

Agenda Item #13.A.1.



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

Board of Vocational Nursing and Psychiatric Technicians
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DATE: February 13, 2014

TO: Board Members

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

SUBJECT: Medical Career College, Fremont, Vocational Nursing Program –
Reconsideration of Provisional Approval¹; Consideration of Request to Admit
Students (Director: Marilyn Castillo, Fremont, Alameda County, Private)

On February 18, 2010, the Board placed Medical Career College, Fremont, Vocational Nursing Program on provisional approval for the two - year period from February 18, 2010, through February 17, 2012. That action was taken due to the program's noncompliance with Section 2530 (I) 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.”

On April 5, 2011, a revised Notice of Change of Accreditation Status was sent to the program based on actions taken in the February 2011 Board Meeting. (See Attachment B)

On February 24, 2012, the Board **extended** the Medical Career College Vocational Nursing Program's Provisional Approval for the one - year period from February 18, 2012 through February 28, 2013, and required the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by **February 28, 2013**.

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.

On February 6, 2013 the Board **extended** the Medical Career College Vocational Nursing Program's Provisional Approval for the one - year period from February 22, 2013 through February 28, 2014.

The program is now presented to the Board for review of its Provisional Approval status.

Additionally, the program director requests approval to admit 15 students into a day class commencing August 11, 2014, and graduating September 4, 2015, to **replace** students scheduled to graduate June 6, 2014. Additionally, the program requests approval to admit 15 students into an evening class commencing October 13, 2014, and graduating November 5, 2015, to **replace** students scheduled to graduate on October 9, 2014.

History of Prior Board Actions

(See Attachment A, History of Prior Board Action)

Enrollment

The program offers full – time day and evening classes that are 53 weeks in length. Board approval is required prior to the admission of each class. The enrollment table below presents the pattern of admissions for **current and proposed** classes.

The following table represents **current and projected** student enrollment based on current and proposed class starts and completions. The table indicates a **maximum enrollment of 28** students during the period **May 2013 through October 2014**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
5/13 (Day Class)		11	11	11
9/13 (Eve Class)		13	13	11 + 11 = 22
	6/14 (5/13 Day Class)		-11	22 - 11 = 11
8/14 (Day Class - Proposed)		15		11 + 15 = 26
	10/14 (9/13 Eve Class)		-13	26 - 13 = 13
10/14 (Eve Class - Proposed)		15		13 + 15 = 28

Licensing Examination Statistics

The following statistics, furnished by Pearson VUE, and published by the National Council of State Boards of Nursing as "Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction," for the period October 2007 through December 2013, specify the pass percentage rates for graduates of Medical Career College

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 21 quarters.

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		Variance from State Average Annual Pass Rate
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR §2530(l)]	
Oct-Dec 2007	17	6	35%	76%	35%	76%	-41
Jan-Mar 2008	5	2	40%	76%	36%	76%	-40
Apr-Jun 2008	1	0	0%	70%	35%	75%	-40
Jul-Sep 2008	1	0	0%	75%	33%	74%	-41
Oct-Dec 2008	No Candidates Tested			73%	33%	73%	-40
Jan-Mar 2009	No Candidates Tested			70%	0%	72%	-72
Apr-Jun 2009	20	6	30%	71%	29%	70%	-41
July-Sep 2009	31	13	42%	74%	37%	72%	-35
Oct-Dec 2009	11	4	36%	76%	37%	73%	-36
Jan-Mar 2010	10	1	10%	76%	33%	74%	-41
Apr-Jun 2010	8	6	75%	74%	40%	75%	-35
Jul-Sep 2010	14	7	50%	76%	42%	75%	-33
Oct-Dec 2010	4	0	0%	77%	39%	76%	-37
Jan-Mar 2011	5	3	60%	82%	52%	77%	-25
Apr-Jun 2011	7	2	29%	71%	40%	76%	-36
Jul-Sep 2011	6	4	67%	74%	41%	77%	-36
Oct-Dec 2011	3	2	67%	74%	52%	75%	-23
Jan-Mar 2012	5	4	80%	77%	57%	74%	-17
Apr-Jun 2012	6	2	33%	72%	60%	74%	-14
Jul-Sep 2012	11	8	73%	74%	64%	74%	-10
Oct-Dec 2012	2	1	50%	70%	63%	74%	-11
Jan-Mar 2013	5	4	80%	75%	63%	73%	-10
Apr-Jun 2013	5	3	60%	78%	70%	73%	-3
Jul-Sep 2013	1	0	0%	75%	62%	74%	-12
Oct-Dec 2013	5	4	80%	76%	69%	76%	-7

*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.

California Code of Regulations §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 approved vocational nursing schools for the same period.”

This data substantiates the program’s **noncompliance** with Section 2530 (l) of the Vocational Nursing Rules and Regulations for twenty-two (22) quarters and compliance for three (3) quarters.

Based on the most recent data available (October – December 2013), the program's average annual pass rate is 69%. The California average annual pass rate for graduates from accredited vocational nursing programs who took the NCLEX-PN® for the first time during the same period is 76%. The pass rate for the Medical Career College Vocational Nursing Program is **seven (7) percentage points below** the state average annual pass rate.

Faculty and Facilities

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

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

The program’s Board - approved faculty totals six, including the program director. The director has 100% administrative duties. Of the total faculty, five are approved to teach in the clinical area.

Based on a maximum enrollment of twenty-eight (28) students, two (2) instructors are needed. Therefore, the number of faculty is adequate for the current and proposed enrollment.

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

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

The program’s clinical facilities 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.

Other Considerations

The program was first placed on provisional accreditation in February 2010. That "accreditation", now titled "approval", was reconsidered by the Board at the February 24, 2012, Board Meeting. The Board extended the program's provisional approval to February 28, 2013, based on the fact that although the licensure examination pass rates continued to be more than ten percentage points below the state average annual pass rates, the program's pass rates were consistently improving. At the time the Board originally placed the program on provisional accreditation the program's average annual pass rate was 37%. At the time of extension of provisional approval in February 2012, the program's average annual pass rate was 52%. At the time that the Board again extended the program's provisional approval in February 2013, the program's annual average pass rate was 63%. Currently, as of December 2013, the program's annual average pass rate has increased to 69%

The director was required to submit a follow-up report in November 2013. That report was submitted on October 28, 2013. (See Attachment C)

In the report, the director reiterated the actions implemented to improve the program's average annual pass rates and summarized her conclusions as follows:

"For the past 25 quarters, Medical Career College has improved its variance from the state average annual pass rate from - 41 to -3.43. The interventions taken from February 2010 focusing on curriculum, hiring and retention of qualified faculty and review of policies has cultivated an academic environment geared on student success. Out of the 11 students who took the test in the three quarters of 2013, seven students passed. This equates to a pass rate of 63% which is 10% below the state average pass rate. On the third quarter of 2013, the one student taking the examination failed and registered a pass rate of 0%. As of the time this report is made, three students had already passed out of three first time takers. It is the prayer of the College that the Board carefully reviews the results of the efforts undertaken by the College."

Recommendations:

1. Extend the Medical Career College Vocational Nursing Program's Provisional Approval for the one - year period from February 28, 2014 through February 28, 2015, and issue a notice identifying specific areas of non - compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (See Attachment D)
2. Approve the program's request to admit 15 students into a day class commencing August 11, 2014, and graduating September 4, 2015, to **replace** students scheduled to graduate June 6, 2014.
3. Approve the program's request to admit 15 students into an evening class commencing October 13, 2014, and graduating November 5, 2015, to **replace** students scheduled to graduate on October 9, 2014.

4. Require the program to admit no additional students unless approved by the full Board.
5. Require the program to submit a follow-up report no later than **November 1, 2014**. The report must include a review of the comprehensive analysis submitted by the program including the effect of employed interventions and identification of revisions required to the program's plan of correction, and a timeline for implementation.
6. Failure to show progress shall constitute cause for revocation of provisional approval.
7. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
8. 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.
9. 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.
10. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
11. Place the program on the **February 2015** Board agenda for reconsideration of provisional approval.

Rationale: As noted previously, the program was placed on provisional approval on February 18, 2010 through February 28, 2014, due to noncompliance with regulatory requirements relative to average annual pass rates on the licensure examination. At the time of initial placement, the program's average annual pass rate was 37%. Currently the program's average annual pass rate is 69%.

While the pass rate has improved, consistent improvement has not been fully demonstrated. As such, extension of the program's provisional approval for an additional year is recommended to ensure that the program will achieve and maintain an average annual pass rate that is compliant with requirements specified in the Vocational Nursing Rules and Regulations.

- Attachment A: History of Prior Board Actions
- Attachment B: Notice of Change of Accreditation Status dated April 5, 2011
- Attachment C: Director's Follow-up Report dated October 28, 2013
- Attachment D: Draft Notice of Provisional Approval Status

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

MEDICAL CAREER COLLEGE, FREMONT VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On May 12, 2006, the Executive Officer approved Medical Career College's request to begin a vocational nursing program with an initial class of 30 students on June 19, 2006 only, **and** approved the program curriculum for 1600 hours, including 630 theory, and 970 clinical hours.
- On July 10, 2007, the Executive Officer approved initial full accreditation for the Medical Career College Vocational Nursing Program for the period from July 10, 2007, through July 9, 2011, and issued a certificate accordingly; **and** approved the program's request to admit a full-time class of 30 students on August 20, 2007, only, to **replace** students graduating on August 8, 2007; **and** approved the program's request to admit a second full-time class of 30 students on October 1, 2007 only, with a projected graduation date of October 31, 2008.
- On February 27, 2008, the Executive Officer approved the program's request to admit 30 students on March 17, 2008, only, with an anticipated graduation date of May 8, 2009.
- On June 4, 2008, the Executive Officer approved the program's request to admit 30 students on July 14, 2008 only, with an anticipated graduation date of August 21, 2009.
- On October 8, 2008, the Executive Officer approved the program's request to admit 15 students on December 1, 2008 only, graduating January 29, 2010, to **replace** a full – time day class; **and** approved the program's request to admit 15 students on December 1, 2008 only, to **replace** a full-time evening class. Graduation of that class is scheduled for January 29, 2010.
- On November 13, 2008, the assigned consultant forwarded correspondence notifying the director that the program's average annual pass rates had fallen more than ten (10) percentage points below state average annual pass rates for the past four (4) consecutive quarters. The program was requested to submit a written plan for improving its NCLEX-PN® pass rates by December 13, 2008.

The director reported that the program requires completion of the ATI tool as part of the program's curriculum review and NCLEX-PN® preparation process. Additionally, the director noted that the program had hired consultants to work with faculty on professional development issues.

- On March 18, 2009, the assigned consultant forwarded correspondence notifying the director that the program's average annual pass rates had fallen more than ten (10) percentage points below state average annual pass rates for the past five (5)

consecutive quarters. The director was requested to submit a copy of the program's detailed plan for improving the NCLEX-PN® pass rates, the date the plan was implemented, and the effectiveness of the employed interventions by April 2, 2009.

The director reported that the program received feedback that students were not following ATI requirements for completion of the Virtual ATI products that were added. The program switched to another review product offered by ATI, and students met with program consultants to review individualized reports regarding their progress. The program re-assigned faculty and hired an assistant director in an effort to strengthen student instruction.

- On April 21, 2009, the assigned consultant forwarded correspondence notifying the program director that the program's average annual pass rates had fallen more than ten (10) percentage points below state average annual pass rates for six (6) consecutive quarters. The program was requested to submit documentation verifying that the elements of the program's plan of correction had been implemented. The program was asked to send a full listing of student names, and specific documentation showing how each student met the admissions, screening and selection criteria for admission to the program by May 21, 2009. The program failed to submit the requested documentation.
- On July 15, 2009, the director reported, "As part of our plan of correction, we replaced Instructors, enhanced our curriculum and were working on creating an Admissions Committee and new policies to be submitted for approval. Once approved, we are looking forward to a more successful student population, and once approved for our next class we plan on instituting and having an ongoing evaluation of improvement regarding our newly approved policies."
- On July 16, 2009, the Board received correspondence from the director and evidence that all students meet the admissions, screening and selection criteria.
- On August 19, 2009, the assigned consultant forwarded correspondence notifying the program director that the program's average annual pass rates had fallen more than ten (10) percentage points of state average annual pass rates for seven (7) consecutive quarters. The consultant requested submission of an analysis of the effects of the program improvement plan.
- On September 3, 2009, the Executive Officer **denied** the program's request for admission of a class of **30** students on September 21, 2009, with a projected graduation date of November 30, 2010, to **replace** students that graduated on May 1, 2009. This denial was based upon the program's average annual pass rate of 29%. The Executive Officer **approved** the program's admission of a class of **15** students on September 21, 2009, only, with a projected graduation date of November 30, 2010, only, to **replace** students that graduated on May 1, 2009.

Additionally, the Executive Officer **denied** the program's request for admission of a class of **30** students on September 21, 2009, with a projected graduation date of November 30, 2010, to **replace** students that graduated on August 21, 2009. That denial was based upon the program's average annual pass rate of 29%, and historical Executive Officer approval of class sizes of 15 students. The Executive Officer **approved** the program's admission of a class of **15** students on September 21, 2009,

only, with a projected graduation date of November 30, 2010, only, to **replace** students that graduated on August 21, 2009.

- **On October 12, 2009, the Board approved a new program director.**
- On February 18, 2010, the Board placed Medical Career College, Fremont, Vocational Nursing Program on provisional accreditation for the two - year period from February 18, 2010, through February 17, 2012. The following corrections were required.
 1. The Medical Career College 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 for four (4) consecutive quarters by **February 17, 2011.**
 2. The program must prepare and implement a written plan to improve its pass rate and make modifications to the plan as necessary based on the success or failure of the actions taken. That plan must include a comprehensive analysis of the program, specific actions that will be taken to improve program pass rates, and timelines for expected results. The following elements must be addressed in the analysis:
 - 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.
 3. The program must submit a follow-up report in ten (10) and twenty – two (22) months evaluating the effectiveness of any corrective actions taken by each element listed in number 2 above.
 4. The program must 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 2525.
- On March 10, 2010, the Board forwarded correspondence to the program per certified and regular mail delineating actions taken by the Board relative to the program's placement on provisional accreditation.

- On March 16, 2010, the Board received verification of program receipt of the Notice of Change in Accreditation Status, dated March 10, 2010, from the U.S. Postal Service.
- **On March 30, 2010, a new program director was approved.**
- On June 26, 2010, the Executive Officer **deferred action** on the program's request to admit students to the Board for consideration at the September 16, 2010 meeting. This decision was based on the program's **average annual pass rate of 33%**. The consultant notified the director of the decision per telephone.
- September 1, 2010, the Executive Officer **approved** Medical Career College Vocational Nursing Program's request to admit a full – time day class of 15 students on September 27, 2010 only, with a projected graduation date of November 18, 2011, to **replace** full – time day students who graduated February 11, 2010; and approved the program's request to admit a full – time evening class of 15 students on September 27, 2010 only, with a projected graduation date of November 18, 2011, to **replace** full – time evening students who graduated February 11, 2010; and required the program to obtain Board approval prior to the admission of each class. That decision was based on the program's **average annual pass rate of 40%**, seven percentage points improved since the previous quarter.
- On November 5, 2010, the Board received program correspondence requesting approval to admit a day and evening class.
- On December 13, 2010, the Board received electronic correspondence from the program director titled, "*Program Response to Provisional Accreditation.*"
- On December 13, 2010, the assigned consultant forwarded correspondence advising the director that the submitted "*Program Response to Provisional Accreditation,*" did not fully comply with the Board's decisions of February 18, 2010. The program was requested to submit all required documents by December 24, 2010.
- On December 23, 2010, the Board received the director's electronic correspondence and revised "*Program Response to Provisional Accreditation.*"
- January 13, 2011, the Supervising Nursing Education Consultant sent correspondence to the director requesting the submission of documents for Board presentation.
- On January 24, 2011, copies of the program's report were received for dissemination to Board members.
- On February 25, 2011, the Board considered the program's request to admit students. The Board approved the program's admission of the following.
 - a. Fifteen (15) students into a day class commencing March 7, 2011, and graduating March 22, 2012, to **replace** students scheduled to graduate February 10, 2011; and
 - b. Fifteen (15) students into an evening class commencing March 7, 2011, and graduating March 22, 2012, to **replace** students that graduated October 28, 2010.

The program was required to admit no further students unless approved by the full Board. Additionally, the program was required to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by **February 28, 2012**. Additionally, the Board directed issuance of a Revised Notice of Noncompliance and Requirements for Correction to reflect:

- a. Prior violations relative to the program's annual average pass rate on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX/PN) shall be corrected by February 28, 2012; and
- b. Compliance with all accreditation standards is required.

Reconsideration of provisional accreditation was scheduled for February 24, 2012.

- On April 5, 2011, the Board forwarded, per certified and regular mail, a Revised Notice of Noncompliance and Requirements for Correction.
- On April 13, 2011, the Board received the program's signed Acknowledgement of Change in Accreditation Status. The document was signed by the program director on April 7, 2011.
- On December 2, 2011, the Board received program correspondence and the required follow – up report specified in the Notice dated April 5, 2011. Information contained therein indicated commencement of the 15 students approved on February 25, 2011 to **replace** students that graduated February 10, 2011 was delayed to July 18, 2012.
- On January 23, 2012, the assigned consultant sent correspondence requesting submission of documents for dissemination to Board members.
- On January 27, 2012, copies of the program's report were received for dissemination to Board members.
- On February 24, 2012, the Board approved the following recommendations:
 - a. Approved the program's request to admit 15 students into a day class commencing April 2, 2012 only, graduating April 22, 2013, to **replace** a class that scheduled to graduate March 22, 2012.
 - b. Approved the program's request to admit 15 students into an evening class commencing April 2, 2012 only, graduating April 22, 2013.
 - c. Required the program to admit no additional students unless approved by the full Board.
 - d. Extended the Medical Career College Vocational Nursing Program's Provisional Approval for the one - year period from February 18, 2012 through February 28, 2013, and issued a certificate and issued a notice to the program to identify

specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (see Attachment J.)

- e. Required the program to submit a follow-up report in nine months, but no later than **November 1, 2012**. The report 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 report must address all elements as identified in the Notice of Change in Accreditation Status dated April 5, 2011.
 - f. Required the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by **February 28, 2013**.
 - g. 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.
 - h. 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.
 - i. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
 - j. Placed the program on the **February 2013** Board agenda for reconsideration of provisional accreditation.
- On December 26, 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 February 6, 2013, the Board approved the following recommendations:
 - a. Approve the program's request to admit 15 students into a day class commencing May 13, 2013, only, and graduating June 6, 2014, to **replace** the class that is scheduled to graduate May 3, 2013.
 - b. Approve the program's request to admit 15 students into an evening class commencing September 16, 2013, only, and graduating October 9, 2014, to replace the class that is scheduled to graduate September 9, 2013.
 - c. Require the program to admit no additional students unless approved by the full Board.
 - d. Extend the Medical Career College Vocational Nursing Program's Provisional Approval for the one -year period from February 22, 2013, through February 28, 2014, and issue a certificate, and issue a notice to the program to identify specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (See Attachment C).
 - e. Require the program to submit a follow-up report no later than November 1, 2013. The report 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 report must address all elements as identified in the Notice of Change in Approval Status dated April 5, 2011.

- f. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
- g. 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.
- h. 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.
- i. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

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



STATE OF CALIFORNIA
STATE BOARD OF PROFESSIONAL REGULATION AGENCY • BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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CERTIFIED MAIL

April 5, 2011

Marilyn S. Castillo, M.S., B.S.N., R.N.
Director, Vocational Nursing Program
Medical Career College
41300 Christy Street
Fremont, CA 94538

Subject: *Notice of Change in Accreditation Status*

Dear Ms. Castillo:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on February 25, 2011, the Medical Career College Vocational Nursing Program continues on provisional accreditation for the two – year period from February 18, 2010 through February 29, 2012. Please sign and return the enclosed "Acknowledgement of Change in Accreditation Status" form by **Friday, April 15, 2011**.

AREAS OF NON-COMPLIANCE [VIOLATION(S)]

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

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

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

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

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

The program pass rates of the Medical Career College Vocational Nursing Program for the past thirteen (13) 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
Oct - Dec 2007	76%	35%	-41
Jan - Mar 2008	75%	35%	-39
Apr - Jun 2008	75%	35%	-40
Jul - Sep 2008	74%	33%	-41
Oct - Dec 2008	73%	33%	-40
Jan - Mar 2009	72%	0%	-72
Apr - Jun 2009	70%	29%	-41
Jul - Sep 2009	72%	37%	-35
Oct - Dec 2009	73%	37%	-36
Jan - Mar 2010	74%	33%	-41
Apr - Jun 2010	75%	40%	-35
Jun - Sep 2010	75%	42%	-33
Oct - Dec 2010	76%	39%	-37

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

REQUIRED CORRECTION(S)

1. The Medical Career College Vocational Nursing Program must bring its average annual pass rate on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX/PN[®]) to no more than ten (10) percentage points below the State annual average pass rate by **February 29, 2012**.
2. The program is approved to admit 15 students into a **day** class commencing March 7, 2011, and graduating March 22, 2012, to **replace** students scheduled to graduate February 10, 2011.
3. The program is approved to admit 15 students into an **evening** class commencing March 7, 2011, and graduating March 22, 2012, to **replace** students that graduated October 28, 2010.
4. The program must admit no additional students unless approved by the full Board.
5. The program must prepare and submit a written plan to improve its pass rates and make modifications to the plan as necessary based on the success or failure of the actions taken. Follow - up reports must be submitted in five (5) months, but no later than **July 1, 2011**, and ten (10) months, but no later than **December 1, 2011**. 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. 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.
6. The program must comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.

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

FUTURE BOARD ACTION

Your program will be placed on the **February 2012** Board Meeting agenda for reconsideration of your accreditation status. The nursing education consultant assigned to your program will ask you to submit documentation of the correction of your violation(s) by the fifteenth day of the second month prior to that 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 is required for the admission of each class.**

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.



**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.

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



Medical Career College

Vocational Nursing Program Follow-up Report

October 28, 2013

I. Background

Medical Career College was initially placed on provisional approval status on February 18, 2010 with an average annual pass rate of 37% for noncompliance with Section 2530 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 the first time candidates of accredited vocational nursing schools for the same period. “

On February 24, 2012, the average annual pass rate improved to 52%, a year extension was granted. On February 6, 2013 the average annual pass rate further improved to 63% (11% below the state average annual pass rate), provisional approval was once again extended for another year.

The NCLEX-PN Licensure Examination Data from Jan 2013 to Sept 2013 is presented in the table below:

Quarter	No. of Candidates	No. that Passed	% Passed	State Quarterly Passed Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate	Variance from State Average Annual Pass Rate
Jan-Mar 2013	5	4	80%	75%	62.50%	73%	- 10.5
April-June 2013	5	3	60%	78%	69.57%	73%	-3.4
July-Sept 2013	1	0	0%	75%	61.54%	75%	-13.46
Oct-Dec 2013							

For the last quarter based on the College data, out of the three candidates who has taken the licensure examination, everyone has passed.

II. Present Status

This report states the specific strategies taken to improve the program pass rate and the effect of the employed interventions.

Strategies
A. Students

Strategy	Specific Intervention	Outcome
Provide student support	Advising, counseling services Test taking skills, critical thinking practice in simulated examinations Individualized tutorial services Test review and feedback	Improvement in pass rate
Develop rigorous orientation	School and student expectations regarding rules, regulations, academic requirements are clearly outlined	No known grievance filed, improvement in attendance and grades for Cohorts 14 and 15
Identify high risk students	Track based on TEAS and predictor examinations Remediation Plan Faculty involvement in remediation	
Create faculty-student communication	Faculty access Faculty review of student progress Mentoring	Exchange of email communication between faculty, students and Director Regular and quarter review of student progress

B. Policies

Strategy	Intervention	Outcome
Review admission policies	Pre-admission testing requirements Pre-requisite requirements Screening for high risk Interview of potential students	Strict adherence to admission policies
Revise grading policies	Competency based grading	Student learning monitored
Strengthen policies on progression, advisement and remediation	Policies for at risk students	Sample remediation plan (Appendix A)

C. Faculty

Strategy	Intervention	Outcome
Improve faculty orientation	Formal orientation Mentoring with Director	Increase awareness of student concerns
Provide faculty training	Effective teaching-learning strategies NCLEX plan Accreditation/compliance	Accreditation workshop with ABHES (Appendix B)
Improve faculty recruitment and retention	Workload computation More faculty preparation time Hands-on experience	Increase length in time of employment averaging to three years
Evaluate teaching methods	Peer review Regular evaluation of faculty	Regular evaluation done by Director (Appendix C)
Improve administration of program	Improved communications Director's training in accreditation/compliance Regular faculty meetings	ABHES accreditation workshop and Initial Self-Study (Appendix D)
Provide pedagogical materials		Sample Lesson Plan (Appendix E)
Change VN faculty requirement to RN licensure/BS degree		Faculty with Bachelor and Masters degrees

D. Curriculum

General Strategy	Intervention	Outcome
Update teaching methodology		Student Evaluation Results (Appendix F)
Plan program review	Evaluation and review of curriculum Monitor outcomes and learning objectives Update syllabi Advisory Board	Program Effectiveness Plan submitted to ACICS (Appendix G)
Evaluate clinical sites	Skills checklist	Review and evaluation of clinical sites (Appendix H)

E. Testing and Evaluation

Strategy	Intervention	Outcome
Utilize the Review Guide for	LPN Pre- Entrance	For incoming cohorts

LPN/LVN Pre-Entrance Examination from the National League of Nursing	Examination	
Utilize NCLEX test plan and blueprint	Test construction	Sample examinations (Appendix I)
Utilize standardized testing and remediation plan	ATI Structured remediation	Sample student remediation
Implement test-taking strategies		NCLEX PN simulated examinations

III. Timelines

Timelines for the intervention is presented from the student's time of inquiry to the release for the student to take the examination.

IV. Summary

For the past 25 quarters, Medical Career College has improved its variance from the state average annual pass rate from – 41 to -3.43. The interventions taken from February 2010 focusing on curriculum, hiring and retention of qualified faculty and review of policies has cultivated an academic environment geared on student success. Out of the 11 students who took the test in the three quarters of 2013, seven students passed. This equates to a pass rate of 63% which is 10 % below the state average pass rate. On the third quarter of 2013, the one student taking the examination failed and registered a pass rate of 0%. As of the time this report is made, three students had already passed out of three first time takers. It is the prayer of the College that the Board carefully reviews the results of the efforts undertaken by the College.

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



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

Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
Phone 916-263-7800 Fax 916-263-7855 Web www.bvnpt.ca.gov



CERTIFIED MAIL

March 3, 2014

Marilyn Castillo, B.S.N., R.N.
Director, Vocational Nursing Program
Medical Career College
41300 Christy Street
Fremont, CA 94538

Subject: Notice of Continuation of Provisional Approval Status

Dear Ms. Castillo:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on February 28, 2014, the provisional accreditation status of the Medical Career College Vocational Nursing Program has been extended for the one-year period from February 28, 2014, through February 28, 2015. 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 **Monday, April 1, 2014**.

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.”

Program pass rates of the Medical Career College Vocational Nursing Program for the past twenty-two quarters are set forth in the following table.

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		Variance from State Average Annual Pass Rate
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate	
Oct-Dec 2007	17	6	35%	76%	35%	76%	- 41
Jan-Mar 2008	5	2	40%	76%	36%	76%	- 39
Apr-Jun 2008	1	0	0%	70%	35%	75%	- 40
Jul-Sep 2008	1	0	0%	75%	33%	74%	- 41
Oct-Dec 2008	No Candidates Tested			73%	33%	73%	-40
Jan-Mar 2009	No Candidates Tested			70%	0%	72%	-72
Apr-Jun 2009	20	6	30%	71%	29%	70%	- 41
July-Sep 2009	31	13	42%	74%	37%	72%	- 35
Oct-Dec 2009	11	4	36%	76%	37%	73%	- 36
Jan-Mar 2010	10	1	10%	76%	33%	74%	- 41
Apr-Jun 2010	8	6	75%	74%	40%	75%	-35
Jul-Sep 2010	14	7	50%	76%	42%	75%	-33
Oct-Dec 2010	4	0	0%	77%	39%	76%	-37
Jan-Mar 2011	5	3	60%	82%	52%	77%	-25
Apr-Jun 2011	7	2	29%	71%	40%	76%	-36
Jul-Sep 2011	6	4	67%	74%	41%	77%	-36
Oct-Dec 2011	3	2	67%	74%	52%	75%	-23
Jan-Mar 2012	5	4	80%	77%	57%	74%	-17
Apr-Jun 2012	6	2	33%	72%	60%	74%	-14
Jul-Sep 2012	11	8	73%	74%	64%	74%	-10
Oct-Dec 2012	2	1	50%	70%	63%	74%	-11
Jan-Mar 2013	5	4	80%	75%	63%	73%	0
Apr-Jun 2013	5	3	60%	78%	70%	73%	-3
Jul-Sep 2013	1	0	0%	75%	62%	74%	-12

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
Oct-Dec 2013	5	4	80%	76%	69%	76%	-7

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 this data, the program failed to comply with the annual average pass rate requirement.

REQUIRED CORRECTION(S)

1. The program shall admit no additional students unless approved by the full Board.
2. The program shall submit a follow-up report no later than **November 1, 2014**. The report 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 report must address all elements as identified in the Notice of Change in Approval Status dated April 5, 2011.
3. The program shall bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
4. The program shall 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.
5. The program shall 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.
6. 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.
7. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

FUTURE BOARD ACTION

Your program will be placed on the **February 2015** 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, 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 for 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 not advertise that it has full approval, 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:sc