

Agenda Item #13.A.1.



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

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: November 6, 2013

TO: Board Members

Suellen Clayworth

FROM: Suellen Clayworth, M.N., R.N.
Nursing Education Consultant, Retired Annuitant

SUBJECT: ABC Educators Nursing School Vocational Nursing Program –
Reconsideration of Provisional Approval¹(Director: Susan Yowell, Redlands, San Bernardino County, Private)

The ABC Educators Nursing School Vocational Nursing Program is presented to the Board for reconsideration of its provisional approval. On November 10, 2011, the Board placed the ABC Educators Nursing School Vocational Nursing Program on provisional approval for the two-year period from November 10, 2011, through November 30, 2013. The Board rescinded the program's approval for ongoing admissions and directed the program to admit no additional students unless approved by the full Board.

That action was taken due to the program's noncompliance with regulatory requirements relative to program pass rates. Reconsideration of the program's status was scheduled for November 2012 and November 2013.

On November 9, 2012, the Board reconsidered the program's provisional approval and continued the program on provisional approval with the next review to be done in November 2013.

History of Prior Board Actions

(See Attachment A, History of Prior Board Actions)

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 offers part – time classes that are 68 weeks in length. Prior Board approval is required for each class admission. The pattern of admissions for current and proposed classes is seen in the enrollment table below.

The following table represents **current** student enrollment based on **current** class starts as reported by the program. The table indicates a **maximum enrollment of 7 students through June 2013.**

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
5/11		5	4	4
9/11		5	3	4 + 3 = 7
	11/12 (5/11 Class)		-4	7 - 4 = 3
	1/13 (9/11 Class)		-3	3 - 3 = 0
6/13		6	5	0 + 5 = 5

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 2008 through September 2013, specify the pass percentage rate for graduates of the ABC Educators Nursing School Vocational Nursing Program on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®), and the variance of the program's pass rates from state average annual pass rates for the past 18 quarters.

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
Jan – Mar 2008	5	3	60%	75%	60%	75%	-15
Apr – Jun 2008	2	1	50%	70%	57%	74%	-17
Jul – Sep 2008	No Candidates Tested			74%	57%	74%	-17
Oct - Dec 2008	No Candidates Tested			73%	57%	73%	-16
Jan – Mar 2009	4	3	75%	70%	67%	72%	-5
Apr – Jun 2009	No Candidates Tested			71%	75%	70%	+5

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	1	0	0%	74%	60%	72%	-12
Oct - Dec 2009	1	0	0%	76%	50%	73%	-23
Jan – Mar 2010	2	1	50%	76%	25%	74%	-49
Apr – Jun 2010	4	3	75%	74%	50%	75%	-25
Jul – Sep 2010	4	1	25%	76%	45%	75%	-30
Oct - Dec 2010	10	3	30%	77%	40%	76%	-36
Jan – Mar 2011	2	1	50%	82%	40%	77%	-37
Apr – Jun 2011	2	0	0%	71%	28%	76%	-48
Jul – Sep 2011	7	1	14%	74%	24%	75%	-52
Oct – Dec 2011	4	2	50%	74%	27%	75%	-48
Jan – Mar 2012	5	4	80%	77%	39%	74%	-33
Apr – Jun 2012	3	2	67%	72%	47%	74%	-27
Jul – Sep 2012	6	3	50%	74%	61%	74%	-13
Oct - Dec 2012	8	2	25%	70%	50%	74%	-24
Jan – Mar 2013	No Candidates Tested			75%	41%	73%	-32
Apr – Jun 2013	3	2	67%	78%	41%	73%	-32
Jul - Sep 2013	3	1	33%	75%	36%	74%	-38

*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.

The data substantiates the program's **noncompliance** with Section 2530(I) of the Vocational Nursing Rules and Regulations for the period **January 2008 through December 2008 and July 2009 through September 2013**. It documents **compliance** for **Quarter 1, 2009 (January – March) and Quarter 2, 2009 (April – June)**.

Based on the most current data available (July through September 2013), the program's average annual pass rate is **36%**. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time is 74%. The average annual pass rate for the ABC Educators Nursing School Vocational Nursing Program is **38 percentage points below** the state average annual pass rate.

Faculty and Facilities

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

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

The current number of Board-approved faculty includes the program director and two (2) instructors. The director is full-time and has 50% administrative and 50% teaching duties. The director and both instructors are approved to teach both theory and clinical.

Based upon a maximum enrollment of seven (7) students, one (1) instructor is required for clinical supervision. Therefore, the **current** number of faculty is **adequate** for the current and projected 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.”

Board records confirm approval of clinical facilities consistent with the approved curriculum; however, on September 19, 2013, the director reported that **no clinical facility had been contacted to accept the current class of students for clinical experience**. On October 8, 2013, the Board was informed that one of the program’s approved clinical sites had agreed to take the students and that the students would begin clinical experience on this date. (See Other Considerations for additional information.) The program obviously had not planned clinical placement for the current class of students. The program currently has not confirmed availability of other clinical sites for the assignment of the current class. As a result, the program is currently unable to assure that the students will receive clinical experience that is adequate as to type and variety of clients treated to enable 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

As previously noted, the published examination statistics for the program demonstrate its history in maintaining compliant average annual pass rates. That data substantiates the program’s **compliance** for **Quarter 1, 2009** (January – March) and **Quarter 2, 2009** (April – June) and **noncompliance** with Section 2530(l) of the Vocational Nursing Rules and Regulations for the period **January 2008 through December 2008 and July 2009 through September 2013**.

Correspondence notifying the director of noncompliant pass rates was forwarded to the director on March 18, 2009. On December 4, 2010, the director was forwarded correspondence advising that the program’s average annual pass rates had been noncompliant with regulatory requirements for four (4) consecutive quarters. The Director was requested to submit documentation relative to actions taken to improve program pass rates by December 17, 2010. On December 20, 2010, the Board received correspondence, dated December 16, 2010, from the director relative to the program’s plan to improve program pass rates.

On February 17, 2011, the assigned consultant forwarded correspondence advising the director that the program’s average annual pass rates had been **noncompliant** with regulatory requirements for five (5) consecutive quarters. On March 4, 2011, the Board received correspondence from the director relative to the effectiveness of interventions employed to address the program’s noncompliant pass rates.

On May 16, 2011, the assigned consultant forwarded correspondence advising the director that the program's average annual pass rates had been **noncompliant** with regulatory requirements for seven (7) consecutive quarters. The program was advised of its placement on the November 10, 2011 Board agenda for consideration of provisional accreditation. They were requested to submit information relative to enrollment, current faculty, clinical facilities, and program interventions to address program pass rates, and the effectiveness of those interventions, by August 19, 2011.

As noted previously, the Board placed the ABC Educators Nursing School Vocational Nursing Program on provisional approval on **November 10, 2011**, for the two-year period from November 10, 2011, through November 30, 2013, due to noncompliance with regulatory requirements relative to program pass rates. **At that time, the program's quarter pass rate was 14% and its average annual pass rate was 24%.** The Board rescinded the program's approval for ongoing admissions and directed the program to admit no additional students unless approved by the full Board. Reconsideration of the program's status was scheduled for November 2012 and November 2013.

On **November 9, 2012**, the Board continued the program on provisional approval with the next review to be done in November 2013 and approved the program's request to admit 12 students into a part – time class commencing June 18, 2013. **At that time, the program's quarter pass rate was 50% and its average annual pass rate was 61%.**

The program did not admit a class after its August 2011 class admission until June 2013. The August 2011 class graduated in January 2013, therefore the director and instructors had time to assure that the revised curriculum, approved by the Board in November 2012, and the program resources were in the best shape possible before the class admission in June 2013. Subsequently, the director reported that due to identification of inadequate performance by some instructors, the active faculty was reduced to the director and one additional instructor. As reported, the instructor was responsible for assuring that the curriculum was taught according to the approved instructional plan.

As indicated, the class admitted in August 2011 graduated in January 2013. No graduates from that class have yet taken the licensure examination. The program admitted a class of six (6) students in June 2013. One student dropped from that class after two weeks, leaving a total of five (5) students in the program.

In February 2013, the director presented concerns to the assigned Nursing Education Consultant (NEC) about preparing the program's follow-up report that would be due on August 1, 2013, as required by Correction #5 in the *Notice of Change in Program Status*, sent to her on November 28, 2013. (See Attachment B) Her concern was based on the fact that she had completed revision of the curriculum earlier during her provisional approval period and would not have any students until the approved class admission in June 2013. (See Attachment C) After discussion with the director, the NEC suggested that the director submit information about the status of the class admitted in June to inform the Board Members at the November Board Meeting about the effectiveness of the program's revised curriculum. She was asked to include:

- A report about what she had accomplished since the last class graduated;

- The screening of potential students;
- The qualifications of the students admitted, and
- The status of the students' progress.

On September 10, 2013, the director submitted the following documents:

- A summary of the student selection process and results;
- Suggested revisions to the new curriculum that were submitted by faculty and students as the program progressed;
- A package of documents that were titled "Faculty Meeting" that appeared to list what the students had been doing in skills lab and, in some cases evaluations of the student skills; however there were no dates or explanatory notes with these documents;
- A packet of documents labeled "Nursing School" that appeared to be a calendar of some sort, but again there were no dates on the pages and were no explanatory notes with these documents; and
- Progress reports for each of the five students indicating overall grade averages in theory from 81.2% to 95.4%.

On September 18, 2013, the Board received an email from an interested party alleging that although the program's approved instructional plan states that students will start clinical experience in clinical facilities in the eighth week of the curriculum, the program has no clinical sites in which to provide their students clinical experience. At the time the email was written, the enrolled class was in the eleventh week of the curriculum. Additionally, the complaint alleged that the program has no faculty in addition to the program director.

Subsequent to receiving the complaint, the assigned NEC sent an email to the program director asking for the name of the clinical facility to which students were currently assigned and asked for the name of the instructor assigned to teach the students in that facility. The director did not respond to the email. The NEC called the director the following day. The director acknowledged that the program currently has no clinical facilities available to the students. She stated that the instructor was supposed to arrange for clinical placement and failed to do so. The director also stated that the instructor sent students home on clinical days and was subsequently let go. The director stated that she was unaware that clinical facility placement had not been obtained by the instructor. At the time of speaking with the director, the program was in its twelfth week of the instructional plan. As stated earlier, according to that instructional plan, students were scheduled for weekly experience in a clinical facility starting in the eighth week of the program; therefore they had, at that time, missed four weeks of clinical experience.

The director was asked to submit a detailed description of the current status of clinical experience for the enrolled students by the close of business on Thursday, October 3, 2013. The documents requested were not received as requested by October 3, 2013; however, the director left a phone message with the NEC stating that they had been sent and asking if they had been received. She asked that the NEC call her and left a phone number. Upon returning the call, the NEC reached a phone message regarding ABC Educators, An American Red Cross Training Center. No one was in the office. The NEC then called the phone number of record in the Board database for the program. There was no answer and no voicemail

message. The NEC then sent an email to both of the known email addresses for the director telling her that her documents had not been received. The director was instructed to attach the documents to a reply to the NEC's email message to assure that the NEC received the documents. The response was received at 7:19 pm on Friday, October 4, 2013. At that time the director submitted all of the requested documents.

The director's investigation into the lack of clinical placements consists of a timeline demonstrating that the director did not know that the students had not yet been assigned to clinical facilities until September 12, 2013; and includes documentation of the director's efforts to obtain clinical placement after that date. (See Attachment D) The timeline does show that the students received some instruction in the school's simulation lab during the time that they were supposed to be in a clinical facility; however, the amount of time spent in the simulation lab versus the time that they were sent home during clinical time is unclear. The timeline states that students will start clinical experience in Nursing Fundamentals at a facility for developmentally disabled clients on October 8, 2013, but states that no additional clinical facilities have yet accepted student placement. The acceptance of students at a facility for developmentally disabled clients was verified with the facility by the NEC. Additionally, the NEC confirmed that the facility has adult clients and that the facility understands that the students are just beginning their clinical experience in the program. This facility had been approved by the Board for clinical experience in Medical-Surgical and Pediatric Nursing in the past, but has not been Board-approved for the provision of clinical experience in Nursing Fundamentals experience. The director submitted the Nursing Fundamentals objectives to the Board and demonstrated how those objectives could be met at the facility in question.

In summary, at the time of placement on provisional approval, **November 10, 2011**, the program's average annual pass rate was **24%**. Since that time the pass rate improved gradually over four quarters to **61% for Quarter 3 2012**, and then gradually decreased over the past four (4) quarters. **Currently**, the program's average annual pass rate is **36%**. It must be noted that although the program's pass rate is currently higher than it was at the time the program was placed on provisional approval, the program's average annual pass rate remains 38 percentage points below the state average annual pass rate.

Based upon the information obtained, the following violations of the California Code of Regulations were identified:

Section 2529(b) of the California Code of Regulations states:

"(b) 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. The director is responsible for compliance with all regulations in Chapter 1, Article 5 (commencing with Section 2525 et seq.)."

Violation #1: The program director failed to actively administer the program as evidenced by the director's lack of knowledge regarding the absence of clinical experience for the enrolled students and status of scheduled instruction.

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

Section 2530(a) of the California Code of Regulations states:

“(a) 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.”

Section 2534(b) of the California Code of Regulations states:

“(b) 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. Clinical objectives which students are expected to master shall be posted on patient care units utilized for clinical experience.”

Violation #2:

Board records confirm prior approval of clinical facilities adequate to provide a variety of clinical experiences consistent with the approved theory and competency – based objectives. However, the program failed to provide instruction consistent with the Board – approved curriculum.

Information submitted to and confirmed by the Board specifies that the program's approved clinical facilities were unavailable for assignment of the currently enrolled students. According to the Board – approved curriculum, enrolled students were to begin clinical experience in Board – approved clinical facilities during Week 8. Submitted information confirms that the program failed to provide clinical instruction for the currently enrolled class by Week 12. Reportedly, students spent some time in the school's simulation lab and were sent home for other scheduled clinical days.

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

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

“(l) 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.”

Violation #3:

The Board has twenty-three (23) quarters of published licensure examination statistics for ABC Educators Nursing School Vocational Nursing Program. The program was compliant during only two of those quarters and noncompliant during the remaining 21 quarters. As such, the program has been **compliant 8.69%** of the time from **January 2008 through September 2013**; the program has been

noncompliant for 91.30% of the remaining quarters. The program has been noncompliant with this regulation for the past seventeen consecutive quarters.

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

Section 2534(c) of the California Code of Regulations states:

“(c) Schools are responsible for the continuous review of clinical facilities to determine if the student’s clinical objectives for each facility are being met.”

Violation #4: Submitted information substantiates that the program failed to continuously review its approved clinical facilities to ensure availability for student assignment of the quantity and quality of clinical experience required for student achievement of approved clinical objectives. As a result, the program did not provide clinical experience for currently enrolled students. The director stated that she did not know that the students had not been placed in a clinical facility for clinical experience.

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

Recommendations:

1. Revoke the provisional approval of the ABC Educators Nursing School Vocational Nursing Program.
2. Remove the program from the *List of California Approved Vocational Nursing Programs* effective immediately.

Rationale: At the time of placement on provisional approval, the Board specified that the program shall demonstrate incremental progress in correcting its violations. If the program fails to satisfactorily demonstrate substantial progress, the full Board may revoke the program’s approval. Published examination statistics and submitted documents demonstrate the program’s failure to demonstrate substantial progress in correcting its violations.

The program has had marked difficulty in achieving and maintaining compliant average annual pass rates. The director has reported implementation of specific strategies to enhance student achievement and program pass rates. To date, those strategies have resulted in inconsistent changes in the program’s licensure examination pass rate.

At the time of placement on provisional approval, the program’s average annual pass rate was 24%, 52 percentage points below the State average annual pass rate. Since that time, the program’s average annual pass rate improved gradually over four (4) quarters to 61% and then gradually decreased over the past four (4) quarters to the current 36%. It must be noted that

the program's average annual pass rate remains 38 percentage points below the state average annual pass rate.

Of additional concern is the program's lack of active administration by the director, as evidenced by the director's self – reported lack of knowledge about what was happening in the program. Pursuant to California Code of Regulations Section 2529 (b), the director is the person required to actively administer the program. By the director's admission she was not aware of what was going on in her program so could not have been actively administering the program.

Said lack of active program administration is also evidenced by the failure to review its clinical facilities. As specified in California Code of Regulations Section 2534 (c), schools are responsible for the regular review of clinical facilities to determine if the student's clinical objectives are being met. Based on submitted and confirmed information, the program failed to regularly review its approved clinical facilities. As a result, the enrolled students have missed a minimum of four (4) weeks of clinical experience.

In summary, of the 23 quarters for which the program's licensure examination statistics are published, the program was compliant during only two (2) of those quarters and noncompliant during the remaining 21 quarters. Given the foregoing, the program has been **compliant 8.69%** of the time from **January 2008 through September 2013**; the program has been **noncompliant for 91.30% of the remaining quarters** over the past seventeen consecutive quarters in excess of four (4) years.

Based on the program's inability to consistently comply with requirements specified in the California Code of Regulations, it is appropriate to recommend revocation of provisional approval for this program.

- Attachment A: History of Prior Board Actions
- Attachment B: Notification of Change in Accreditation Status, dated November 28, 2011
- Attachment C: Email correspondence from director dated February 27, 2013
- Attachment D: Investigation on Clinical Sites/ABC Educators Nursing School

Agenda Item #13.A.1., Attachment A

ABC EDUCATORS NURSING SCHOOL VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On May 12, 2006, the Executive Officer approved the ABC Educators Nursing School's request to begin a vocational nursing program with an initial class of 15 students commencing June 6, 2006, only, with a completion date of November 22, 2007. Additionally, the program curriculum was approved for 1580 hours, including Theory: 578 Hours and Clinical: 1002 Hours.
- On June 5, 2007, the Board approved the program's request to admit a part-time class of 15 students on June 18, 2006, only, graduating December 10, 2008, **and** approved the program's request to admit a part-time class of 15 students each **June and September, only.**
- On December 5, 2007, the Executive Officer approved initial full accreditation for ABC Educators Nursing School Vocational Nursing Program for the period from November 21, 2007, through November 20, 2011, issued a certificate accordingly; and required the program director to submit a follow-up report to address the following areas by February 1, 2008: **a)** The effectiveness of the revised procedures for evaluation of the program curriculum and student counseling and remediation; **b)** Progress in securing classrooms with capacity adequate for the approved class size.
- On January 31, 2008, a report relative to program effectiveness was submitted. Additionally, the director confirmed that the program had secured class rooms adequate to accommodate the approved class size of 15 students.
- On December 8, 2008, the Executive Officer approved the ABC Educators Nursing School Vocational Nursing Program's request to admit a part-time class of **15** students **three (3) times each year** commencing March 16, 2009, to **replace** graduating students only.
- On March 18, 2009, the assigned consultant forwarded correspondence advising the director that the program's average annual pass rates were **noncompliant** with regulatory requirements. The director was requested to submit a written plan for improving program pass rates by April 2, 2009.
- On December 4, 2010, the assigned consultant forwarded correspondence to the director advising the director that the program's average annual pass rates had been **noncompliant** with regulatory requirements for four (4) consecutive quarters. The Director was requested to submit documentation relative to actions taken to improve program pass rates by December 17, 2010.

- On December 20, 2010, the Board received correspondence, dated December 16, 2010, from the director relative to the program's plan to improve program pass rates.
- On February 17, 2011, the assigned consultant forwarded correspondence advising the director that the program's average annual pass rates had been **noncompliant** with regulatory requirements for five (5) consecutive quarters.
- On March 4, 2011, the Board received correspondence from the director relative to the effectiveness of interventions employed to address the program's noncompliant pass rates.
- On May 16, 2011, the assigned consultant forwarded correspondence advising the director that the program's average annual pass rates had been **noncompliant** with regulatory requirements for seven (7) consecutive quarters. The program was advised of its placement on the November 10, 2011 Board agenda for consideration of provisional accreditation. They were requested to submit information relative to enrollment, current faculty, clinical facilities, and program interventions to address program pass rates, and the effectiveness of those interventions, by August 19, 2011.
- On August 16, 2011, the Board received correspondence from the program in response to the May 16, 2011 correspondence.
- On September 27, 2011, the assigned consultant forwarded correspondence to the director requesting additional information relative to the criteria for admission, screening, and selection of students, enrollment, evaluation methodology, and current curriculum by September 28, 2011.
- On September 28, 2011, the Board received electronic correspondence and supporting documents from the director in response to the Board's request.
- On October 7, 2011, the Supervising Nursing Education Consultant forwarded correspondence to the director requesting the submission of documents for Board presentation.
- On November 10, 2011, the Board placed the program on provisional accreditation for the two-year period from November 10, 2011 through November 30, 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. Rescind the program's approval to admit 15 students three (3) times each year. Require the program to obtain approval by the full Board prior to the admission of each class, and:
 1. Required the program to revise and submit to the Board the following program components consistent with regulatory requirements by **December 16, 2011**.
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.

2. Required the program to revise and submit to the Board the following curriculum documents by **December 16, 2011**.
 - a. Summary of Instructional Plan Hours.
 - b. Curriculum Hours per Content Area Worksheet for each term of the curriculum.
 - c. Revised Instructional Plan.
3. Denied the program's admission of 15 students on February 14, 2012 to **replace** candidates scheduled to graduate April 12, 2012.
4. Approved the program's admission of 15 students on April 16, 2012 only, with a projected graduation of September 13, 2013, to **replace** candidates scheduled to graduate April 12, 2012.
5. Required the program to show documented progress by submitting follow-up reports in three (3) months, but no later than **February 1, 2012**, nine (9) months, but no later than **August 1, 2012**, and twenty-one (21) months, but no later than **August 1, 2013**. 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.
 - p. 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.
6. 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.
7. Required the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's accreditation.

8. Stated that failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
 9. Placed the program on the **November 2013** Board agenda for reconsideration of provisional approval.
- On October 2, 2012, the assigned consultant forwarded correspondence to the director requesting documents for dissemination to Board Members.
 - On November 9, 2012, the Board approved the following recommendations:
 1. Continue ABC Educators Nursing School Vocational Nursing Program's on provisional approval with the next review to be done in November 2013.
 2. Approve the program's revised curriculum and approve 688 theory hours and 954 clinical hours for a total of 1642 program hours.
 3. Approve the program's request to admit 12 students into a part-time class commencing on June 18, 2013, only, and graduating on December 11, 2014.
 4. Continue to require the program to admit no additional students unless specifically approved by the full Board.
 5. Require the program to comply with all approval 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. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
 7. Place the program on the **November 2013** Board agenda for reconsideration of provisional approval.

Agenda Item #13.A.1., Attachment B



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR PETER WILSON, C. BROWN, JR.
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CERTIFIED MAIL

November 28, 2011

Susan Yowell, B.S., R.N.
Director, Vocational Nursing Program
ABC Educators Nursing School
101 East Redlands Boulevard, Ste. 207
Redlands, CA 92373

Subject: Notice of Change in Accreditation Status

Dear Ms. Yowell:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on November 10, 2011, the accreditation status of the ABC Educators Nursing School Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the one – year period from November 9, 2011, through November 30, 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, December 2, 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 or two years or eight consecutive quarters may be cause to place a program on provisional accreditation.”

Section 2533(f) of the California Code of Regulations states:

“All curricular changes that significantly alter the program philosophy, conceptual framework, content, objectives, or other written documentation as required in Section 2526, shall be approved by the Board prior to implementation. Proposed curricular changes must be submitted to the Board in final form by the fifteenth day of the second month preceding the month preceding the month of the Board meeting at which the changes will be considered. Revisions should include:

- (1) Explanation of changes;
- (2) Rationale for proposed revision;
- (3) Description of revised curriculum materials; and
- (4) Changes to behavioral objectives, if applicable.”

Program pass rates of the ABC Educators Nursing School Vocational Nursing Program for the past fifteen (15) 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 2008	75%	60%	-15
Apr – Jun 2008	74%	57%	-17
Jul – Sep 2008	74%	57%	-17
Oct – Dec 2008	73%	57%	-16
Jan – Mar 2009	72%	67%	-5
Apr – Jun 2009	70%	75%	+5
Jul – Sep 2009	72%	60%	-12
Oct – Dec 2009	73%	50%	-13
Jan – Mar 2010	74%	25%	-49
Apr – Jun 2010	75%	50%	-25
Jul – Sep 2010	75%	45%	-30
Oct – Dec 2010	76%	40%	-36
Jan – Mar 2011	77%	40%	-37
Apr – Jun 2011	76%	28%	-48
Jul – Sep 2011	76%	24%	-52

Based on this data, the program failed to comply with the annual average pass rate requirement. Further, the program failed to comply with regulatory requirements relative to curriculum revisions.

REQUIRED CORRECTION(S)

1. The ABC Educators Nursing School Vocational Nursing Program shall show documented progress satisfactory to the Board, to improve the effectiveness of instruction and program pass rates on the NCLEX/PN® by **November 1, 2012**. If no progress has been shown by then, the Board may revoke the program's accreditation completely.
2. The program shall revise and submit to the Board the following program components consistent with regulatory requirements by **November 30, 2011**.
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.
3. The program shall submit to the Board the following curriculum documents by **November 30, 2011**.
 - a. Revised Summary of Instructional Plan Hours.
 - b. Revised Curriculum Hours per Content Area Worksheet for each term of the curriculum.
 - c. Revised Instructional Plan.
4. The program shall admit no additional students unless specifically approved by the full Board.
5. The program shall submit follow-up reports in three (3) months, but no later than **February 1, 2012**, and nine (9) months, but no later than **August 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.

6. 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.
7. The program shall demonstrate substantial progress in correcting its violations. If the program fails to satisfactorily demonstrate substantial progress, the full Board may revoke the program's accreditation.
8. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
9. 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 November 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 3 and 4, 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: **Based on the above corrections, the full Board's permission will be required prior to each future class admission.**

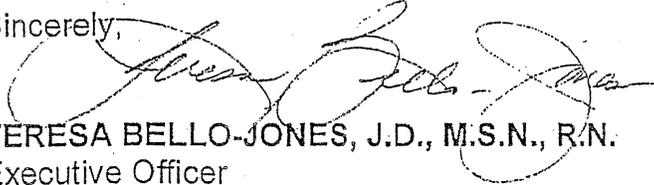
In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

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,

A handwritten signature in black ink, appearing to read "Teresa Bello-Jones", written over a circular stamp or seal.

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

Enclosures

cc: Board Members

TBJ:cca

Agenda Item #13.A.1., Attachment C

ABC Educators Nursing School Vocational Nursing Program

From: Susan Yowell [<mailto:bikesusanski@aol.com>]
Sent: Wednesday, February 27, 2013 2:58 PM
To: Suellen_Clayworth@dca.ca.gov; Clayworth, Suellen@DCA
Subject: ABC Educators Nursing School

Dear Suellen,

This correspondence is to provide information and concerns as identified and conveyed to you on Friday afternoon at the Los Angeles board meeting. In Friday's board meeting I observed that a school that has not had student testing for the 8 quarters could lose permission to remain open.

As I have developed a new curriculum and plan to implement, new lesson plans, HESI exams, Evolve simulation labs, and moving from paper books to Pageburst e-books from Evolve, my concern is I will not have students testing under the new curriculum until the beginning of 2015. I do not plan to ask for a new class until I have completed the one starting in June 2013 ending in November 2014.

I had verbalized to the board if I was not successful in reaching the goals with the new changes the school would voluntarily close. I am writing in anticipation that I will be successful however; I will not have data to the board on the NCLEX until May 2015 with no further information until November 2016 when I would have graduated the second class under the new curriculum.

As you can perceive we will have many quarters without students tested. I truly would not like to change my plan as I have made many changes and will be very active in the educational and evaluation process throughout the next 5 years. This plan would ensure I have a total understanding of the school educational environment and meet both the boards and our mission and goals.

Susan Yowell, RN, BSN Associate Director
bikesusanski@aol.com

Agenda Item #13.A.1., Attachment D

ABC Educators Nursing School

Vocational Nursing Program

Investigation on Clinical Sites/ABC Educators Nursing School

Wednesday, October 2, 2013

Time line	Week	Investigation
August 5	6	Purchased planbookedu.com at this time I had been attempting to identify communication with Sandra Koenig, LVN on her daily activity and student progress.
August 12	6 cont,	In observation of the students in clinical lab The students and my observation found they had not mastered this week and all agreed it would be best to repeat this week as a full week of skills.
August 19	7	Resumed schedule of curriculum
August 26	8	BPPE site visit report required. Susan Yowell and support staff worked this project all week. Sandra Koenig was to take students to clinical site. Investigation showed Sandra and students remained at school and worked in clinical lab with Sim Chart simulations.
September 3, 4, 5	9	BPPE on site visit student needed to be present for visit Sim lab approved to have students in building for visit.
September 12, 2013	10	The five current student and Susan Yowell, RN attended state board hearing in Los Angeles (LA). In discussion students reported they did not go to clinical this week and investigation started on why clinical were not started.
September 13, 2013		Stated to contact clinical sites to obtain information on ABC Educators Nursing School clinical rotations. Found that Plymouth Village site had not been contact by Sandra Koenig as she had stated to Susan Yowell, RN Remander of currently approved site DSD's were not available on this day.
September 16, 2013		Continued contacting clinical sites found that no clinical rotation had been set up and no call from Sandra Koenig
September 17, 2013		September 17 th students provided written feedback on instructors. Sandra Koenig placed on leave until investigation completed
September 17, 18, 19	11	Theory Instruction 8 hours Susan Yowell, RN Surgical Patient Clinical Lab: Using Sim-Chart and lab students performed patient care and documentation in Sim-Chart of pre-programed patient on Wednesday and Thursday. Support staff continued to work on calling clinical sites for availability.
September 24,25,26	Held	Classes cancelled for investigation Call clinical site: Plymouth Village – No available clinical space at this time Braswell's Second Street - No available clinical space at this time

Placed students off to work on investigation		Braswell's Yucaipa Valley – looking at schedule currently plan to be in contact with ABC Educators Nursing School in the next two weeks Patton State Hospital – on waiting list Braswell Community Care Center – DSD message left will F/U Angel View – Accepted and will start clinical Tuesday 10-8-2013
September 27		Sandra Koenig terminated
October 1, 2,3	12	October 1, 2013 Pharmacology Theory October 2, 2013 Clinical Lab instructor: Susan Yowell, RN Medication cart, care plan, education plan drug book use. Susan Yowell fundamental sim chart documentation Assessment and skills evaluation.
October 8,9,10	13	Start at ICF-DDN Angel View