education Consultant

## Agenda Item #12.A.1. Attachment G

Oran, Diane@DCA

---

**From:** Anderson, Cheryl@DCA  
**Sent:** Monday, March 26, 2012 5:08 PM  
**To:** Oran, Diane@DCA  
**Subject:** FW: Follow up from Richfield College (Former AEL)  
**Attachments:** BVNPT Letter.docx

**From:** AEL Nursing Program [[mailto:ael\\_nursing@yahoo.com](mailto:ael_nursing@yahoo.com)]  
**Sent:** Monday, March 26, 2012 3:00 PM  
**To:** Anderson, Cheryl@DCA  
**Cc:** [mrahni@yahoo.com](mailto:mrahni@yahoo.com)  
**Subject:** Follow up from Richfield College (Former AEL)

Dear Ms. Anderson,

Hope all is well,

Attached please find a copy of our previous communication to BVNPT regarding BPPE approval for ownership change, location change, and name change. To this date we have not recieved any reply from the board. We also previously submitted the modified and enhanced version of our nursing curricula for review and approval.

We have made a number of significant enhancements to our vocational nursing program and plan to enroll students under Richfield College in our new location. Since our accreditation status must be renewed by this May, it is very important for our college to start new classes so we can improve our passing rate at the new location and be able to return to full accreditation status .

Thanks for your help.

Regards

**Lilibeth Leynes, RN, MA Ed.**

VN Program Director  
Richfield College (former Academy of English Language)  
20855 Ventura Blvd. Suit 16  
Woodland Hills, CA 91364

[ael\\_nursing@yahoo.com](mailto:ael_nursing@yahoo.com)



Your Knowledge Partner for Life<sup>®</sup>

January 12, 2012

Cheryl C. Anderson  
Supervising Nursing Education Consultant  
Board of Vocational Nursing and Psychiatric Technicians  
2536 Capitol Oaks Drive, Suite 205  
Sacramento, CA 95833-2945

Dear Ms. Anderson:

Please be advised:

On October 12, 2011, Bureau For Private Post Secondary (BPPE) approved the applications filed by Academy of English Language (school code #1936931) for ownership change, location change, and name change. Consequently, Academy of English Language ownership, name, and location changed to the following:

New owner: Richfield Technology Corporation  
New Name: Richfield College (BPPE approved school code # 1936931)  
New Location:

Richfield College  
20855 Ventura Blvd. Suite 16  
Woodland Hills, CA 91364  
(818)888-6773 School Email: [information@richfieldinstitute.com](mailto:information@richfieldinstitute.com)

Richfield College plans to continue offering its Vocational Nursing Certificate Program at the new location. There has been no change to the curricula, director, instructors, facility resources, supplies, and equipment.

You are hereby requested to:

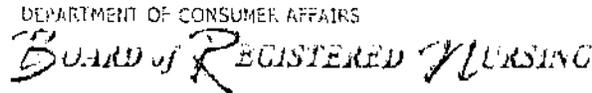
1. Update your records to reflect the above changes.
2. Provide a continuing authorization letter for Richfield College to start enrolling new students for the Vocational nursing Program.
3. Reinstate Richfield College to Accredited Status. Due to the above changes, specially the distance changes, we have been unable to have any significant role in helping the graduates from the former institute in their preparation for the LVN examination.
4. Based on BVNP expert advice, Richfield College has developed a new enhanced VN curriculum to be implemented. Please let me know about the best format and delivery method to send it to your attention.

We plan to offer the newly enhanced Vocational Nursing in our new location in March 2012

May of I take this opportunity to thank you and your staff for continuous support and guidance.

Regards.

Lilibeth C. Leynes, MS, RN, Director  
Vocational Nursing Program  
Richfield College  
20855 Ventura Blvd. Suite 16  
Woodland Hills, CA 91364



## BOARD OF REGISTERED NURSING

Licensee Name: LEYNES LILIBETH C  
License Type: Registered Nurse  
License Number: 499231  
License Status: EXPIRED [Definition](#)  
Expiration Date: September 30, 2011  
Issue Date: March 31, 1994  
County: SAN BERNARDINO  
Actions: No

### Related Licenses/Registrations/Permits

No records returned

### Disciplinary Actions

No information available from this agency

**This information is updated Monday through Friday - Last updated: MAR-26-2012**

#### **Disclaimer**

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**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945  
Phone (916) 263-7800 Fax (916) 263-7855 Web [www.bvnpt.ca.gov](http://www.bvnpt.ca.gov)



## CERTIFIED MAIL

March 28, 2012

Lilibeth Leynes  
Vocational Nursing Program  
Richfield College (formerly Academy of English Language)  
20855 Ventura Blvd. Suite 16  
Woodland Hills, CA 91364

**Subject: Richfield College, AKA Academy of English Language, Vocational Nursing Program**

Dear Ms. Leynes:

The Board of Vocational Nursing and Psychiatric Technicians (Board) acknowledges receipt of your electronic correspondence dated March 26, 2012. You reference program correspondence dated January 12, 2012, relative to the status of the **Academy of English Language, Los Angeles, Vocational Nursing Program**.

You report a change in ownership, name, and location. Specifically, you report the new owners, Richfield Technology Corporation, and the program's new name, Richfield College. You request the following.

1. A "continuing authorization letter to begin enrolling new students for the Vocational Nursing Program" at your new location.
2. Reinstatement of Richfield College to Accredited Status.
3. Method and format for delivery of "a new enhanced VN curriculum to be implemented."

Pursuant to the action of the Board on May 20, 2011, the status of the Academy of English Language, Los Angeles, Vocational Nursing Program was changed from full approval to provisional approval for the one – year period from May 20, 2011 through May 31, 2012. Reconsideration was scheduled for May 2012. That action was taken due to the program's noncompliance with requirements specified in the California Code of Regulations Section 2530 (l).

On June 29, 2011, the Board forwarded to the program a Notice of Change in Accreditation Status, per certified and regular mail. A copy of this document is attached for your reference. As specified therein, the program is required to show documented progress satisfactory to the Board, to improve the effectiveness of instruction and program pass rates on the NCLEX/PN<sup>®</sup> by May 1, 2012.

Additionally, the Board directed the program's completion of a comprehensive analysis to include specific elements in the Notice. The program was required to submit a

detailed written report to include the analysis, specific actions taken to improve program pass rates, timelines for implementation, and the effect of employed interventions by February 1, 2012.

You stated that you have developed a "new enhanced VN curriculum" and plan to enroll students under Richfield College at your new location. Further, you state, "...Since our accreditation status must be renewed by this May, it is very import for our college to start new classes so we can improve our passing rate at the new location and be able to return to full accreditation status." You requested information relative to the method and format for delivery of your new curriculum.

Since you have moved your program, the Board requires that the program shall have sufficient resources, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment to achieve the program's objectives. Please submit documents **no later than April 2, 2012** that:

- indicates the floor plan (including square footage) for faculty and support personnel space, all classrooms, skills lab, and storage space for equipment and supplies;
- indicates the seating capacity for students in all classrooms describes classroom materials and equipment.
- describes the number and placement of patient care units in the skills lab and the number of students usually accommodated per "patient unit";
- describes physical space to facilitate student concentration and learning of skills in the laboratory setting
- describes the program's system for word processing, copying, and communications;
- describes the library in terms of space, placement of study surfaces, list of references, hours of operation, oversight for student assistance and security;
- describes provisions for available support staff and services to support students and faculty

Given the Board's May 20, 2011 decisions relative to the program, please be advised of the following:

- a. The program's request to admit students must be approved by the full Board prior to the admission of classes.
- b. The change in program name and ownership does not change the Board's prior decisions relative to the program's status. The program remains on provisional approval.
- c. The method, format, and the address to which program information should be submitted are unchanged since the program's prior submissions. Accordingly, you may mail a hard copy of your program revisions and any information you wish the Board to consider at the address specified above.

Clarification is requested relative to the administration of the program. It is noted that your email and attached correspondence state you are the director of the program. That information is inconsistent with program information on file. Please provide current contact information to include a telephone number for the program, a telephone number for the director, and the director's email address.

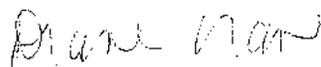
On March 19, 2012, Ms. Cheryl Anderson, Supervising Nursing Education Consultant, and myself spoke to Daniel Mainea. Mr. Mainea stated his position as owner of The Academy of English Language Vocational Nursing Program. Further, he stated that Nel Dave O. Frias, Assistant Director, was running the program. He stated that he would have Mr. Frias call the assigned Nursing Education Consultant. He made no mention of the ownership change. To date, no telephone calls have been forthcoming.

Ms. Anderson and I have telephoned Richfield College several times. We were unable to reach you or another representative. A recorded message was received each time we called. A voice message was left requesting you to telephone the Board as soon as possible. To date, a return call has not been received.

This letter serves to notify you that you are scheduled to appear at the May 11, 2012 Board meeting, to address the program's continued noncompliance with approval standards in Article 4 of the Business and Professions Code and Article 5 of the California Code of Regulations. At that time, the Board will render decisions on the status of your program. The Board may return full approval status; however, the Board may also extend or revoke the program's provisional approval. It is recommended that you be prepared to answer questions from Board members at that time. Any information that you wish the Board to consider must be received no later than Monday, April 2, 2011.

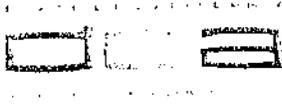
Should you have questions, please do not hesitate to contact me at (916) 263-7838

Sincerely,



DIANE ORAN, M.N., R.N., C.N.S. - B.C.  
Nursing Education Consultant  
Diane.Oran@dca.ca.gov

Enclosure



## CERTIFIED MAIL

June 29, 2011

Lilibeth Leynes, M.A., R.N.  
Director, Vocational Nursing Program  
Academy of English Language  
3470 Wilshire Boulevard, Suite 500  
Los Angeles, CA 90010

**Subject: Notice of Change in Accreditation Status**

Dear Ms. Leynes:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on May 20, 2011, the provisional accreditation status of the Academy of English Language, Los Angeles, Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the one – year period from May 20, 2011 through May 31, 2012. The purpose of this letter is to explain the areas of non-compliance found and the corrections required of your program to avoid losing accreditation completely.

Once you have reviewed this letter, please sign and return the enclosed "Acknowledgement of Change in Accreditation Status" form by **Friday, July 15, 2011**.

### AREAS OF NON-COMPLIANCE [VIOLATION(S)]

In accordance with Section 2526.1(c) of title 16 of the California Code of Regulations,

"The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526..."

Section 2530(l) of title 16 of the California Code of Regulations states:

"The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.

- (l) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation."

The program pass rates of the Academy of English Language, Los Angeles, Vocational Nursing Program for the past nine (9) quarters are set forth in the following table.

NCLEX/PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Jan – Mar 2009	72%	40%	-32
Apr – Jun 2009	70%	33%	-37
Jul - Sep 2009	72%	23%	-49
Oct – Dec 2009	73%	21%	-52
Jan – Mar 2010	74%	11%	-63
Apr – Jun 2010	75%	0%	-75
Jun – Sep 2010	75%	0%	-75
Oct – Dec 2010	76%	0%	-73
Jan – Mar 2011	77%	0%	-77

Based on this data, the program failed to meet the annual average pass rate requirement.

#### REQUIRED CORRECTION(S)

1. The Academy of English Language Vocational Nursing Program must show documented progress satisfactory to the Board, to improve the effectiveness of instruction and program pass rates on the NCLEX/PN® by **May 1, 2012**. If no progress has been shown by then, the Board may revoke the program's accreditation completely.
2. The program is required to show documented progress by submitting a follow-up report in 9 months, but no later than **February 1, 2012**. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timelines for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis:
  - a. Current Enrollment.
  - b. Admission Criteria.
  - c. Screening and Selection Criteria.
  - d. Terminal Objectives.
  - e. Curriculum Objectives.
  - f. Instructional Plan.
  - g. Theory and Clinical Objectives for Each Course.
  - h. Lesson Plans for Each Course.
  - i. Textbooks.
  - j. Attendance Policy.
  - k. Remediation Policy.
  - l. Evaluations of Theory and Clinical Faculty.
  - m. Evaluations of Theory Presentations.

- n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
- o. Evaluation of Student Achievement.

The program shall notify all enrolled students of actions taken by the Board relative to the program's accreditation status, and expected time for resolution.

- 3. Failure to show progress shall constitute cause for revocation of provisional accreditation.
- 4. The program shall admit no additional students unless specifically approved by the full Board.
- 5. The program shall comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.

Failure to take these corrective actions may cause the Board to revoke the program's accreditation. In the event additional violations of the accreditation standards are identified, such violations may result in further corrective action or revocation of provisional accreditation.

#### FUTURE BOARD ACTION

Your program will be placed on the May 2012 Board Meeting agenda, at which point the Board may revoke or extend the program's accreditation. If you have additional information that you wish considered beyond the required corrections listed on page 2, you must submit this documentation by the fifteenth day of the second month prior to the Board meeting.

#### OTHER IMPORTANT INFORMATION

Please be advised that, pursuant to the Board's regulations, the program will not be authorized to admit new classes beyond the established pattern of admissions previously approved by the Board. The established pattern of admissions approved by the Board is as follows: Prior Board approval was required for the admission of each class; however, based on the above corrections, the full Board's permission will be required for future class admissions.

In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

The program may no longer advertise that it has full accreditation, and should take steps to correct any ongoing advertisements or publications in that regard.

A copy of title 16, California Code of Regulations, section 2526.1, regarding provisional accreditation is attached for your reference. A complete copy of the Board's laws and regulations can be found on the Board's web site at [www.bvnpt.ca.gov](http://www.bvnpt.ca.gov).

Should you have questions, please do not hesitate to contact the Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa Bello-Jones", written in a cursive style. The signature is positioned above the printed name and title.

TERESA BELLO-JONES, J.D., M.S.N., R.N.  
Executive Officer

Enclosures

cc: Board Members

TBJ:cca



## TITLE 16 CALIFORNIA CODE OF REGULATIONS

### Section 2526.1

#### 2526.1. Provisional Accreditation.

- (a) Provisional accreditation means a program has not met all requirements as set forth in this chapter and in Chapter 6.5, Division 2 of the Business and Professions Code.
- (b) Provisional accreditation shall be granted for a period determined by the Board.
- (c) The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526. If the program has not met all requirements at the end of the initial provisional accreditation period, provisional accreditation may be extended if the program demonstrates to the satisfaction of the Board a good faith effort to correct all deficiencies.
- (d) Any program holding provisional accreditation may not admit "new" classes beyond the established pattern of admissions previously approved by the Board. The admission pattern is defined by the number of students per class and the frequency of admissions for the six class admissions that immediately precede the Board action to consider provisional accreditation.
- (e) A program placed on provisional accreditation shall receive written notification from the Board. The notification to the program shall include specific areas of noncompliance and requirements for correction. A program's failure to correct delineated areas of noncompliance is cause for revocation of provisional accreditation.
- (f) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional accreditation.
- (g) A program whose provisional accreditation has been revoked shall be removed from the Board's list of accredited programs. The status of students as potential applicants for licensure will be determined by the Board.
- (h) A program that is removed from the Board's list of accredited programs subsequent to Board action based on the program's non-compliance with applicable regulations shall not reapply to establish a vocational nursing program for a minimum period of one calendar year.



**Acknowledgement of Change in Accreditation Status**

I, \_\_\_\_\_, director of \_\_\_\_\_  
 (Director's Name) Name of Program)

hereby acknowledge that this program's status has been changed from full accreditation to provisional accreditation. I understand that in accordance with Section 2526.1 (f) of the Vocational Nursing Rules and Regulations and Section 2581.1 (f) of the Psychiatric Technician Rules and Regulations, the Board will consider any advertisement of full accreditation while on provisional accreditation as "material misrepresentation of fact". "Material misrepresentation of fact" may lead to revocation of the program's accreditation. Further, I understand the program's provisional accreditation status will be reflected on the Board's internet website.

Please complete and return this form to the Board by July 15, 2011.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
 (Signature of Director)

\_\_\_\_\_  
 (Date)

# Agenda Item #12.A.1. Attachment J



**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945  
Phone (916) 263-7800 Fax (916) 263-7855 Web www.bvnpt.ca.gov



## **CERTIFIED MAIL**

April 4, 2012

**Richfield College (formerly Academy of English Language)**  
Vocational Nursing Program  
Lilibeth Leynes  
20855 Ventura Blv. Suite 16  
Woodland Hills, CA 91364

### **Re: Consideration of Provisional Approval**

Dear Ms. Leynes:

The Board is scheduled to consider **Richfield College (formerly Academy of English Language)** relative to consideration of placement on provisional approval at its meeting scheduled May 11, 2012. That meeting will be held at the Embassy Suites Milpitas – Silicon Valley, in Milpitas, California.

To ensure dissemination and review by individual Board members and relevant staff for timely consideration prior to the May Board meeting, please submit the following written information by **Wednesday, April 11, 2012:**

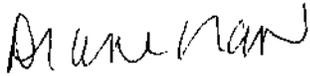
- Eighteen (18) copies of pertinent documents related to subsequent actions taken by the program to correct identified problems ***that you desire Board members to consider.*** Please remember existing statutes require that any document considered by the Board will become a public record. Accordingly, please redact all names of students.
- In addition, please provide information on a compact disc (CD) for Board use. Again, please remember to redact any student names prior to copying information onto the CD.

Although the primary purpose of this letter is to convey the Board's need for the copies, please be assured that, if timely submitted, any correspondence and attachments will be reviewed and, if appropriate, information submitted may be included in the report of the assigned consultant.

The Board strongly recommends that you plan to attend the meeting and be prepared to respond to questions from Board members relative to your program.

Please contact the Board at (916) 263-7843 should further clarification be needed.

Sincerely,

A handwritten signature in cursive script that reads "Diane Oran".

**Diane Oran, MN, RN, CNS-BC**

Nursing Education Consultant

Board of Vocational Nursing and Psychiatric Technicians

2535 Capitol Oaks Drive, Suite 205

Sacramento, CA 95833

(916) 263-7838 Phone

(916) 263-7866 Fax

Diane.Oran@dca.ca.gov



Your Knowledge Partner for Life®

April 5, 2012

Diane Oran, M.N., R.N., C.N.S.-B.C.

Nursing Education Consultant

Board of Vocational Nursing & Psychiatric Technicians

2535 Capitol Oaks Drive, Suite 205

Sacramento, Ca 95833-2945

(A certified mail copy of this email was sent on April 5, 2012)

**Subject: BVNPT letter of March 28, 2012 (three pages with no enclosure)**

Dear Ms. Oran,

Please accept this letter as our formal response to your letter of March 28, 2012 addressed to Ms. Lilibeth Leynes, our former Vocational Nursing Program Director. Ms. Leynes accepted a new position at a facility located out of state and resigned as of March 31, 2012. Due to the urgency of the letter, as the college president, I am communicating on behalf of Richfield College to BVNPT.

1. Mr. Dave O. Frias, our Assistant Program Director is currently acting as Richfield College's Vocational Nursing Program Director. The college has started a search for a new program director and will seek approval from BVNPT after its hiring process is completed.
2. Your letter of March 28, 2012 was received on April 2, 2012. The College, due to state holiday, was closed on Friday March 31,. Your letter has a deadline for Richfield Technology to submit a number of documents by April 2, 2012. I suspect this date is not correct. Please advise of the correct date.
2. As stated in our January 12 and March 19 letters, Richfield College applied and received BPPE approval for location change, name change, and ownership change. Based on the approval by BPPE, Richfield Technology Corporation purchased Academy of English Language from Academy of English language Inc. , changed its name, and relocated its campus to Woodland Hills, California.
3. Ms. Lilibeth Leynes, the Vocational Nursing Program Director moved to Richfield College and started the necessary process for setting up the lab, purchase of additional supplies, locating and contracting additional facilities, interviewing for new local instructors, and communicating with BVNPT to ensure Richfield College's full compliance with the laws and regulations.

4. Prior to the submission of the applications for change of location, name, and ownership to BPPE, Academy of English Language completed its Vocational Nursing Program. All its vocational nursing students completed their studies by the end of August 2012. Academy of English Language did not enroll any new vocational Nursing students and had no enrolled students at the time of location change to ensure proper transfer to Valley location.

5. In order to assist Academy of English Language's former vocational nursing graduates to pass the state licensure and to improve the college's overall passing rates, Richfield College made an agreement with Academy of English Language Inc. to provide free access to Kaplan's review course and platform at no charge. It was agreed that Academy of English Language Inc. uses the remaining balance of students' tuitions to pay for Kaplan services. It was further agreed that Mr. Dave O. Frias, Academy of English Language Assistant Vocational Nursing Director, and Richfield College's current acting director, to continue to work, on a need basis, at Academy of English Language Inc. in Mid-Wilshire to coordinate and to help Academy of English Language's former students with their NCLEX-RN review sessions.

6. Due to location change, equipment updates, and other issues related to relocation, I suspect, your left voice messages to Richfield College were not received and retrieved properly. Unfortunately, Richfield College did not receive any formal communication from BVNPT by letter or in writing except the current letter received on April 2, 2012.

7. The calls made to former school location and the conversation with the former owner, Mr. Daniel Mainea, was never communicated to Richfield College. I suspect this caused some confusions requiring clarification.

8. Richfield College has not completed its full relocation process to this date. The college is doing the following:

- a. Conducting interviews for a new program director and new local instructors
- b. Contacts with local facilities in Woodland Hills to be ready to serve our students after BVNPT approval
- c. A complete overhaul of the nursing lab including the purchase of new equipment and supplies to be ready for new enrollment.
- d. The preparation of the documents required for our vocational nursing program operations and the submission of all required documents to BVNPT for authorization to enroll new students.

Please be advised, as a new owner, in a new facility, with many processes to complete, Richfield College is not able to complete and submit all the requested documentations in a short period, and to attend the BVNPT hearing set for May 11, 2012. There are many tasks still in process.

I understand our current provisional accreditation status requires full board's approval for new student enrollment. Therefore the extension of our provisional accreditation status will not change our current position.

We are hereby requesting BVNPT the following to ensure Richfield College's full and timely preparation and compliance:

1. The extension of our current provisional accreditation for a minimum of six month to give the college adequate time to fully prepare its resources and facilities for BVNPT inspection and review.
2. The cancelation of the scheduled May 11, 2012 hearing.
3. The extension of date for the preparation and the submission of BVNPT requested documentations for 90 days. Richfield College will submit new applications for its newly hired vocational nursing director as soon as the new director is contracted.

As an educator with over thirty years of outstanding service at higher education in California, I appreciate your service to our state and our citizens.

Let me take this opportunity also to thank you and other members of BVNPT staff and consultants for the outstanding service you provide to our higher education in California.

At Richfield College, we strive to ensure our full compliance with all laws and regulations and to provide high quality education to our community of learners.

I welcome you to visit our campus at your convenience so we can benefit from your expert advice. Please call my cell phone (818) for additional information.

I have attached a scanned copy of Richfield College BPPE's approval program list for your information.

Regards,

Dr. Michael Rahni

President, Richfield College

mrahni@yahoo.com, Cell (818)235-2025

20855 Ventura Blvd Suite 16, Woodland Hills, CA 91364 ▪ 818.888.6773 ▪  
[information@richfieldcollege.com](mailto:information@richfieldcollege.com) ▪ [www.richfieldcollege.com](http://www.richfieldcollege.com)

# Agenda Item #12.A.1. Attachment L



STATE AND EDUCATION DEPARTMENT AGENCY • GOVERNOR EDUARDO RUIZ BROWNE JR.  
**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945  
Phone (916) 263-7800 Fax (916) 263-7855 Web [www.bvnpt.ca.gov](http://www.bvnpt.ca.gov)



## CERTIFIED MAIL

April 11, 2012

Dr. Michael Rahni, President  
Richfield College  
20955 Ventura Blvd Suite 16  
Woodland Hills, CA 91364

**Subject:** *Richfield College Vocational Nursing Program*

Dear Mr. Rahni:

The Board of Vocational Nursing and Psychiatric Technicians (Board) is in receipt of your letter dated April 5, 2012, relative to the **Richfield College, also known as Academy of English Language, Vocational Nursing Program**. Specifically, you request the following:

1. Extension of the current provisional accreditation for a minimum of six months to give the college adequate time to fully prepare its resources and facilities for BVNPT inspection and reiew.
2. The cancellation of the scheduled May 11, 2012 hearing.
3. The extension of the date for the preparation and submission of BVNPT requested documentations for 90 days. Richfield College will submit new applications for its newly hired vocational nursing director as soon as the new director is contracted.

Additionally, you report the resignation of Ms. Lilibeth Leynes as program director, effective March 31, 2012. You state that Mr. Dave O. Frias, your Assistant Director is currently acting as Richfield College's Vocational Nursing Program Director.

The Board placed the Richfield College (formerly Academy of English Language) Vocational Nursing Program on provisional approval on May 20, 2011, for a one – year period from May 20, 2011 through May 31, 2012. That action was taken due to the program's noncompliance with requirements specified in California Code of Regulations Section 2530 (I). At that time, pass rates for the program's graduates on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®) had been more than ten (10) percentage points below state average annual pass rates for nine (9) consecutive quarters. Reconsideration of the program's provisional approval was scheduled for the Board's May 2012 meeting. The program was represented by Dave O. Frias, Assistant Director, and Daniel Mainea, owner.

On June 29, 2011, the Board forwarded a Notice of Change in Accreditation Status to the program per certified and regular mail. The Notice communicated to the program required corrective actions and due dates for submission of required reports. On July 20, 2011, the Board received documentation verifying the program's receipt of the Notice. The Acknowledgement of Change in Accreditation Status was signed by Dave O. Frias, Assistant Director, and dated July 14, 2011. Copies of the Notice and signed Acknowledgement of Change in Accreditation Status are enclosed for your reference.

You note that the Board's letter of March 28, 2012 specified a deadline of April 2, 2012, the date of program receipt. You request an extension for 90 days to allow the program to prepare and submit requested documentation.

As noted previously, the Board's Notice of Change in Accreditation Status, dated June 29, 2011, specified areas of noncompliance and corrections required of your program to avoid losing accreditation completely. Those corrections included, but were not limited to, the following.

1. The Academy of English Language Vocational Nursing Program must show documented progress satisfactory to the Board, to improve the effectiveness of instruction and program pass rates on the NCLEX/PN® by **May 1, 2012**. If no progress has been shown by then, the Board may revoke the program's accreditation completely.
  
2. The program is required to show documented progress by submitting a follow-up report in 9 months, but no later than **February 1, 2012**. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timelines for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis:
  - a. Current Enrollment.
  - b. Admission Criteria.
  - c. Screening and Selection Criteria.
  - d. Terminal Objectives.
  - e. Curriculum Objectives.
  - f. Instructional Plan.
  - g. Theory and Clinical Objectives for Each Course.
  - h. Lesson Plans for Each Course.
  - i. Textbooks.
  - j. Attendance Policy.
  - k. Remediation Policy.
  - l. Evaluations of Theory and Clinical Faculty.
  - m. Evaluations of Theory Presentations.
  - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - o. Evaluation of Student Achievement.

The program shall notify all enrolled students of actions taken by the Board relative to the program's accreditation status, and expected time for resolution.

The program failed to submit the report by February 1, 2012, as required in Corrective Action #2. On March 19, 2012, the Board forwarded correspondence per certified and

regular mail to the Board - approved assistant director, and owner of record advising of the program's noncompliance with Corrective Action #2 of the Notice of Change in Accreditation Status, dated June 29, 2011. On March 26, 2012, the Board received electronic correspondence reporting the program's new ownership and change in location. On March 28, 2012, the Board forwarded correspondence to the program at the newly reported address. Submission of the required report was requested by April 2, 2012.

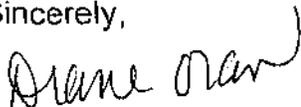
Please be advised that neither the program's change in ownership, nor location, nor the April 2, 2012 date specified in the Board's March 28, 2012 correspondence negate the program's required compliance with the Board's Notice. The purpose of the Board's correspondence was to inform program administrators of the program's noncompliance with Corrective Action #2. In no way was the original deadline for submission of the report extended. Given this information and the program's signed Acknowledgement of Change in Accreditation Status, the Board is unable to approve the requested 90 - day extension.

Richfield College (formerly Academy of English Language) Vocational Nursing Program will remain on the agenda for the May 11, 2012 Board meeting. The meeting will be held at the Embassy Suites in Milpitas, California. At that time, the Board will be presented with information regarding the program's continued noncompliance. The Board may continue the program's provisional approval or revoke approval.

The Board strongly recommends that a representative plan to attend the Board meeting. Further, it is recommended that the representative be prepared to respond to questions from Board members relative to your program.

Please contact the Board should further information be needed.

Sincerely,



**DIANE ORAN, MN, RN, CNS-BC**  
Nursing Education Consultant

Enclosures



## DECLARATION OF SERVICE BY MAIL

**Program Name:** Richfield College Vocational Nursing Program  
**Program Director:** Vacant, Director **Email Address:** [ael\\_nursing@yahoo.com](mailto:ael_nursing@yahoo.com)  
**Address:** 3470 Wilshire Boulevard, Suite 500 Los Angeles, CA 90010 **Fax #:** 213-383-9768

I declare:

I am employed in the County of Sacramento, California, I am over the age of 18, and not a party to the within action. My business address is 2535 Capitol Oaks Drive, Suite 205, Sacramento, California 95833-2945.

On April 11, 2012, I served the following document(s) described as: Response to Request from Richfield College LVN program (dated 4/5/11-for extension of prov. Accr.- Cancellation of 5/11/12 hearing - extension of due date for documents) with attachments

By causing to be delivered a true and correct copy thereof to the addressee(s) as follows:

**VIA U.S. MAIL:**

By placing a copy in each of two separate sealed envelopes with postage thereon fully prepaid and causing them to be deposited in the mail at Sacramento, California for delivery by way of Certified Mail and First Class Mail.

**Certified Mail Number:** 7011 2970 0003 8721 7953

**VIA PERSONAL SERVICE:**

I myself, or a designated courier, delivered such document(s) by hand to the offices of the addressee.

**VIA FACSIMILE:**

Such document(s) were transmitted to the facsimile number(s) listed above. The facsimile machine I used was in working order and no communication or delivery error was reported by the machine.

**VIA ELECTRONIC TRANSMISSION:**

I caused the documents to be sent to the persons at the e-mail address listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that my transmission was unsuccessful.

*I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This declaration was executed at Sacramento, California on April 11, 2012.*

Melinda Collins  
(Typed Staff Name)

(Staff Signature)