

Agenda Item #8.C.1.



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

Board of Vocational Nursing and Psychiatric Technicians
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DATE: January 30, 2015

TO: Board Members

FROM: *Jessica Honey*
for Donna G. Johnson, R.N.P., M.S., M.A.
Nursing Education Consultant

SUBJECT: Bay Area College of Nursing, Palo Alto, Vocational Nursing Program:
Consideration of Request to Admit Students (Director: Rachele Cagampan, Palo Alto,
Santa Clara County, Private)

On November 10, 2011, the Board placed the Bay Area College of Nursing, Palo Alto Vocational Nursing Program on provisional approval for a two (2) year period from November 10, 2011 through November 30, 2013, due to noncompliant licensure pass rates.

On November 22, 2013, the Board extended the program's provisional approval through November 30, 2014. On November 21, 2014, the Board again extended the program's provisional approval through November 30, 2015.

On December 12, 2014, the Board received the program's request to admit one (1) evening class of 20 students commencing February 23, 2015 and graduating May 22, 2016.

History of Prior Board Actions

(See Attachment A for Prior Board Actions)

Enrollment

The program currently offers classes that are thirty (30) hours per week and fifty-eight (58) weeks in length. Approval by the full Board is required prior to the admission of each class. The program's admission pattern for current classes is seen in the enrollment table below.

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 57 students** for the period from **January 2010 through May 2016**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
1/10 (Eve)		24	21	21
7/10 (Eve)		25	22	22 + 21 = 43
1/11 (Eve)		16	14	43 + 14 = 57
	2/11 (1/10 Class)		-21	57 - 21 = 36
	9/11 (7/10 Class)		-22	36 - 22 = 14
12/11 (Eve)		10	13	14 + 13 = 27
	2/12 (1/11 Class)		-14	27 - 14 = 13
6/12 (Eve)		19	18	13 + 18 = 31
	3/13 (12/11 Class)		-13	31 - 13 = 18
5/13 (Eve)		11	9	18 + 9 = 27
	8/13 (6/12 Class)		-18	27 - 18 = 9
2/14 (Eve)	5/15	14	15	9 + 15 = 24
	8/14 (5/13 Class)		-9	24 - 9 = 15
9/14 (Eve)	12/15	13	13	15 + 13 = 28
12/14 (Day)	3/16	6	6	28 + 6 = 34
2/15 (Eve) Proposed	5/16	20		34 + 20 = 54

Licensing Examination Statistics

The following statistics, furnished by the Pearson Vue and published by the National Council of State Boards of Nursing as "Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction," for the period January 2010 through December 2014, specify the pass percentage rates for graduates of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®), and the variance from state average annual pass rates.

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 [CCR § 2530 (l)]	Variance From State Average Annual Pass Rate
Jan – Mar 2010	18	7	39%	75%	64%	74%	-10
Apr – Jun 2010	13	6	46%	74%	59%	75%	-16
Jul – Sep 2010	17	7	41%	76%	45%	75%	-30
Oct – Dec 2010	11	2	18%	77%	37%	76%	-39
Jan – Mar 2011	13	7	54%	80%	41%	77%	-36
Apr – Jun 2011	2	0	0%	71%	37%	76%	-39
Jul – Sep 2011	15	7	47%	74%	39%	76%	-37
Oct – Dec 2011	4	3	75%	74%	50%	75%	-25
Jan – Mar 2012	11	5	45%	77%	47%	74%	-27
Apr – Jun 2012	13	7	54%	72%	51%	74%	-23
Jul – Sep 2012	8	5	63%	74%	56%	74%	-18
Oct – Dec 2012	3	1	33%	70%	51%	74%	-23
Jan – Mar 2013	5	1	20%	75%	48%	73%	-25
Apr – Jun 2013	3	0	0%	78%	37%	73%	-36
Jul – Sep 2013	8	6	75%	75%	42%	74%	-32
Oct – Dec 2013	5	4	80%	76%	52%	76%	-24
Jan – Mar 2014	5	4	80%	74%	67%	76%	-9
Apr – Jun 2014	6	4	67%	66%	75%	73%	+2
Jul – Sep 2014	No Candidates Tested			72%	75%	73%	+2
Oct – Dec 2014	5	4	80%	72%	75%	72%	+3

*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 section 2530(l) states:

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

This data substantiates that, since placement on provisional approval, the program was non-compliant with regulatory requirements for eight (8) consecutive quarters. However, it is also noted that for the four quarters of 2014, with a total of 16 candidates testing, the program's average annual pass rates have been compliant with regulatory requirements.

Based on the most current data available (October through December 2014), the program's average annual pass rate is **75%**. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time is 72%. The average annual pass rate for the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program is **three (3)** percentage points **above** 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 number of Board-approved faculty totals 12, including the director and one (1) Additional Faculty. The director has 90% administrative and 10% teaching duties. Of the total faculty, 11 instructors, including the director, are approved to teach clinical.

Based on the Board's prior decision requiring the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences and the program's maximum enrollment of **57** students, **six (6)** instructors are needed. Therefore, the number of current faculty is adequate for the current and proposed enrollment.

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

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

The program **lacks** sufficient clinical facilities to provide clinical experiences that are consistent with the approved curriculum for the current and proposed student enrollment. Specifically, the program lacks clinical facilities adequate to provide clinical experience with sick children for the proposed student enrollment.

Other Considerations

As noted previously, the Board placed the Bay Area College of Nursing, Palo Alto Vocational Nursing Program on provisional approval for a two (2) year period from November 10, 2011 through November 30, 2013, due to noncompliant program pass rates. **At that time, the program's average annual pass rate was 39%.**

In an effort to improve NCLEX/PN® pass rates, the program proposed revisions to its admission, screening, and selection criteria, and completed a major curriculum revision that was approved on April 17, 2012. The revised curriculum shifted some of the focus in the theoretical content, increased clinical hours from **970** to **1012.5**, and incorporated ATI, as noted below.

On November 21, 2014, with an average annual pass rate of **75%**, the Board extended the program's provisional approval for through November 30, 2015. Noting the lower number of program graduates taking the licensing examination, the Board required the program to submit a report analyzing the reasons for the decrease in the number of program test takers since the introduction of the new curriculum. The report, submitted January 15, 2015 is attached. (See Attachment B).

Of additional concern is the program's lack of adequate clinical facilities. Analysis of data submitted in support of the current request to admit students has confirmed a lack of clinical facilities for both Pediatric Nursing and Maternity Nursing. Specifically, no provision for sick child care experience was proposed for half of the requested students. The pediatrician's office the program proposes to utilize reported the doctor had been too busy for the past year and there were no plans to take students. The obstetrician's office the program proposes to utilize reported they can accommodate one (1) student at a time for four (4) days per week. The program proposed to send students to this office five (5) days per week. The remaining students were to be scheduled in a pregnancy options clinic that, per the clinic's website, provides prenatal care up to the third trimester. The program proposed 10 hours of simulation for Pediatric Nursing and 18 hours of simulation for Maternity Nursing.

Recommendations:

1. Approve the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit one (1) evening class of 20 students commencing February 23, 2015 and graduating May 22, 2016, **provided** the program secures and obtains Board approval for adequate clinical facilities, **no later than February 20, 2015**, such that Maternity Nursing and Pediatric Nursing clinical objectives can be accomplished,
2. Require the program to submit verifiable plans for clinical placements for Maternity Nursing and Pediatric Nursing for currently enrolled students **no later than February 20, 2015**.
3. Continue the program's requirement to obtain approval by the full Board prior to the admission of additional students.

Rationale: The Bay Area College of Nursing, Palo Alto, Vocational Nursing Program has not provided plans that ensure the placements of enrolled students in clinical facilities that are adequate as to number, type, and variety of patients treated such that the required competency-based objectives for Maternity Nursing and Pediatric Nursing can be accomplished. Therefore, it is recommended to approve the admission **contingent upon** the program obtaining and securing adequate Board – approved clinical facilities.

The inaccurate data submitted for the proposed students supports the recommendation requiring the program to submit verifiable clinical placement plans for the currently enrolled students.

Attachment A: History of Prior Board Actions.
Attachment B: Program Correspondence dated January 15, 2015

Agenda Item #8.C.1., Attachment A

BAY AREA COLLEGE OF NURSING, PALO ALTO VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On April 12, 2006, the Executive Officer approved Bay Area College of Nursing, Palo Alto's request to begin a vocational nursing program with an initial full-time class of 20 students commencing May 22, 2006 only; and approved the program curriculum for 1598 hours, including 628 theory, and 970 clinical hours.
- February 8, 2007, the Board received correspondence stating the program name was changed to Bay Area College of Nursing, Inc., Palo Alto.
- On June 25, 26, 2007, the program was inspected to determine compliance with regulatory requirements specified in California Code of Regulations Article 5.
- On July 10, 2007, the Executive Officer approved the program's full accreditation for the period from June 26, 2007, through June 25, 2011, and issued a certificate accordingly.

Additionally, the Executive Officer approved the program's request for ongoing admissions of a full-time class of 60 students each January and July only, commencing July 17, 2007, with the following stipulations:

- a. No additional classes are added to the program's current pattern of admissions without prior Board approval. The program's current pattern of admissions includes two (2) full-time classes of 60 students plus 6 alternates in January and July of each year.
 - b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
- On November 8, 2007, the Executive Officer approved the program's request to admit a full-time evening class of 30 students commencing November 5, 2007 only, graduating December 16, 2008.
 - On April 30, 2008, the Executive Officer approved the program's revised curriculum for 1646 hours (Theory – 676 hours; Clinical – 970 hours.) The program was directed to submit a revised instructional plan consistent with the revised program hours by May 1, 2008.
 - On May 5, 2008, the program submitted documentation and pictures relative to its new Skills Laboratory. The Executive Officer approved the program's revised instructional plan for 1646 hours (Theory – 676 hours; Clinical – 970 hours).

- On May 15, 2008, the program submitted its revised instructional plan and documentation confirming completion of lesson plans for Terms I, II, and III.
- On December 8, 2010, the assigned consultant forwarded correspondence to the director advising that the program's average annual pass rate had fallen more than ten (10) percentage points below the state average annual pass rate for the past four (4) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by December 17, 2010.
- On December 10, 2010, the Board received electronic correspondence from Abigail Ethel A. Valbuena, Assistant Director of Nursing, Bay Area College of Nursing, Palo Alto Daly City Milpitas San Jose, relative to a proposed curriculum revision.
- On December 16, 2010, program representatives delivered correspondence and a computer disk to the Board's Sacramento headquarters, specifying the program's plan to improve program pass rates.
- On December 21, 2010, the Executive Officer approved the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit 30 students into an evening class commencing January 3, 2011 and graduating February 10, 2012. The Executive Officer required the program to submit a report by **February 1, 2011**, that includes a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.
 - c. Terminal Objectives.
 - d. Curriculum Objectives.
 - e. Instructional Plan.
 - f. Theory and Clinical Objectives for Each Course.
 - g. Lesson Plans for Each Course.
 - h. Textbooks.
 - i. Attendance Policy.
 - j. Remediation Policy.
 - k. Evaluations of Theory and Clinical Faculty.
 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - n. Evaluation of Student Achievement.
 - o. Current Enrollment Information

Additionally, the Executive Officer **rescinded** the program's approval for the ongoing admission of 60 students into full-time day classes each January and July; **and**, required the program to obtain Board approval prior to the admission of students into day and evening classes.

- On March 22, 2011, the Board received program documents related to its comprehensive analysis.

- On August 24, 2011, the director submitted a comprehensive program analysis dated January 28, 2011.
- On August 26, 2011, the Executive Officer deferred action on Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit 22 students commencing September 19, 2011, to the full Board; **and**, placed the program on the agenda for the November 10, 2011 Board meeting for consideration of placement on provisional accreditation; **and**, required the program to obtain Board approval prior to the admission of future classes.
- On October 7, 2011, the assigned consultant forwarded correspondence requesting submission of fifteen (15) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.
- On October 31, 2011, the Board received fifteen (15) copies of pertinent documents for Board consideration related to subsequent actions taken by the program to correct identified problems.
- On November 10, 2011 the Board placed Bay Area College of Nursing, Palo Alto, Vocational Nursing Program on provisional accreditation for the two-year period from November 10, 2011, through November 30, 2013, and issued a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations; **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**

Approved the program's request to admit a class of 14 full-time evening students on December 14, 2011, graduating on February 24, 2013, at this time; **and**,

Required the program to admit no additional students unless approved by the full Board; **and**,

Required the program to submit follow-up reports in nine months, but no later than **August 1, 2012**, and 21 months, but no later than **August 1, 2013**. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.

- a. Admission Criteria.
- b. Screening and Selection Criteria.
- c. Terminal Objectives.
- d. Curriculum Objectives.
- e. Instructional Plan.
- f. Theory and Clinical Objectives for Each Course.
- g. Lesson Plans for Each Course.
- h. Textbooks.
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- 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 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; **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,**

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 **November 2013** Board agenda for reconsideration of provisional approval.

- On November 22, 2011 the Board forwarded to the director the Notice of Change in Approval Status.
- On March 26, 2012, the Board received correspondence from program director requesting approval to admit 20 students plus two (2) alternates into an evening class commencing May 15, 2012 and graduating July 21, 2013 to **replace** students who graduated on February 24, 2012.
- On April 4, 2012, the Executive Officer approved Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request for a major revision of the curriculum to include a change in total curriculum hours to 1588, a change in theory hours to 576, and a change in clinical hours to 1012.5; **and,** approved the program's new instructional plan, instructional methods and materials, admission criteria, screening and selection criteria, attendance policies and evaluation of student achievement.
- On April 9, 2012, the Board received school correspondence that they wished the full Board to consider.
- On April 11, 2012, the Board received the program's plan of action to improve the performance of program graduates on the licensure examination.
- On May 11, 2012, the Board approved the program's request to admit 20 students plus two (2) alternates into an evening class commencing May 15, 2012 and graduating July 21, 2013 to **replace** students who graduated on February 24, 2012; and continued to require the program to admit no additional students unless approved by the full Board.

- On August 6, 2012, the Board received the program's follow-up report that was due on August 1, 2012.
- On September 14, 2012, the Board received correspondence from program director requesting approval to admit 20 students plus two (2) alternates into an evening class commencing November 26, 2012 and graduating February 16, 2014.
- On October 3, 2012, the assigned consultant forward correspondence to the director requesting documents for dissemination to Board Members.
- On November 9, 2012 the Board approved the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit 20 students plus two (2) alternates into an evening class commencing November 26, 2012 and graduating February 16, 2014 **and** continued to require the program to admit no additional students unless approved by the full Board.
- On September 12, 2013, the Board received correspondence from the program director requesting approval to admit 20 students plus two (2) alternates into an evening class commencing February 10, 2014, and graduating May 24, 2015. The requested class would replace the class that graduated on March 3, 2013.
- On November 22, 2013, the Board extended the provisional approval of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program for the one (1) year period from December 1, 2013 through to November 30, 2014; **and** approved the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit twenty (20) students plus two (2) alternates into an evening class commencing February 10, 2014 and graduating May 24, 2015; **and** continued to require the program bring its average annual pass rate to no more than ten percentage points below the state average annual pass rates; **and** continued to require the program to admit no additional students unless approved by the full Board; **and** required the program to submit follow-up reports in nine (9) months, but no later than **August 1, 2014**. The report must include a comprehensive analysis of the program, specific actions to improve program pass rates, timeline for implementation, and expected outcomes. 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

In addition, the Board 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 2526; **and** required the program to demonstrate incremental progress in correcting the violations; **and** if the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.

- On September 12, 2014 the approved the following: a request to admit one (1) part-time evening class of twenty (20) students and two (2) alternates to commence September 29, 2014, graduating December 20, 2015 to **replace** the class that graduated August 2013 **and** one (1) part-time day class of twenty (20) students and two (2) alternates to commence November 10, 2014, graduating February 14, 2016 to **replace** the class that graduated August 2014.
- On September 23, 2014, the assigned consultant phoned the program director to request the required follow-up report that was due on August 1, 2014.
- On September 24, 2014, via electronic correspondence, the Board received the required report from the program director.
- On November 21, 2014, the Board approved the following recommendations:
 1. Extend provisional approval of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program for the one year period from December 1, 2014 through to November 30, 2015
 2. Continue to require the program to maintain its average annual pass rate at no more than ten percentage points below the state average annual pass rates.
 3. Continue to require the program to admit no additional students unless approved by the full Board.
 4. Require the program to provide no less than one (1) clinical instructor for every 10 (ten) students in all clinical experiences.
 5. Require the program to submit a report analyzing the reasons for the decrease in the number of graduates taking the licensing examination since the introduction of the new curriculum. The report must be submitted no later than January 15, 2015.
 6. Require the program to submit a follow-up report in nine (9) months, but no later than **August 1, 2015**. The report must include a **new** comprehensive analysis of the program, specific actions to improve program pass rates, timeline for

implementation, and expected outcomes. 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.
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 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - n. Evaluation of Student Achievement.
 - o. Current Enrollment
7. Continue to 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.
 8. Continue to 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.
 9. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 10. Place the program on the **November 2015** Board agenda for reconsideration of provisional approval.
- On December 12, 2014, the Board received the program's request to admit students.

Agenda Item #8.C.1., Attachment B



SINCE 2004
BAY AREA COLLEGE
OF NURSING

EXPLANATION OF THE LOW NUMBER OF NCLEX EXAMINEES:

The school director reached out to the completers/graduates who have not taken the NCLEX-PN examination. The reasons for the delay in taking the test are the following:

1. Increased or added family responsibilities
2. Not financially cleared by the school
3. Lacks confidence in the ability to pass the NCLEX-PN/Needs more time to prepare
4. Increased demands of current employment
5. Career change ex. joined the military, engaged in a business venture, etc.
6. No interest in being a nurse
7. Very anxious to take the test

ACTIONS:

1. Encourage participation in the school's NCLEX review preparation and study workshops/sessions.
2. Suggest available NCLEX resources to use for review.
3. Meet to help with time management & prioritization and develop a study plan.
4. Teach stress reduction techniques.
5. Advise to lessen workload and to temporarily delegate family responsibilities.
6. Monitor and follow up progress.