Agenda Item #5.E.1.A

STATE OF CALIFORNIA
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DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945
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DATE: October 15, 2013

TO: Board Members

FROM: Pam Hinckley, R.N., M.S.N.
Nursing Education Consultant

SUBJECT: Palladium Technical Academy Vocational Nursing Program – Reconsideration of Revocation; Reconsideration of Request to Admit Students (Director: **VACANT,** El Monte, Los Angeles County, Private)

The Education Division Report on the Palladium Technical Academy Vocational Nursing Program summarizes the Board's prior action revoking provisional approval and includes program licensing examination statistics, other relevant information, and the school's request for reconsideration of revocation and reconsideration of their request for approval to admit students. The report with relevant items are attached to this memorandum.

On September 13, 2013, a report relative to the Palladium Technical Academy Vocational Nursing Program was considered by less than a quorum of the full Board (see **draft** September 13, 2013, Board Meeting Minutes, attached to Agenda Item #5). The recommendation from that meeting was to accept the report and adopt the recommendation without change.

On October 4, 2013, the Board received correspondence from Amir Shafe, School Director. Specifically, Mr. Shafe voiced disagreement with the recommendation as adopted. A copy of that correspondence is attached (see Attachment B).

Attachment A: Agenda Item #11.A.1.Palladium Technical Academy Vocational Nursing Program – Reconsideration of Revocation; Reconsideration of Request to Admit Students, Dated August 28, 2013.

Attachment B: Correspondence from Amir Shafe, Director, Palladium Technical Academy, dated October 3, 2013; Received October 4, 2013.

Agenda Item #11.A.1.

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DATE: August 28, 2013

TO: Board Members

FROM: Pam Hinckley, R.N., M.S.N.
Nursing Education Consultant

SUBJECT: Palladium Technical Academy Vocational Nursing Program – Reconsideration of Revocation; Reconsideration of Request to Admit (Director: **VACANT,** El Monte, Los Angeles County, Private)

On November 9, 2012, the Board revoked approval of the Palladium Technical Academy Vocational Nursing Program effective December 31, 2012, and directed that the program be removed from the *List of Approved Vocational Nursing Schools.* That action was taken due to the program's continued noncompliance with regulatory requirements set forth in the California Rules and Regulation, Section 2530(l) 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."

Correspondence informing the program of the Board's decisions was forwarded on November 13, 2012.

In February 2013, the assigned consultant received a telephone call from Amir Shafe, School Director. Mr. Shafe requested reconsideration of the Board's decision.

On May 9, 2013, the assigned consultant received correspondence from Mr. Shafe, requesting to be placed on the September Board agenda for reconsideration of the program's revocation.

On June 14, 2013, the Board received correspondence from the program requesting approval to admit a class of 15 students commencing on January 6, 2014; graduating on March 19, 2015. This class would **replace** the class that graduated December 2012.

History of Prior Board Actions

(See Attachment A, History of Board Action)

Enrollment

Based upon information submitted by the previous director, the program graduated its last class of 13 graduates in December 2012. No students are currently enrolled.

The table indicates **a maximum enrollment of 64 students** for the period **May 2008 through December 2012.**

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
5/08		30	27	**27**
	5/09 (5/08 Class)		-27	27 – 27 = **0**
7/09		45	39	0 + 39 = **39**
3/10 (AM Class)		30	25	39 + 25 = **64**
	10/10 (7/09 Class)		-39	64 – 39 = **25**
	6/11 (3/10 AM Class)		-25	25 – 25 = **0**
6/11 (PM Class)		16	14	0 + 14 = **14**
10/11 (AM Class)		15	13	14 + 13 = **27**
	8/12 (6/11 PM class)		-14	27 – 14 = **13**
	12/12 (10/11 AM Class)		-13	13 – 13 = **0**
1/14 **(Proposed)**	3/15	15		0 + 15 = **15**

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 July 2009 through

June 2013, specify the pass percentage rates for graduates of the Palladium Technical Academy, 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	Variance From State Average Annual Pass Rate
Jul - Sep 2009	4	1	**25%**	74%	**25%**	72%	**-47**
Oct - Dec 2009	12	4	**33%**	76%	**31%**	73%	**-42**
Jan - Mar 2010	2	1	**50%**	76%	**33%**	74%	**-41**
Apr - Jun 2010	4	0	**0%**	74%	**27%**	75%	**-48**
Jul - Sep 2010	**No Candidates Tested**			76%	**28%**	75%	**-47**
Oct - Dec 2010	2	1	**50%**	77%	**25%**	76%	**-51**
Jan – Mar 2011	12	7	**58%**	80%	**44%**	77%	**-33**
Apr – Jun 2011	9	3	**33%**	71%	**48%**	76%	**-28**
Jul – Sep 2011	3	0	**0%**	74%	**42%**	76%	**-34**
Oct – Dec 2011	12	3	**25%**	74%	**36%**	75%	**-39**
Jan – Mar 2012	5	0	**0%**	77%	**21%**	74%	**-53**
Apr – Jun 2012	3	0	**0%**	72%	**13%**	74%	**-61**
Jul – Sep 2012	5	0	**0%**	74%	**12%**	74%	**-62**
Oct – Dec 2012	**No Candidates Tested**			75%	**0%**	74%	**-62**
Jan – Mar 2013	**No Candidates Tested**			75%	**0%**	73%	**-73**
Apr – Jun 2013	3	2	**67%**	78%	**25%**	73%	**-48**

*The Average 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.

This data substantiates the program's **noncompliance** with Section 2530 (l) of the Vocational Nursing Rules and Regulations for the period **July 2009 through June 2013.**

Based on the most current data available (April through June 2013), the program's average annual pass rate is **25%.** The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time is **73%**. The average annual pass rate for the Palladium Technical Academy, Vocational Nursing Program is **48** percentage points **below** the state average annual pass rate.

This data substantiates the program's continued **noncompliance** with Section 2530 (l) of the Vocational Nursing Rules and Regulations for the period **July 2009 through June 2013.**

Other Considerations

At the May 20, 2011 Board meeting, the Board placed Palladium Technical Academy Vocational Nursing Program on Provisional Approval for the two-year period, May 20, 2011, through May 31, 2013, due to noncompliant pass rates on the licensure examination. Additionally, the program was required to obtain approval by the full Board prior to the admission of additional students. At the time of placement on Provisional Approval, the program's average annual pass rate **was 44%**.

On June 30, 2011, the Board forwarded to the director the Notice of Change in Accreditation Status. (See Attachment B)

On September 9, 2011, the Board denied Palladium Technical Academy Vocational Nursing Program's request to admit 30 students and three (3) alternates commencing September 19, 2011, and graduating December 7, 2012. The proposed class would **replace** students that graduated June 3, 2011; **and**, approved the program's admission of 15 students with one (1) alternate commencing September 19, 2011, and graduating December 7, 2012, only. The proposed class would **replace** students that graduated June 3, 2011; **and**, required the program to continue to obtain approval by the full Board prior to the admission of each class. (See Attachment C)

At that time, the program's average annual pass rate was 48%. Since that time, the pass rate steadily declined.

On November 9, 2012, the Board reconsidered the program's approval status. Additionally, the program requested approval to admit a class of 30 students. The Board denied the program's request for admissions and revoked the program's approval effective December 31, 2012. That action was taken due to the program's continued noncompliant pass rates. (see Attachment D). **At the time of revocation, the program's average annual pass rate was 12%.**

Correspondence informing the program of the Board's decisions was forwarded on November 13, 2012 (see Attachment E).

In February 2013, Amir Shafe, school director, called the NEC and requested to have the Board's decision to revoke the program's approval reconsidered at the May 2013 Board meeting.

On March 7, 2013, Mr. Shafe contacted the NEC by telephone and advised that he would not have any new licensure data available for the Board to reconsider for the May 2013 Board meeting. Mr. Shafe advised that he would like to wait and have the program placed

on the September 2013 Board meeting agenda. He advised the NEC that two (2) classes (one (1) class of 14 and one (1) class of 13 students) recently graduated and were available to take the licensure examination.

On March 21, 2013, the NEC forwarded Mr. Shafe the forms needed to request approval to admit students.

On May 9, 2013, Mr. Shafe sent a letter to the NEC requesting to be placed on the September 2013 Board agenda for reconsideration of the program's revocation (see Attachment F).

On May 16, 2013, the NEC reminded Mr. Shafe the forms to request to admit students needed to be completed as soon as possible but minimally by July 15, 2013. Mr. Shafe responded he would get them done "ASAP" (see Attachment G).

On June 4, 2013, Cricki Morrissey, RN, telephoned the NEC and advised the NEC that she just wanted to introduce herself and let the NEC know she is helping Mr. Shafe with the program. The NEC advised Ms. Morrissey that there was very little the NEC could do since approval of the program had officially been revoked by the Board. Ms. Morrissey acknowledged understanding. She additionally advised the NEC that several of the former staff were no longer with the program and verbalized she felt the former staff was part of the program's problems.

On June 14, 2013, the Board received the program's request to admit student's forms. The forms were signed by the former director Ann Catone. Additionally, the Board received correspondence from the school dated June 7, 2013. Specifically, school administrators requested approval to admit 15 students commencing January 6, 2014.

Based on the most recent licensure data available, the program's current quarter pass rate is **67%** and the average annual pass rate is **25%**. This is **48** percentage points **below** the state average annual pass rate.

Recommendations:

Deny reconsideration of the revocation of provisional approval of the Palladium Technical Academy Vocational Nursing Program.

Rationale: Denying reconsideration will uphold the Board's November 9, 2012 decisions to:

a. Revoke the provisional approval of the Palladium Technical Academy Vocational Nursing Program, effective December 31, 2012.

b. Remove the program from the *List of Approved Vocational Nursing Schools.*

The program has failed to demonstrate compliance with California Business and Professions Code, Division 2, Chapter 6.5, Article 4 and California Code of Regulations, Division 25, Chapter 1, Article 5 for the past 16 consecutive quarters.

If the Board upholds its prior decision to revoke the program's approval, no students are impacted. Based on previously submitted program enrollment data, the last class was admitted in October 2011 and graduated in December 2012.

Attachment A: History of Prior Board Actions.
Attachment B: Notice of Change in Accreditation Status Dated June 30, 2011.
Attachment C: Board Report Dated August 25, 2011; Presented to Board on September 9, 2011.
Attachment D: Board Report Dated October 23, 2012; Presented to Board on November 9, 2012.
Attachment E: Board Correspondence Dated November 13, 2012.
Attachment F: School Correspondence Dated May 9, 2013; Received May 13, 2013.
Attachment G: Program Electronic Correspondence Dated May 16, 2013.

PALLADIUM TECHNICAL ACADEMY
VOCATIONAL NURSING PROGRAM

- On February 3, 2006, the Board approved Palladium Technical Academy's request to begin a vocational nursing program with an initial class of 30 students on April 1, 2006. Commencement of the initial class was delayed to March 3, 2008, with an expected graduation date of May 19, 2009.

- **On March 20, 2008, a new program director was approved.**

- On February 27, 2009, the Executive Officer approved initial full accreditation for the Palladium Technical Academy Vocational Nursing Program for the period February 27, 2009 through February 26, 2013, and issued a certificate accordingly. Additionally, the program's request to admit a full - time class of 45 students in June, 2009, to **replace** students graduating on May 19, 2009 was approved.

- On December 2, 2009, the Executive Officer approved the Palladium Technical Academy Vocational Nursing Program's request to increase the frequency of admissions, **and** admit a full-time day class of 30 students on January 19, 2010, with an anticipated graduation date of April 19, 2011.

  When processing information in support of the current request, the program notified the Board that commencement of the January 2010 class was delayed to March 15, 2010, and is expected to graduate June 4, 2011.

- On November 18, 2010, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past four (4) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by November 30, 2010.

- On November 24, 2010, the Board received correspondence from the director and documents related to the program's written plan to increase NCLEX-PN® pass rates.

- On November 30, 2010, the Executive Officer **denied** Palladium Technical Academy Vocational Nursing Program's request to admit a class of 45 students commencing November 8, 2010, and graduating February 3, 2012, to **replace** students graduating October 2010, at this time; **and** required the program to submit a report by **December 20, 2010**. The report shall include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timelines for expected results, and the effectiveness of corrective actions taken to address the following elements:

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 3, 2010, the assigned consultant forwarded correspondence advising the program of Executive decisions rendered November 30, 2010.

- On December 4, 2010, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rates for the past five (5) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by December 20, 2010.

- On December 20, 2010, the Board received a report of the comprehensive program analysis and identification of deficiencies.

- On January 5, 2011, the Board received program correspondence requesting approval to admit 30 students on March 14, 2011, to **replace** students that graduated October 1, 2010. Graduation of the proposed class was projected for June 1, 2012.

- On February 15, 2011, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past six (6) quarters. The director was requested to submit a written report evaluating the effectiveness of interventions to improve its NCLEX-PN® pass rates.

- On February 18, 2011, the Executive Officer deferred action on the program's request for consideration by the full Board at the May 20, 2011, Board meeting. That action was based on the program's pass rate statistics and previous Board action to deny students with a 29% pass rate. The consultant notified the director of the decision per telephone.

- On April 14, 2011, the assigned consultant forwarded correspondence requesting current enrollment and faculty. Also, the program was requested to submit fifteen (15) copies of pertinent documents from the December 20, 2010, comprehensive program

analysis and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On May 20, 2011, the Board placed the Palladium Technical Academy Vocational Nursing Program on provisional accreditation for the two-year period from May 20, 2011, through May 31, 2013, **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; **and** required the Palladium Technical Academy Vocational Nursing Program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by May 31, 2013.

  Additionally, the Board **denied** the program's request to admit 30 students commencing June 6, 2011, graduating August 17, 2012, to **replace** students that graduated October 1, 2010, **and**; **approved** the program's admission of 15 students commencing June 6, 2011, and graduating August 17, 2012; **and** required the program to admit no additional students unless approved by the full Board; **and** required the program to demonstrate progress in improvement of its pass rates on the NCLEX/PN® by May 31, 2012.

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

  The Board placed the program on the May 2012 Board agenda for reconsideration of provisional accreditation; **and** required 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.

- On June 30, 2011, the Board forwarded to the director the Notice of Change in Accreditation Status.

- On September 9, 2011, the Board denied Palladium Technical Academy Vocational Nursing Program's request to admit 30 students and three (3) alternates commencing September 19, 2011, and graduating December 7, 2012. The proposed class would **replace** students that graduated June 3, 2011; **and**, approved the program to admit 15 students with one (1) alternate commencing September 19, 2011, and graduating December 7, 2012, only. The proposed class would **replace** students that graduated June 3, 2011; **and**, required the program to continue to obtain approval by the full Board prior to the admission of each class.

- On August 17, 2012, the assigned consultant forwarded correspondence requesting submission of eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On September 26, 2012, the Board received eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On November 9, 2012, the Board denied Palladium Technical Academy's request to admit 30 students into a class commencing on January 14, 2013 and graduating on April 11, 2014; **and, revoked the approval** of Palladium Technical Academy's Vocational Nursing Program effective December 31, 2012; **and,** removed the program from the Board's *List of Approved Vocational Nursing Programs;* **and,** *n*otified the Bureau of Private Postsecondary Education (BPPE) of the program's revocation.

- On December 13, 2012, the assigned consultant forwarded correspondence requesting submission of eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On December 26, 2012, the Board received eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On May 13, 2013, the Board received the program's request to be placed on the September Board agenda for reconsideration of the program's revocation.

- On June 14, 2013, the Board received the program's request to admit student's forms. The forms are signed by the former director Ann Catone.

Agenda Item #11.A.1., Attachment B

STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.

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CERTIFIED MAIL

June 30, 2011

Ann Catone, B.S., R.N.
Director, Vocational Nursing Program
Palladium Technical Academy
10503 Valley Blvd.
El Monte, CA 91731

Subject: Notice of Change in Accreditation Status

Dear Ms. Catone:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on May 20, 2011, the status of the Palladium Technical Academy Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the two – year period from May 20, 2011 through May 31, 2013. 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.

After 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..."

The program pass rates of the Palladium Technical Academy Vocational Nursing Program for the past six (6) quarters are set forth in the following table.

Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate
Jul- Sep 2009	73%	25%
Oct – Dec 2009	73%	31%
Jan – Mar 2010	74%	33%
Apr – Jun 2010	75%	27%
Jul – Sep 2010	75%	28%
Oct – Dec 2010	76%	29%

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

REQUIRED CORRECTION(S)

1. The Palladium Technical Academy Vocational Nursing Program must bring its licensure examination annual average pass rate to no more than ten (10) percentage points below the State annual average pass rate by May 31, 2013.

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

   Failure to show progress shall constitute cause for revocation of provisional accreditation.

3. Place the program on the May 2012 Board agenda for reconsideration of provisional accreditation.

4. 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.

5. Require the program to admit no additional students unless approved by the full Board.

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 for reconsideration of your accreditation status. 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 to admit classes; however, based on the Board's action above, the full Board's approval is required.**

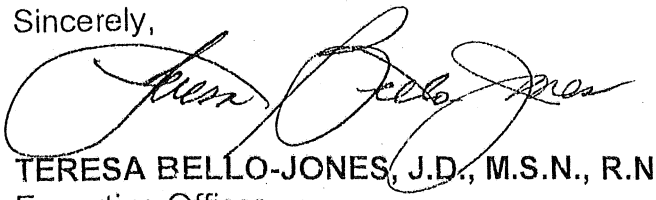
In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

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.

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:ph

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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.

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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 #11.A.1., Attachment C

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.
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: August 25, 2011

TO: Board Members

FROM: Pam Hinckley, R. N., M.S.N.
Nursing Education Consultant

SUBJECT: Palladium Technical Academy Vocational Nursing Program – Consideration of Request to Admit Students (Director: Ann Catone, El Monte, Los Angeles County, Private)

The Palladium Technical Academy Vocational Nursing Program requests approval to admit 30 students and three (3) alternates commencing September 19, 2011, and graduating December 7, 2012. The proposed class would **replace** students that graduated June 3, 2011.

History of Prior Board Actions

- On February 3, 2006, the Board approved Palladium Technical Academy's request to begin a vocational nursing program with an initial class of 30 students on April 1, 2006. Commencement of the initial class was delayed to March 3, 2008, with an expected graduation date of May 19, 2009.

- **On March 20, 2008, a new program director was approved.**

- On February 27, 2009, the Executive Officer approved initial full accreditation for the Palladium Technical Academy Vocational Nursing Program for the period February 27, 2009 through February 26, 2013, and issued a certificate accordingly. Additionally, the program's request to admit a full - time class of 45 students in June, 2009, to **replace** students graduating on May 19, 2009 was approved.

- On December 2, 2009, the Executive Officer approved the Palladium Technical Academy Vocational Nursing Program's request to increase the frequency of admissions, **and** admit a full-time day class of 30 students on January 19, 2010, with an anticipated graduation date of April 19, 2011.

  When processing information in support of the current request, the program notified the Board that commencement of the January 2010 class was delayed to March 15, 2010, and is expected to graduate June 4, 2011.

- On November 18, 2010, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass

rate for the past four (4) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by November 30, 2010.

- On November 24, 2010, the Board received correspondence from the director and documents related to the program's written plan to increase NCLEX-PN® pass rates.

- On November 30, 2010, the Executive Officer **denied** Palladium Technical Academy Vocational Nursing Program's request to admit a class of 45 students commencing November 8, 2010, and graduating February 3, 2012, to **replace** students graduating October 2010, at this time; **and** required the program to submit a report by **December 20, 2010**. The report shall include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timelines for expected results, and the effectiveness of corrective actions taken to address the following elements:

  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 3, 2010, the assigned consultant forwarded correspondence advising the program of Executive decisions rendered November 30, 2010.

- On December 4, 2010, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rates for the past five (5) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by December 20, 2010.

- On December 20, 2010, the Board received a report of the comprehensive program analysis and identification of deficiencies.

- On January 5, 2011, the Board received program correspondence requesting approval to admit 30 students on March 14, 2011, to **replace** students that graduated October 1, 2010. Graduation of the proposed class was projected for June 1, 2012.

- On February 15, 2011, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rate

for the past six (6) quarters. The director was requested to submit a written report evaluating the effectiveness of interventions to improve its NCLEX-PN® pass rates.

- On February 18, 2011, the Executive Officer deferred action on the program's request for consideration by the full Board at the May 20, 2011, Board meeting. That action was based on the program's pass rate statistics and previous Board action to deny students with a 29% pass rate. The consultant notified the director of the decision per telephone.

- On April 14, 2011, the assigned consultant forwarded correspondence requesting current enrollment and faculty. Also, the program was requested to submit fifteen (15) copies of pertinent documents from the December 20, 2010, comprehensive program analysis and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On May 20, 2011, the Board placed the Palladium Technical Academy Vocational Nursing Program on provisional accreditation for the two-year period from May 20, 2011, through May 31, 2013, **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; **and** required the Palladium Technical Academy Vocational Nursing Program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by May 31, 2013.

  Additionally, the Board **denied** the program's request to admit 30 students commencing June 6, 2011, graduating August 17, 2012, to **replace** students that graduated October 1, 2010, **and**; **approved** the program's admission of 15 students commencing June 6, 2011, and graduating August 17, 2012; **and** required the program to admit no additional students unless approved by the full Board; **and** required the program to demonstrate progress in improvement of its pass rates on the NCLEX/PN® by May 31, 2012.

  The Board required 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 must 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. Admission Criteria.
  b. Screening and Selection Criteria.
  c. Terminal Objectives.
  d. Curriculum Objectives.
  e. Instructional Plan.
  f. Theory and Clinical Objectives for Each Course.
  g. Lesson Plans for Each Course.
  h. Textbooks.
  i. Attendance Policy.
  j. Remediation Policy.
  k. Evaluations of Theory and Clinical Faculty.
  l. Evaluations of Theory Presentations.

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

The Board placed the program on the May 2012 Board agenda for reconsideration of provisional accreditation; **and** required 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.

- On June 30, 2011, the Board forwarded to the director the Notice of Change in Accreditation Status.

Enrollment

The program requires Board approval prior to the admission of each class. The program offers a full – time course of instruction that is 60 weeks in length. The pattern of admissions for current classes is seen in the enrollment table below.

The following table represents **projected** student enrollment based on **current and proposed** class starts and completions. The table indicates **a maximum enrollment of 64 students** for the period **March 2010 through August 2012.**

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
5/08		30	27	**27**
	5/09 (5/08 Class)		-27	27 – 27 = **0**
7/09		45	39	0 + 39 = **39**
3/10 (AM Class)		30	25	39 + 25 = **64**
	10/10 (7/09 Class)		-39	64 – 39 = **25**
	6/11 (3/10 AM Class)		-25	25 – 25 = **0**
6/11 (PM Class)	8/12	14	16	0 + 16 = **16**
9/11 (Proposed AM Class)	12/12	30 (+ 3 alternates)		16 + 30 = **46**
	8/12 (6/11 PM class)		-16	46 – 16 = **30**

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 July 2009 through June 2011, specify the pass percentage rates for graduates of the Palladium Technical Academy, 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
Jul - Sep 2009	4	1	**25%**	74%	**25%**	72%
Oct - Dec 2009	12	4	**33%**	76%	**31%**	73%
Jan - Mar 2010	2	1	**50%**	76%	**33%**	74%
Apr - Jun 2010	4	0	**0%**	74%	**27%**	75%
Jul - Sep 2010	**No Candidates Tested**			76%	**28%**	75%
Oct - Dec 2010	2	1	**50%**	77%	**25%**	76%
Jan – Mar 2011	12	7	**58%**	80%	**44%**	77%
Apr – Jun 2011	9	3	**33%**	71%	**48%**	76%

*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 (April to June 2011), the program's average annual pass rate is 48%. The California average annual pass rate for graduates from accredited vocational nursing programs who took the NCLEX-PN® for the first time is 76%. The average annual pass rate for the Palladium Technical Academy, Vocational Nursing Program is **28** 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 total number of Board - approved faculty is ten (10), including the program director. There are two (2) approved teacher assistants. The director has 100% administrative duties. Of the total faculty, ten (10) are approved to teach in the clinical area.

Based on a maximum enrollment of 64 students, five (5) 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 has been verified by the consultant.

Other Considerations

At the May 20, 2011 Board meeting, the Board placed Palladium Technical Academy on Provisional Accreditation for a two (2) year period, May 20, 2011, through May 31, 2013, due to low licensure pass rates. Additionally, the Board required the program to obtain approval by the full Board prior to the admission of additional students. (See Attachment A)

The program's current average annual pass rate is 44%. Since the program's inception the pass rates have been significantly below the state average annual pass rate. To date, the program's highest reported average annual pass rate is 44%. As a result of the Board's decision to place the program on Provisional Accreditation, the director is required to submit a report of the comprehensive analysis of the program no later than February 1, 2012 and again in 21 months.

On June 3, 2011, the program graduated a class of 24 students. It is anticipated that these students will take the licensure examination within the next six (6) months. Based upon their performance, new licensure data will be available that will assist the program and the Board to assess the effectiveness of the program's interventions to improve their pass rates to date.

Recommendations:

1. Deny Palladium Technical Academy Vocational Nursing Program's request to admit 30 students and three (3) alternates commencing September 19, 2011, and graduating December 7, 2012. The proposed class would **replace** students that graduated June 3, 2011.

2. Approve the program to admit 15 students with one (1) alternate commencing September 19, 2011, and graduating December 7, 2012, only. The proposed class would **replace** students that graduated June 3, 2011.

3. Continue to require the program to obtain approval by the full Board prior to the admission of each class.

Rationale: The program has enrolled 119 students and graduated 91, to date. Of the 91 graduates, 45 graduates have taken the licensure examination through June 30, 2011. Of the 45 graduates tested, 17 passed and 28 failed. As such, **37.7%** of all program graduates tested passed the licensure examination and **62.3% failed**. The program's current **average annual** pass rate is **48%.**

Such statistics confirm the rationale for the Board's actions to place the program on provisional accreditation at the May 20, 2011 Board meeting. Additionally, these same statistics support the rationale to decrease the requested class size from 30 students and one (1) alternate to 15 students and one (1) alternate. A comprehensive analysis of the program is to be completed prior to February 1, 2012, and new licensure data should be available for the students that graduated June 3, 2011. This information should give the program and the Board increased insight into the program's attempt to bring their licensure pass rates up.

The program has demonstrated that it has sufficient resources, including faculty and facilities, to support the current and proposed enrollment. Board staff will continue to monitor the program's effectiveness by tracking class admissions, the effectiveness of employed interventions, and the program's licensure examination pass rates each quarter.

Attachment A: Notice of Change in Accreditation Status Dated June 30, 2011.

Agenda Item #11.A.1., Attachment D

STATE OF CALIFORNIA
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DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.
BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945
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DATE: October 23, 2012

TO: Board Members

FROM: Pam Hinckley, R.N., M.S.N.
Nursing Education Consultant

SUBJECT: Palladium Technical Academy Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students (Director: Ann Catone, El Monte, Los Angeles County, Private)

Palladium Technical Academy Vocational Nursing Program is presented to the Board for reconsideration of Provisional Approval and consideration of request to admit students. The program's status was changed to provisional approval[1] on May 20, 2011, for the two – year period from May 20, 2012 through May 30, 2013. Those actions were taken due to the program's noncompliance with Section 2530 (l) of the Vocational Nursing Rules and 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 program is requesting to admit 30 students into a class commencing on January 14, 2013 and graduating on April 11, 2014.

History of Prior Board Actions

(See Attachment A, History of Board Action, February 3, 2006 through September 26, 2012.)

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[1] 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.

Enrollment

The program is required to obtain Board approval prior to the admission of each class. The program offers a full–time course of instruction that is 60 weeks in length. The pattern of admissions for current classes is seen in the enrollment table below.

The following table represents **projected** student enrollment based on **current and proposed** class starts and completions. The table indicates **a maximum enrollment of 64 students** for the period **May 2008 through January 2013.**

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
5/08		30	27	**27**
	5/09 (5/08 Class)		-27	27 – 27 = **0**
7/09		45	39	0 + 39 = **39**
3/10 (AM Class)		30	25	39 + 25 = **64**
	10/10 (7/09 Class)		-39	64 – 39 = **25**
	6/11 (3/10 AM Class)		-25	25 – 25 = **0**
6/11 (PM Class)		16	14	0 + 14 = **14**
10/11 (AM Class)		15	13	14 + 13 = **27**
	8/12 (6/11 PM class)		-14	27 – 14 = **13**
	12/12 (10/11 AM Class)		-13	13 – 13 = **0**
1/13 **(Proposed)**	4/14	30		0 + 30 = **30**

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 July 2009 through September 2012, specify the pass percentage rates for graduates of the Palladium Technical Academy, 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	Variance From State Average Annual Pass Rate
Jul - Sep 2009	4	1	**25%**	74%	**25%**	72%	**-47**
Oct - Dec 2009	12	4	**33%**	76%	**31%**	73%	**-42**
Jan - Mar 2010	2	1	**50%**	76%	**33%**	74%	**-41**
Apr - Jun 2010	4	0	**0%**	74%	**27%**	75%	**-48**
Jul - Sep 2010	**No Candidates Tested**			76%	**28%**	75%	**-47**
Oct - Dec 2010	2	1	**50%**	77%	**25%**	76%	**-51**
Jan – Mar 2011	12	7	**58%**	80%	**44%**	77%	**-33**
Apr – Jun 2011	9	3	**33%**	71%	**48%**	76%	**-28**
Jul – Sep 2011	3	0	**0%**	74%	**42%**	76%	**-34**
Oct – Dec 2011	12	3	**25%**	74%	**36%**	75%	**-39**
Jan – Mar 2012	5	0	**0%**	77%	**21%**	74%	**-53**
Apr – Jun 2012	3	0	**0%**	72%	**13%**	74%	**-61**
Jul – Sep 2012	5	0	**0%**	74%	**12%**	74%	**-62**

*The Average 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.

This data substantiates the program's **noncompliance** with Section 2530 (l) of the Vocational Nursing Rules and Regulations for the period **July 2009 through September 2012.**

Based on the most current data available (July to September 2012), the program's average annual pass rate is **12%.** The California average annual pass rate for graduates from accredited vocational nursing programs who took the NCLEX-PN® for the first time is **74%.** The average annual pass rate for the Palladium Technical Academy, Vocational Nursing Program is **62** 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 total number of Board - approved faculty is seven (7), including the program director. There are two (2) approved teacher assistants. The director has 100% administrative duties. Of the total faculty, six (6) are approved to teach in the clinical area.

Based on a maximum enrollment of 64 students, five (5) 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 has been verified by the consultant.

Other Considerations

At the May 20, 2011 Board meeting, the Board placed Palladium Technical Academy on Provisional Accreditation for the two-year period, May 20, 2011, through May 31, 2013, due to low licensure pass rates. Additionally, the Board required the program to obtain approval by the full Board prior to the admission of additional students. (See Attachment B)

At the time the program was placed on Provisional Accreditation, the average annual pass rate **was 44%**. Since that time, the pass rate has steadily declined. The current quarter pass rate is **0%** and the average annual pass rate is **12%**. This is **62** percentage points **below** the state average annual pass rate.

To date, five (5) classes have been admitted to the program. The **first class** graduated 27 students. Of the 27 graduates, 26 have taken the licensure examination. Of the 26 that tested, **six (6) passed (23.08%)** and **20 (76.92%) failed**.

The **second class** graduated 39 students. Of the 39 graduates, 28 have taken the licensure examination. Of the 28 that tested, **12 passed (42.86%)** and **16 (57.14%) failed.** Eleven (11) graduates have not tested to date from this class.

The **third class** graduated 25 students. Of the 25 graduates, 25 have taken the licensure examination. Of the 25 that tested, four (4) or **16% passed** and 21 or **84% failed.**

The **fourth class** graduated 14 students in August 2012 and has not taken the licensure examination, to date. It is expected they will test in quarter four (4) of 2012, and/or quarter one (1) of 2013.

The **fifth class** remains enrolled in classes. This class is expected to graduate in December 2012.

On February 1, 2012, the Board received the program's comprehensive analysis. Included in the report were the following elements:

- Admission and screening criteria: Added interviews with three-person panel, written statement with three goals. NEW: Applicant must have basic computer and word processing skills and internet search capabilities.
- NEW Pre-VN course that includes Math, A&P, Med Term, Test taking skills, Reading comprehension, Language, Critical Thinking. Must take HESI admission assessment. Rubric created and used to assist in selection of candidates.
- Remediation: Mid-term evaluation implemented. **NEW**: ATI comprehensive testing program started with class #4.
- Instructional Plan- NCLEX type testing throughout program. **NEW**: incorporated NCLEX review text.
- Computer Lab: virtual clinical excursions, and other skills DVD's. Instructor available to assist students in computer lab.
- Online Library-available 24 -7 at school or home.
- Textbooks: Added additional Med/Surg text, Pharmacology text new and goes with body systems. NEW: ATI skills series incorporated throughout, Nurse logic modules that include, critical thinking, and test taking skills.
- NCLEX Review: Continuous throughout the program. NCLEX fees will be reimbursed to graduates that pass the first time. NEW: students that do not pass the ATI modules upon completion of a particular level will not go on to the next module. Also, for previous graduates who have not passed the Boards yet, they may come in and use the ATI at no charge.
- Tutoring: Available to students that need it.
- Faculty: Director makes unannounced visits to classroom and clinical sites.
- Faculty must keep their skills up through continuing education or work experience.
- Clinical: Case studies and client profile with emphasis on medications, treatment, nursing process and interventions. Emphasis placed on prioritizing patient care.

On August 17, 2012, the assigned consultant forwarded correspondence requesting submission of eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider (see Attachment C).

On September 26, 2012, the Board received correspondence from the program director and eighteen (18) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider (see Attachment D). Included in the plan are the following elements:

- Three (3) member interview committee

- Potential students must write a statement of purpose identifying their goals.
- A three-week Pre-VN class was initiated with the second and third classes. This class had Mathematics, Medical Terminology, Computer and Study skills.
- Starting with class four (4), Anatomy and Physiology, Test Taking Skills, Reading Comprehension and Critical Thinking were added to the Pre-VN class.
- ATI Comprehensive Testing (weekly) was added with the fourth (4th) class. Students must pass with a level two (2) or above.
- Remediation and tutoring initiated early in the program.
- Study guides and NCLEX format testing throughout the program.
- Pharmacology included with each body system.
- Computer lab software updated. Virtual clinical excursions added.
- New Medical/Surgical, Pharmacology, drug handbook textbooks added.
- Tutoring available - one (1) on one (1) or small groups.

Recommendations:

1. Deny Palladium Technical Academy's request to admit 30 students into a class commencing on January 14, 2013 and graduating on April 11, 2014.

2. Revoke the approval of Palladium Technical Academy's Vocational Nursing Program effective December 31, 2012.

3. Remove the program from the Board's *List of Approved Vocational Nursing Programs.*

4. Notify the Bureau of Private Postsecondary Education (BPPE) of the program's revocation.

Rationale: The program was placed on Provisional Approval at the May 20, 2011 Board meeting for a two-year period from May 20, 2011 through May 31, 2013. The program's average annual pass rate at that time **was 44%**. Thirty-three (33) percentage points below the state average annual pass rate. In the "Notice of Change in Accreditation Status", dated June 30, 2011, the Program was advised that failure to show progress "shall constitute cause for revocation of provisional accreditation".

Since the program was placed on Provisional Approval, the program's average annual pass rate has **declined an additional 32 percentage points.** The program's average annual pass rate is currently **12%** which is **62** percentage points **below** the state average annual pass rate. Since data has been recorded for the program, its average annual pass rate has not been higher than 48%. Based on these statistics the program has failed to show progress in bringing up the licensure examination pass rates during the provisional approval period. The data supports the recommendation to revoke the program's approval.

The last class of 13 students will graduate in December 2012. Delaying the revocation until December 31, 2012, will allow the last group of

students to graduate, be issued a transcript and be able to apply for licensure. No students will be enrolled after December 31, 2012.

Attachment A: History of Prior Board Actions.
Attachment B: Notice of Change in Accreditation Status Dated June 30, 2011.
Attachment C: Board Correspondence Dated August 17, 2012.
Attachment D: Program Correspondence Dated September 26, 2012.

Agenda Item #11.A.4.Attachment A

Palladium Technical Academy Vocational Nursing Program

- On February 3, 2006, the Board approved Palladium Technical Academy's request to begin a vocational nursing program with an initial class of 30 students on April 1, 2006. Commencement of the initial class was delayed to March 3, 2008, with an expected graduation date of May 19, 2009.

- **On March 20, 2008, a new program director was approved.**

- On February 27, 2009, the Executive Officer approved initial full accreditation for the Palladium Technical Academy Vocational Nursing Program for the period February 27, 2009 through February 26, 2013, and issued a certificate accordingly. Additionally, the program's request to admit a full - time class of 45 students in June, 2009, to **replace** students graduating on May 19, 2009 was approved.

- On December 2, 2009, the Executive Officer approved the Palladium Technical Academy Vocational Nursing Program's request to increase the frequency of admissions, **and** admit a full-time day class of 30 students on January 19, 2010, with an anticipated graduation date of April 19, 2011.

  When processing information in support of the current request, the program notified the Board that commencement of the January 2010 class was delayed to March 15, 2010, and is expected to graduate June 4, 2011.

- On November 18, 2010, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past four (4) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by November 30, 2010.

- On November 24, 2010, the Board received correspondence from the director and documents related to the program's written plan to increase NCLEX-PN® pass rates.

- On November 30, 2010, the Executive Officer **denied** Palladium Technical Academy Vocational Nursing Program's request to admit a class of 45 students commencing November 8, 2010, and graduating February 3, 2012, to **replace** students graduating October 2010, at this time; **and** required the program to submit a report by **December 20, 2010**. The report shall include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timelines for expected results, and the effectiveness of corrective actions taken to address the following elements:

  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 3, 2010, the assigned consultant forwarded correspondence advising the program of Executive decisions rendered November 30, 2010.

- On December 4, 2010, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rates for the past five (5) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by December 20, 2010.

- On December 20, 2010, the Board received a report of the comprehensive program analysis and identification of deficiencies.

- On January 5, 2011, the Board received program correspondence requesting approval to admit 30 students on March 14, 2011, to **replace** students that graduated October 1, 2010. Graduation of the proposed class was projected for June 1, 2012.

- On February 15, 2011, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past six (6) quarters. The director was requested to submit a written report evaluating the effectiveness of interventions to improve its NCLEX-PN® pass rates.

- On February 18, 2011, the Executive Officer deferred action on the program's request for consideration by the full Board at the May 20, 2011, Board meeting. That action was based on the program's pass rate statistics and previous Board action to deny students with a 29% pass rate. The consultant notified the director of the decision per telephone.

- On April 14, 2011, the assigned consultant forwarded correspondence requesting current enrollment and faculty. Also, the program was requested to submit fifteen (15) copies of pertinent documents from the December 20, 2010, comprehensive program analysis and subsequent actions taken to correct identified problems that they desire Board members to consider.

5. On May 20, 2011, the Board placed the Palladium Technical Academy Vocational Nursing Program on provisional accreditation for the two-year period from May 20, 2011, through May 31, 2013, **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; **and** required the Palladium Technical

Academy Vocational Nursing Program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by May 31, 2013.

Additionally, the Board **denied** the program's request to admit 30 students commencing June 6, 2011, graduating August 17, 2012, to **replace** students that graduated October 1, 2010, **and**; **approved** the program's admission of 15 students commencing June 6, 2011, and graduating August 17, 2012; **and** required the program to admit no additional students unless approved by the full Board; **and** required the program to demonstrate progress in improvement of its pass rates on the NCLEX/PN® by May 31, 2012.

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

The Board placed the program on the May 2012 Board agenda for reconsideration of provisional accreditation; **and** required 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.

6. On June 30, 2011, the Board forwarded to the director the Notice of Change in Accreditation Status.

7. On September 9, 2011, the Board denied Palladium Technical Academy Vocational Nursing Program's request to admit 30 students and three (3) alternates commencing September 19, 2011, and graduating December 7, 2012. The proposed class would **replace** students that graduated June 3, 2011; **and**, approved the program to admit 15 students with one (1) alternate commencing September 19, 2011, and graduating December 7, 2012, only. The proposed class would **replace**

students that graduated June 3, 2011; **and**, required the program to continue to obtain approval by the full Board prior to the admission of each class.

8. On August 17, 2012, the assigned consultant forwarded correspondence requesting submission of eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.

9. On September 26, 2012, the Board received eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.

Agenda Item #11.A.1., Attachment E

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN 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

CERTIFIED

November 13, 2012

Ann Catone
Vocational Nursing Program Director
Palladium Technical Academy
10503 Valley Boulevard
El Monte, CA 91731

Subject: Board Meeting Follow – Up

Dear Ms. Catone:

The Board of Vocational Nursing and Psychiatric Technicians Executive Officer considered the consultant's report relative to ***Palladium Technical Academy Vocational Nursing Program.*** The following decisions were rendered:

1. Deny Palladium Technical Academy's request to admit 30 students into a class commencing on January 14, 2013 and graduating on April 11, 2014.

2. Revoke the approval of Palladium Technical Academy's Vocational Nursing Program effective December 31, 2012.

3. Remove the program from the Board's *List of Approved Vocational Nursing Programs.*

4. Notify the Bureau of Private Postsecondary Education (BPPE) of the program's revocation.

Rationale: The program was placed on Provisional Approval at the May 20, 2011 Board meeting for a two-year period from May 20, 2011 through May 31, 2013. The program's average annual pass rate at that time **was 44%**. Thirty-three (33) percentage points below the state average annual pass rate. In the "Notice of Change in Accreditation Status", dated June 30, 2011, the Program was advised that failure to show progress "shall constitute cause for revocation of provisional accreditation".

Since the program was placed on Provisional Approval, the program's average annual pass rate has **declined an additional 32 percentage points.** The program's average annual pass rate is currently **12%** which is **62** percentage points **below** the state average annual pass rate. Since data has been recorded for the program, its average annual pass rate has not been higher than 48%. Based on these statistics the program has failed to show progress in bringing up the licensure examination pass rates during the provisional approval period. The data supports the recommendation to revoke the program's approval.

Agenda Item #11.A.1., Attachment G

Hinckley, Pam@DCA

From: Amir shafe <amir@palladiumta.com>
Sent: Thursday, May 16, 2013 2:28 PM
To: Hinckley, Pam@DCA
Subject: RE: September Board Meeting

Dear Pam,
Thank you. I get these done ASAP.
Amir

From: Hinckley, Pam@DCA [mailto:Pam.Hinckley@dca.ca.gov]
Sent: Thursday, May 16, 2013 1:30 PM
To: 'Amir shafe'
Subject: RE: September Board Meeting

Dear Amir,
I received the letter. I will also need these forms completed and submitted, before July 15, 2013. The sooner I receive the completed forms, the sooner I will be able to work on the report.
Pam

From: Amir shafe [mailto:amir@palladiumta.com]
Sent: Thursday, May 09, 2013 12:15 PM
To: Hinckley, Pam@DCA
Subject: RE: September Board Meeting

Dear Pam,

It is good to hear from you again. I have attached a copy of a letter that you mentioned. Please let me know if this is sufficient. I also mail it today.
As always, thank you.

Amir Shafe
Palladium Technical Academy
Director

From: Hinckley, Pam@DCA [mailto:Pam.Hinckley@dca.ca.gov]
Sent: Thursday, May 09, 2013 11:52 AM
To: 'Amir shafe'
Subject: RE: September Board Meeting

Dear Amir,
The Supervising NEC just told me that you will need to submit a request in writing on Letterhead stationery to be on the September Board agenda. Please submit as soon as possible if you still want to be placed on the September 2013 Board agenda.

Pam Hinckley, R.N. M.S.N.
Board of Vocational Nursing and Psychiatric Technicians
2325 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833
Phone: (916) 263- 7840

FAX: (916) 263-7866
pam.hinckley@dca.ca.gov

From: Amir shafe [mailto:amir@palladiumta.com]
Sent: Wednesday, June 01, 2011 2:15 PM
To: Hinckley, Pam@DCA
Subject: RE: September Board Meeting

Dear Pam,
Thank you so much for all your help. We will do all the forms for the Sept meeting. Have a great day.

Amir Shafe
Director
Palladium Technical Academy

From: Hinckley, Pam@DCA [mailto:Pam.Hinckley@dca.ca.gov]
Sent: Thursday, March 21, 2013 3:11 PM
To: Amir shafe (amir@palladiumta.com)
Subject: September Board Meeting

Dear Amir,
Attached are the forms that will need to be filled in and submitted to me by July 15, 2013 should you still want to be on the September Board agenda.

Pam Hinckley, R.N. M.S.N.
Board of Vocational Nursing and Psychiatric Technicians
2325 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833
Phone: (916) 263- 7840
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