

# Agenda Item #14.A.2.

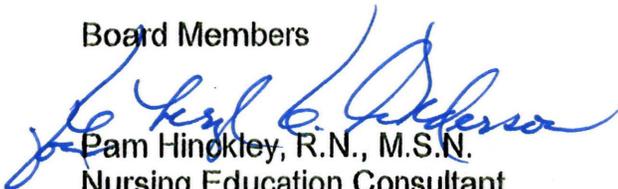


BUSINESS CONSUMER SERVICES AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.  
**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
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DATE: August 28, 2014

TO: Board Members

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

SUBJECT: Bethesda University of California Vocational Nursing Program – Reconsideration of Provisional Approval Based on the Report of Unannounced Survey Visit (Director: Delores Terriquez, Anaheim, Orange County, Private)

On May 11, 2012, the Board placed the Bethesda University of California, Vocational Nursing Program on provisional approval<sup>1</sup> for the two – year period from May 11, 2012 through May 30, 2014. The program was required to admit no additional students without prior approval by the full Board. That action was taken due to the program's noncompliance with Section 2530 (l) of the Vocational Nursing Rules and Regulations. Reconsideration of the program's status was scheduled for May 2014.

On May 16, 2014, the Board **extended** provisional approval for Bethesda University of California Vocational Nursing Program for the one (1) year period from May 16, 2014 through May 30, 2015, and issued 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.

Additionally, the Board denied the program's request to admit 30 full-time students into a class commencing on May 6, 2014; graduating on April 10, 2015 to **replace** students that graduated on October 8, 2012; **and**, approved the program's admission of 20 full-time students into a class commencing on June 16, 2014; graduating on June 5, 2015 to **replace** students that graduated on October 8, 2012, provided that the program has no more than ten (10) students per instructor during clinical experience; **and**, required the program to admit no additional classes without prior approval by the full Board; **and**,

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

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.

On June 23 – 24, 2014, an unannounced survey visit was conducted. The findings from that survey are presented for the Board's consideration.

**History of Prior Board Actions**

(See Attachment A, History of Board Action)

**Enrollment**

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

The following table represents **proposed** student enrollment based on proposed class starts and completions. The table indicates a **maximum enrollment of 62 students** for the period from **March 2008 through June 2014**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
3/08 FT		27	22	<b>22</b>
12/08		31	20	22 + 20 = <b>42</b>
2/09		25	4	42 + 4 = <b>46</b>
	2/09 (3/08 Class)		-22	46 - 22 = <b>24</b>
6/09 FT		17	14	24 + 14 = <b>38</b>
	12/09 (12/08 Class)		-20	38 - 20 = <b>18</b>
	2/10 (2/09 Class)		-4	18 - 4 = <b>14</b>
2/10 FT		27	12	14 + 12 = <b>26</b>
5/10 (Cited Prev. - <b>Unapproved</b> )		27	21	26 + 21 = <b>47</b>
	8/10 (6/09 Class)		-14	47 - 14 = <b>33</b>

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
10/10 FT (Class E)		7	6	$33 + 6 = 39$
10/10 PT (Cited Prev. Class J) <b>(Unapproved - Transferred from Stanton)</b>		15	12	$39 + 12 = 51$
	3/11 (2/10 FT Class)		-12	$51 - 12 = 39$
3/11 PT (Cited Prev. Class L) <b>(Unapproved - Transferred from Stanton)</b>		25	10	$39 + 10 = 49$
	6/11 (5/10 Class)		-21	$49 - 21 = 28$
6/11 PT (Cited Prev. Class M) <b>(Unapproved - Transferred from Stanton)</b>		14	3	$28 + 3 = 31$
8/11 FT (Cited Prev. - Class N) <b>(Unapproved - Transferred from Stanton)</b>		14	14	$31 + 14 = 45$
10/11 PT (Cited Prev. - Class F) <b>(Unapproved - Transferred from Stanton)</b>		8	10	$45 + 10 = 55$
	11/11 (10/10 FT Class)		-6	$55 - 6 = 49$
3/12 PT (Cited Prev. - Class G) <b>(Unapproved)</b>		21	13	$49 + 13 = 62$
	5/12 (10/10 PT Class)		-12	$62 - 12 = 50$
	7/12 (8/11 FT N Class)		-14	$50 - 14 = 36$
	9/12 (10/11 FT F Class)		-10	$36 - 10 = 26$
	10/12 (3/11 PT L Class)		-10	$26 - 10 = 16$
	1/13 (6/11 PT M Class)		-3	$16 - 3 = 13$
	11/13 (3/12 PT G Class)		-13	$13 - 13 = 0$

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
6/14 FT Approved But Not Started	6/15	30		0 + 30 = 30

### Licensing Examination Statistics

The following statistics, furnished by Pearson VUE, and published by the National Council of State Boards of Nursing as "Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction," for the period July 2009 through June 2014, specify the pass percentage rates for graduates of Bethesda University of California 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 19 quarters.

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR §2530(l)]	Variance From State Average Annual Pass Rate
Jul – Sep 2009	7	6	86%	72%	86%	72%	+14
Oct – Dec 2009	1	0	0%	76%	75%	73%	+2
Jan – Mar 2010	<b>No Candidates Tested</b>			76%	75%	74%	+1
Apr – Jun 2010	10	5	50%	74%	61%	75%	-14
Jul – Sep 2010	8	3	38%	75%	42%	75%	-33
Oct – Dec 2010	9	3	56%	77%	48%	76%	-28
Jan – Mar 2011	7	2	29%	80%	44%	77%	-33
Apr – Jun 2011	2	0	0%	71%	39%	76%	-37
Jul – Sep 2011	6	1	17%	74%	33%	75%	-42
Oct – Dec 2011	16	7	44%	74%	32%	75%	-43
Jan – Mar 2012	7	1	14%	77%	29%	74%	-45
Apr – Jun 2012	1	0	0%	72%	30%	74%	-44
Jul – Sep 2012	5	2	40%	76%	35%	74%	-39
Oct – Dec 2012	3	1	25%	70%	33%	74%	-41
Jan – Mar 2013	6	2	33%	75%	33%	73%	-40
Apr – Jun 2013	12	7	58%	78%	46%	73%	-27
Jul – Sep 2013	10	7	70%	75%	55%	74%	-19

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR §2530(I)]	Variance From State Average Annual Pass Rate
Oct – Dec 2013	7	3	43%	76%	54%	76%	-22
Jan – Mar 2014	5	2	40%	74%	56%	76%	-20
Apr – Jun 2014	11	4	36%	66%	48%	73%	-25

\*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 (Code) Section 2530 (I), 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 approved vocational nursing schools for the same period.”

Examination statistics for the period of April 2010 through June 2014 substantiate the program’s **noncompliance**.

Based on the most recent data available (April – June 2014), the **program's average annual pass rate is 48%**. The **California average annual pass rate** for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time during the same period is **73%**. The average annual pass rate for the Bethesda University of California Vocational Nursing Program is **25** 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 two (2), including the program director. Two (2) instructors are available to teach in the clinical area. The director has 100% administration duties; however, she will do classroom and clinical until more faculty are hired and Board approved.

Based on a maximum enrollment of 30 students, two (2) instructors are required for clinical supervision. Therefore, the current number of faculty is adequate for the current 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 does **not** have clinical facilities adequate as to type and variety of patients treated to enable current and proposed students to meet clinical objectives in accordance with Section 2534(b) of the Vocational Nursing Rules and Regulations. This has been verified by the consultant.

### **Program Survey Visit**

On June 23 and 24, 2014, an unannounced school site visit was completed by Board representatives to determine compliance with regulatory requirements and required corrections specified in the Notice. During the two-day visit, the consultants assessed the program's resources including faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment required for achievement of the program's objectives. In addition, the NEC's reviewed records for newly graduated and currently-enrolled students, and facilitated discussions with the Program Director and other staff members.

#### **➤ Physical Space:**

The Bethesda University Vocational Nursing Program and other programs are housed in a two (2) story older building. The building had an odor that smelled like it had experienced some type of water damage. Upon the NEC's arrival, it was difficult to locate the Director and the Vocational Nursing program. The NEC's spent approximately 40 minutes searching for the director. Interaction with two (2) separate employees failed to locate where the vocational nursing program was. As it turned out, the vocational nursing program is being re-located to the main building. During the site visit, the NEC's were taken to a couple of rooms on the first floor, of the main building, where the Vocational Nursing program would move to.

#### **➤ Program Documents:**

On the first day of the school site visit, the NEC's requested several documents for their review. The program director was slow to secure these documents. Many were never presented. Prior to leaving for the day, the NEC's again provided the director with a list of documents to have ready for review on the next morning. Again, the director failed to provide the requested documents. After several

requests, the director provided a few of the requested documents; however, many documents were never provided.

In summary, the program documents and equipment were in complete disarray and the director was unable to find most documents requested or did not have them. The director indicated that the administrator, Ms. Lucy Kim, had taken all of the program documents a few days earlier. It became evident that Ms. Kim and the director were not getting along. At one point the NEC's requested the director to provide some documents that had been requested the previous day and the director said "the documents are in the administrator's office, and I don't know where that is". The NEC's requested her to find out where the administrator's office was and retrieve the program documents. By the end of the visit, the requested documents were not provided.

Based on findings during the visit, the following violations of the California Code of Regulations (Code) were identified (see Attachment B):

**Section 2526(a) (12) of the Code states:**

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:  
... (12) Admission criteria...

**Violation #1:** An analysis of school files confirmed that the program's failure to follow its Board approved Admission Criteria for past enrolled students. The approved criterion specifies that applicants for program admission must complete the Test of Essential Academic Skills (TEAS) achieving an overall score of 52% and a score of 62% on the mathematics section.

**Plan to Correct #1:** This violation is **not corrected**.

**Section 2526(a) (13) of the Code states:**

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:  
... (13) Screening and selection criteria...

**Violation #2:** An analysis of program files confirmed that the program failed to consistently follow its Board – approved screening and selection criteria when selecting candidates for program admission. In so doing, the program admitted students that did not meet the established screening and selection criteria. As such, these students were at increased risk of failure.

**Plan to Correct #2:** This violation is **not corrected**.

**Section 2527 (b) of the Code states:**

“A school shall report to the Board within ten days of the termination of a faculty member.”

**Violation #3:** The program failed to notify the Board of the termination of multiple faculty members within the ten (10) days as required by existing regulations.

**Plan to Correct #3:** This violation is **not corrected**.

**Section 2527(c) of the Code states:**

“A material representation of fact by a vocational nursing program in any information submitted to the Board is cause for denial or revocation of approval or provisional approval.”

**Violation #4:** The program director reported the program had 19 clinical sites available for clinical experience for students. Board representatives contacted each clinical site reported by the program director as being an active site available for student clinical assignment. The Board’s investigation revealed the program had assigned students to Anaheim Healthcare Center in August of 2013; however, a current contract is not in place at this time. The remaining 18 clinical sites had not been used for minimally 1 ½ to 2 years and some were much longer (2009/10). Sixteen (16) of the clinical sites did not have a current contract with the facility and two (2) of the clinical sites had closed.

**Plan to Correct #4:** This violation is **not corrected**.

**Section 2529(b) of the Code states:**

“Each vocational nursing program shall have one faculty member, designated as director who meets the requirements of subsection (c) (1) herein, who shall actively administer the program. The director is responsible for compliance with all regulations in Chapter 1, Article 5 (commencing with Section 2525 et seq).”

**Violation #5:** During a review of documents and interaction with the director and staff, consultants identified that the director had failed to administer the program. Clinical site visits had not been made. As such, the director had failed to evaluate the effectiveness of assigned clinical experience, the ability of clinical sites to provide experience sufficient for students’ achievement of clinical objectives, and adequacy of experiences correlated to theory instruction. Program staff informed consultants that class schedules were made by the secretarial staff with very little input from the program director.

Additionally, the director failed to evaluate instructors to determine if the instructional plan was being implemented and the effectiveness of presented instruction.

**Plan to Correct #5:** This violation is **not corrected**.

**Section 2530(a) of the Code states:**

“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.”

**Violation #6:** During a review of documents, the director was asked to show the NEC’s the program’s library and provide a list of resources required for achievement of program objectives. The director failed to provide the list of resources required to support the program.

**Plan to Correct #6:** This violation is **not corrected**.

**Section 2530(b) of the Code states:**

“Regular faculty meetings shall be held. Minutes shall be available to the Board’s representative.

**Violation #7:** Based on a review of documents and discussion with the director, consultants identified that the program failed to have regular faculty meetings. The program had three (3) faculty meetings in 2013 while students were enrolled in classes.

**Plan to Correct #7:** This violation is **not corrected**.

**Section 2530 (e) of the Code states:**

“Each instructor shall have a daily lesson plan which correlates the theory and practice offered to the student. A copy of this plan shall be available to the director.”

**Violation #8:** The NEC’s requested lesson plans for selected topics. The director indicated that she was unable to locate any lesson plans.

**Plan to Correct #8:** This violation is **not corrected**.

**Section 2530 (h) of the Code states:**

“Each school shall have an attendance policy approved by the Board. The policy shall include but not limited to, criteria for attendance and the specific course objectives for which make-up time is required....”

**Violation #9:** The NEC's requested specific attendance records for which students had been absent and makeup was required. The director failed to provide the requested documents.

**Plan to Correct #9:** This violation is **not corrected**.

**Section 2530 (i) of the Code states:**

"The school shall evaluate student performance to determine the need for remediation or removal from the program."

**Violation #10:** Although the program had a remediation policy in place, program documents substantiate several students were identified as having academic or attendance issues. The remediation plans found were minimal and the school failed to follow through to ensure resolution of the identified problem.

**Plan to Correct #10:** This violation is **not corrected**.

**Section 2533 (f) of the Code 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....."

**Violation #11:** On February 13, 2008, the Board approved the program's request to begin a full-time program. The full – time curriculum was approved to include 1590 hours, including 622 theory and 968 clinical.

Information provided by the director confirmed the commencement of a part – time program without prior approval by the Board. The director was unable to supply Board representatives with the full – time or part – time curriculum implemented.

**Plan to Correct #11:** This violation is **not corrected**. On August 6, 2014, the new director submitted the full - time curriculum. The part - time curriculum was not submitted.

**Section 2534 (b) of the Code 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 and adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught...”

**California Business and Professions Code, Division 2, Chapter 6.5 Vocational Nursing, Article 4, Section 2882 states:**

“The course of instruction of an approved school of vocational nursing shall consist of not less than the required number of hours of instruction in such subjects as the board may from time to time by regulation determine, together with the required number of hours in the care of medical, surgical, obstetrical patients, care of sick children, and such other clinical experience as from time to time may be determined by the board....”

**Violation #12:** Based on an analysis of program documents, during the onsite unannounced visit, the program failed to provide documents substantiating clinical facilities adequate as to number, type, and variety of patients treated, to provide clinical experience for all students in the areas of the curriculum. The program lacked Maternity and Pediatric clinical sites adequate to provide clinical experience for incoming students.

The director provided consultants a list of clinical facilities at which students were assigned clinical experience. An analysis of the program’s Board approved clinical facility applications revealed that many of the applications listed “College of Medical Arts” as the school name, not Bethesda University. Board records substantiate that the program’s name was changed to Bethesda Christian University on September 17, 2009.

Additionally, consultants found that the clinical site the director indicated was used for the last graduating classes for Maternity and Pediatric clinical experience did not list Maternity or Pediatrics as services they offer to this school on the Board approved application. **Note:** Please refer to violation # 4 related to the status of clinical sites available for the program.

**Plan to Correct #12:** This violation is **not corrected**.

**Section 2534 (c) of the Code states:**

“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 #13:** Based on a review of documents and interaction with the director, consultants identified that the director had failed to evaluate the adequacy of clinical facilities since March of 2012. The director

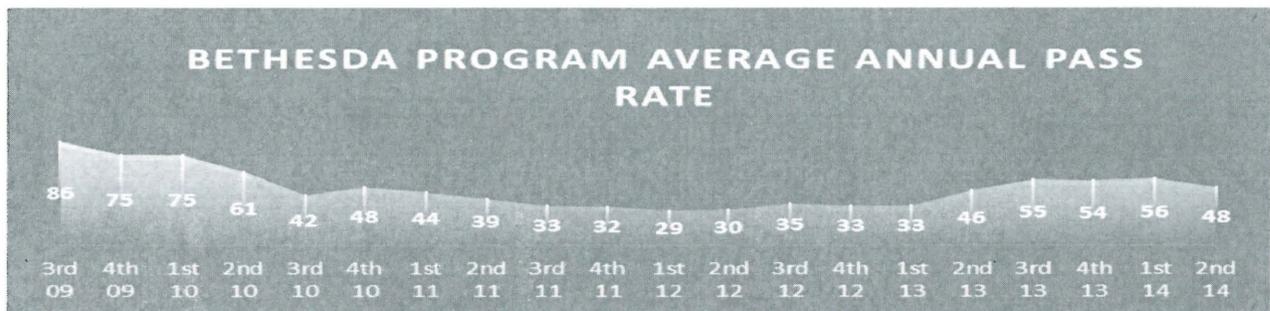
was unable to provide evidence of the evaluations reported as completed in March of 2012.

**Plan to Correct #13:** This violation is **not corrected**.

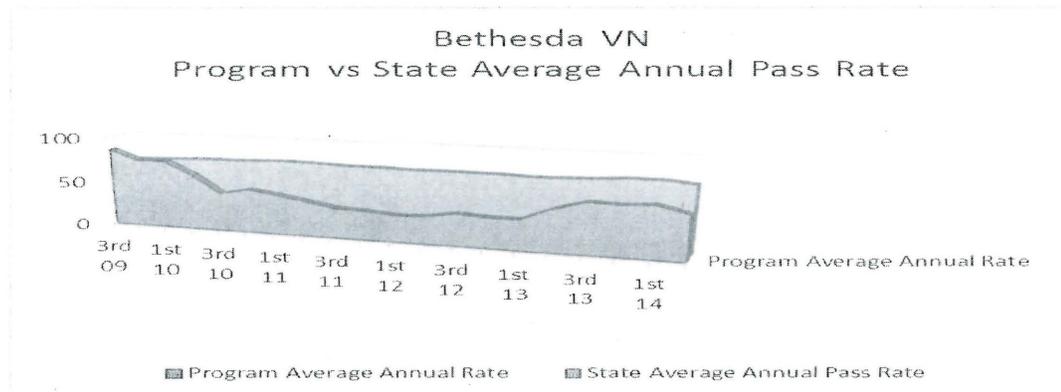
**Summary**

In summary, an unannounced site visit was made to Bethesda University on June 23 and 24, 2014. During the site visit 13 violations were identified. These violations are not corrected.

Using the data furnished by Pearson VUE, and published by the National Council of State Boards of Nursing as "Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction," for the period July 2009 through June 2014, and presented in the Licensing Examination Statistics, above, the following graph depicts the historical trend for the Bethesda University Vocational Nursing Program pass rates:



Finally, using the same data, the following graph compares the program's average annual pass rate with the state's average annual pass rate:



**Recommendations:**

1. Rescind Bethesda University Vocational Nursing Program's approval to admit 20 full-time students commencing June 16, 2014, only.
2. Revoke the provisional approval of the Bethesda University Nursing Vocational Nursing Program, effective immediately.

3. Remove the program from the *List of Approved Vocational Nursing School*.

**Rationale:** The program was placed on provisional approval on May 11, 2012 for a two (2) year period. On May 16, 2014, the Board extended the program's provisional approval for a one (1) year period from May 16, 2014 through May 30, 2015. Currently the program has 20 quarters of licensure data available. Seventeen (17) or **85%** of the 20 are significantly **below** the state average annual pass rate.

The program's Quarter 2 2014 quarter pass rate is **36%** and the **average annual** pass rate is **48%**. As such, the program's average annual pass rate is **25** percentage points **below** the state average annual pass rate.

On June 23 and 24, 2014, Board representatives made an unannounced school site visit. Twelve (12) violations of the California Code of Regulations were identified. During the site visit, NEC's requested several documents; the director was less than forthcoming providing these documents. Clinical sites are **not** adequate to provide clinical experience that is compliant with statutory and regulatory requirements. The program's resources were difficult to assess, since the program was moving from one building to another. Additionally, consultants identified that the program had implemented an unapproved instructional plan. This instructional plan was unavailable at the time of the visit. Based on the poor performance of program graduates on the licensure examination, the lack of clinical sites, number and content of the violations listed above, revocation of the program's provisional approval is recommended.

Based on provided enrollment data, the program graduated its last class of 13 students in November 2013. **No students are currently enrolled.**

Attachment A: History of Prior Board Actions.

Attachment B: Board Correspondence – Notice of Violations dated August 8, 2014.

# Agenda Item #14.A.2., Attachment A

## BETHESDA UNIVERSITY OF CALIFORNIA VOCATIONAL NURSING PROGRAM

### History of Prior Board Actions

- On February 13, 2008, the Executive Officer approved the College of Medical Arts, Torrance request, to begin a vocational nursing program with an initial full-time class of 30 students commencing February 19, 2008 only; **and** approved the program curriculum for 1590 hours, including 622 theory, and 968 clinical hours.
- On March 5, 2008, the Board was notified that the school had formed a partnership with Centinela Valley School District to offer the program at the Centinela Valley Adult School site and would delay commencement of the first class until March 10, 2008. At that time the school will be known as the College of Medical Arts, Lawndale, Vocational Nursing Program.
- On November 7, 2008, the program submitted documentation of the school's name change to Stanton University, effective December 1, 2008.
- On December 8, 2008, the Executive Officer approved initial full accreditation for Stanton University (formerly College of Medical Arts, Torrance, and College of Medical Arts, Lawndale), Vocational Nursing Program for the period from December 8, 2008, through December 7, 2012, and issued a certificate accordingly. Additionally, the Executive Officer approved the program's requests to admit the following classes, thereby increasing the program's frequency of admissions.
  - a. A full-time class of 45 students on February 17, 2009 only, to **replace** students graduating on February 27, 2009.
  - b. A full-time class of 45 students on December 15, 2008 only, graduating December 4, 2009.
- On May 13, 2009, the Executive Officer approved the program's request to admit 45 students into a full-time class on June 15, 2009 only, graduating May 15, 2010.
- On September 17, 2009, the Board received correspondence requesting a change in the program's name to Bethesda Christian University Vocational Nursing Program.
- On October 8, 2009, the Board received electronic notification of the director's resignation, effective October 5, 2009.
- **On October 12, 2009, a new program director was approved.**

- On January 7, 2010, the Executive Officer approved Bethesda Christian University Vocational Nursing Program's request to admit a full-time class of 30 students on January 11, 2010 only, with a projected graduation date of January 13, 2011.
- On June 25, 2010, the program notified the Board that commencement of the January 11, 2010 class was delayed to February 8, 2011.
- On August 6, 2010, the Executive Officer approved Bethesda University of California Vocational Nursing Program's request to admit a full-time class of 30 students on September 13, 2010 only, with a projected graduation date of August 25, 2011, to **replace** students graduating March 16, 2010; and, required the program to obtain Board approval prior to the admission of all classes.
- On May 11, 2011, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rates for the past five (5) quarters.
- On August 14, 2011, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rates for the past six (6) quarters.
- On February 22, 2012 the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rates for more than seven (7) consecutive quarters. The following information was requested by March 9, 2012.
  - a. Current and projected enrollment.
  - b. Approved faculty.
  - c. Approved clinical facilities.
  - d. Clinical rotation schedule.
  - e. Analysis of the submitted corrective action plan.
- On March 14, 2012, the Board received the program's plan to increase the licensure pass rates.
- **On March 26, 2012, a new program director was approved.**
- On March 28, 2012, the Board forwarded a notice of violation to the program director relative to violations of the California Code of Regulations, sections 2527(b) and 2530(k). The program was required to submit a plan to prevent future violations to the Board by **April 20, 2012.**
- On April 4, 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 April 6, 2012, the director submitted a plan to prevent future violations, as referenced on March 28, 2012.
- On April 16, 2012, the Board received correspondence from the program director and eighteen (18) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.
- On April 17, 2012, the school manager and the director met with the SNEC and NEC at the Board's offices. The focus of the meeting was to inform the Board's representatives of the school's history and request consideration of replacement classes. The NEC provided the new director an orientation to her new role.
- On May 11, 2012, the Board denied Bethesda University Vocational Nursing Program's request to admit a full-time class of 30 students commencing on July 17, 2012, graduating June 19, 2013, to **replace** students who transferred to Bethesda University from Stanton University; **and**, denied the program's request to admit a Part-time class of 30 students on June 11, 2012, graduating December 13, 2013, to **replace** students who transferred to Bethesda University from Stanton University; **and**,

Placed Bethesda University Vocational Nursing Program on provisional approval for the two-year period from May 11, 2012, through May 31, 2014, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations; **and**,

Required the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate **by April 1, 2014; and**,

Required the program to admit no additional students without prior approval by the full Board; **and**,

Required the program to submit follow-up reports in nine months, but no later than **February 1, 2013**, and 21 months, but no later than **February 1, 2014**. The reports shall include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.

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

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

Required the program to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526; **and**, required the program to demonstrate substantive incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval; **and**, advised the program that failure to take any of these corrective actions may cause the full Board to revoke the program's approval; **and**, placed the program on the **May 2014** Board agenda for reconsideration of provisional approval.

- On June 13, 2012, the Board forwarded to the director the Notice of Change in Approval Status.
- On August 17, 2012, the assigned consultant forwarded correspondence requesting submission of eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider
- On September 18, 2012, Board representatives met with program representatives relative to the program's approval status and request to admit students. Program representatives present were: Nanyun Lee, Director, Young Choo Kim, Chief Academic Officer, Mantae Kim, Chief Financial Officer and Mark Treston, Compliance director.
- On October 3, 2012, the Board received correspondence from the program director and eighteen (18) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.
- On November 9, 2012, the Board denied Bethesda University of California Vocational Nursing Program 's request to admit 30 part-time students into a class commencing on January 10, 2013 and graduating on June 15, 2014; **and** denied the program's request to admit 30 full-time students into a class commencing on March 10, 2013 and graduating on March 20, 2014; and, required the program to continue to obtain full Board approval prior to the admission of each class.
- On March 11, 2013, the assigned consultant forwarded correspondence requesting submission of two (2) copies and a CD or Flash Drive of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider by March 22, 2013.
- On March 22, 2013, the Board received correspondence from the program director and two (2) copies and a CD of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.
- On May 10, 2013, the Board **denied** Bethesda University Vocational Nursing Program 's request to admit 20 full-time students into a class commencing on August 5, 2013 and

graduating on August 4, 2014; **and** continued the program's requirement to obtain full Board approval prior to the admission of each class.

- On December 6, 2013, the Board received the director's updated plan to improve licensure pass rates.
- On February 28, 2014, the Board **denied** Bethesda University of California Vocational Nursing Program's request to admit 30 full-time students into a class commencing on May 6, 2014; graduating on April 10, 2015 to **replace** students that graduated on October 8, 2012; **and**, continued to require the program to obtain full Board approval prior to the admission of each class.
- On May 16, 2014, the Board **extended** provisional approval for Bethesda University of California Vocational Nursing Program for the one (1) year period from May 16, 2014 through May 30, 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; **and**, denied the program's request to admit 30 full-time students into a class commencing on May 6, 2014; graduating on April 10, 2015 to **replace** students that graduated on October 8, 2012; **and**, approved the program's admission of 20 full-time students into a class commencing on June 16, 2014; graduating on June 5, 2015 to **replace** students that graduated on October 8, 2012, provided that the program has no more than ten (10) students per instructor during clinical experience; **and**, required the program to admit no additional classes without prior approval by the full Board; **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; **and**,

Required the program to submit a follow-up report in four (4) months, but no later than **September 1, 2014**, and nine (9) months, but no later than **February 1, 2015**. The report must include a review of the prior comprehensive analysis, effectiveness of employed interventions, revisions to the original plan, and timeline for implementation and correction; **and**, required 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 2525; **and**, 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 approval; **and**, advised the program that failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

- On May 21, 2014, the Board forwarded to the director the Notice of Change in Approval Status, identifying program deficiencies and required corrections

# Agenda Item #14.A.2., Attachment B.



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

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS  
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## CERTIFIED MAIL

August 8, 2014

Delores Terriquez, Director  
Vocational Nursing Program  
Bethesda University of California  
730 North Euclid Avenue  
Anaheim, CA 92801

***Subject: Vocational Nursing Program  
Notice of Violation***

Dear Ms. Terriquez:

On June 23 and 24, 2014, the Board of Vocational Nursing and Psychiatric Technicians (Board) made an unannounced program survey visit to the Bethesda University of California Vocational Nursing Program. Based on the survey visit and review of submitted documents, the following violations were identified:

### **Section 2526(a)(12) of the Vocational Nursing Rules and Regulations states:**

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:  
... (12) Admission criteria...

**Violation #1:** Based upon an analysis of school files the school failed to follow its Board approved Admission Criteria for past and currently enrolled students. The approved criterion specifies that applicants for program admission must complete the Test of Essential Academic Skills (TEAS) achieving an overall score of 52% and a score of 62% on the mathematics section.

### **Section 2526(a) (13) of the Vocational Nursing Rules and Regulations states:**

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:  
... (13) Screening and selection criteria...

**Violation #2:** Based on an analysis of program files, the program failed to consistently follow its Board – approved screening and selection criteria when selecting candidates for program admission. In so doing, the program admitted students that did not meet the established screening and selection criteria. As such, these students were at increased risk of failure.

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

“A school shall report to the Board within ten days of the termination of a faculty member.”

**Violation #3:** The program failed to notify the Board of the termination of multiple faculty members within the ten (10) days as required by existing regulations.

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

“Each vocational nursing program shall have one faculty member, designated as director who meets the requirements of subsection (c) (1) herein, who shall actively administer the program. The director is responsible for compliance with all regulations in Chapter 1, Article 5 (commencing with Section 2525 et seq).”

**Violation #4:** During a review of documents and interaction with the director and staff, it became evident that the director had failed to administer the program. Clinical site visits had not been made in order to evaluate the effectiveness of the clinical experience and the ability for the clinical site to provide student's achievement of clinical objectives or the correlation of theory to clinical. Class schedules were made by the secretarial staff with very little input from the program director. The director failed to evaluate instructors to determine if the instructional plan was being implemented or if instruction was effective.

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

“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.”

**Violation #5:** During a review of documents, the director was asked to show the NEC's the program's library and provide a list of resources required for achievement of program objectives. The director failed to provide the list of resources required to support the program.

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

“Regular faculty meetings shall be held. Minutes shall be available to the Board's representative.

**Violation #6:** Based on a review of documents and discussion with the director, consultants identified that the program failed to have regular faculty meetings. The program had three (3) faculty meetings in 2013 while students were enrolled in classes.

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

“Each instructor shall have a daily lesson plan which correlates the theory and practice offered to the student. A copy of this plan shall be available to the director.”

**Violation #7:** The NEC’s requested lesson plans for selected topics. The director indicated that she was unable to locate any lesson plans.

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

“Each school shall have an attendance policy approved by the Board. The policy shall include but not limited to, criteria for attendance and the specific course objectives for which make-up time is required....”

**Violation #8:** The NEC’s requested specific attendance records for which students had been absent and makeup was required. The director failed to provide the requested documents.

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

“The school shall evaluate student performance to determine the need for remediation or removal from the program.”

**Violation #9:** Although the program had a remediation policy in place, program documents substantiate several students were identified as having academic or attendance issues. The remediation plans found were minimal and the school failed to follow through to ensure resolution of the identified problem.

**Section 2533 (f) of the Vocational Nursing Rules and 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.....”

**Violation #10:** On February 13, 2008, the Board approved the program’s request to begin a full-time program. The full – time curriculum was approved to include 1590 hours, including 622 theory and 968 clinical.

Information provided by the director confirmed the commencement of a part – time program without prior approval by the Board. The director was unable to supply Board representatives with the full – time or part – time curriculum implemented.

**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 and adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught...”

**California Business and Professions Code, Division 2, Chapter 6.5 Vocational Nursing, Article 4, Section 2882 states:**

“The course of instruction of an approved school of vocational nursing shall consist of not less than the required number of hours of instruction in such subjects as the board may from time to time by regulation determine, together with the required number of hours in the care of medical, surgical, obstetrical patients, care of sick children, and such other clinical experience as from time to time may be determined by the board....”

**Violation #11:** Based on an analysis of program documents, the program failed to provide documents substantiating clinical facilities adequate as to number, type, and variety of patients treated, to provide clinical experience for all students in the areas of the curriculum. The program lacked Maternity and Pediatric clinical sites adequate to provide clinical experience for incoming students.

The director provided consultants a list of clinical facilities at which students were assigned clinical experience. An analysis of the program’s Board approved clinical facility applications revealed that many of the applications listed “College of Medical Arts” as the school name, not Bethesda University. Board records substantiate that the program’s name was changed to Bethesda Christian University on September 17, 2009.

Additionally, it was found that the clinical site the director indicated was used for the last graduating classes for Maternity and Pediatric clinical experience did not list Maternity or Pediatrics as services they offer to this school on the Board approved application.

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

“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 #12:** Based on a review of documents and interaction with the director, consultants identified that the director had failed to evaluate the adequacy

of clinical facilities since March of 2012. No evidence of the evaluations the director stated she made in March of 2012 was provided to the NEC's.

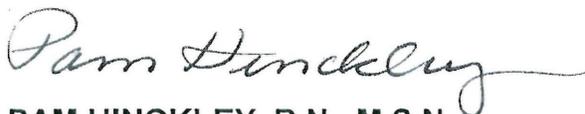
**Be advised that the continuation of such violations jeopardizes your program's approval.** Please submit the following by the date listed below:

1. A plan and timeline for correction of each violation listed above (1-12).
2. Develop tools to be utilized for written evaluation of:
  - a. Clinical facilities,
  - b. Student progress,
  - c. Remediation (to include follow-up),
  - d. Attendance
3. Evaluation forms utilized by the Director for the following:
  - a. Curriculum
  - b. Student performance
  - c. Facilities
  - d. Faculty
4. Instructional Plan for the Board approved full-time program.
5. Lesson Plans for all topics taught in the Board approved instructional plan.
6. Submit a signed statement attesting that the program has on file proof of High School completion or the equivalent thereof for all enrolled students.
7. Vocational Nursing Program Handbook
8. Pictures of VN classrooms for planned classes.
9. Pictures and list of equipment in the program's Skills Laboratory.
10. List of all equipment, publications, and electronic resources in the program's library.

The Board requests the above information no later than **Friday, August 29, 2014.**

Should further information be needed, please feel free to contact the Board at (916) 263-7840.

Sincerely,



**PAM HINCKLEY, R.N., M.S.N.**  
Nursing Education Consultant