

Agenda Item #6.B.3.



BUSINESS CONSUMER SERVICES AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.
BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945
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COVER SHEET

SUBJECT: WestMed College, San Jose, Vocational Nursing Program – Consideration of Intent to Close Program (Director: Marisol Manipol, San Jose, Santa Clara County, Private)

Recommendations:

1. Accept WestMed College, San Jose, Vocational Nursing Program's voluntary closure effective November 1, 2015.
2. Remove the program from the Board's *List of Approved Vocational Nursing Programs*, effective November 1, 2015.

Rationale: As noted previously, the Board placed the WestMed College, San Jose, Vocational Nursing Program on provisional approval on November 9, 2014, due to noncompliance with regulatory requirements regarding program pass rates for six (6) consecutive quarters. At that time, the program's average annual pass rate was 53%.

On June 10, 2015, the Board received correspondence from the president of the college acknowledging the program's failure to maintain a quality program. Additionally, the president communicated the college's decision to voluntarily withdraw the, "...program from approval (provisional) effective November 1, 2015."

The foregoing supports the recommendations to accept the program's voluntary closure and remove the program from the Board's *List of Approved Vocational Nursing Programs*.

On June 26, 2015, the program graduated one class of 15 students. The remaining class of 16 students are scheduled to graduate on October 30, 2015.

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Board of Vocational Nursing and Psychiatric Technicians
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DATE: August 5, 2015

TO: Board Members

FROM: Jessica Gomez, M.S.N., R.N.
Nursing Education Consultant

SUBJECT: WestMed College, San Jose, Vocational Nursing Program – Consideration of Intent to Close Program (Director: Marisol Manipol, San Jose, Santa Clara County, Private)

On November 21, 2014, the Board placed the WestMed College - San Jose, Vocational Nursing Program, on provisional approval for the one – year period from November 21, 2014 through November 30, 2015, due to noncompliance with regulatory requirements relative to program pass rates.

On June 11, 2015, the Board received electronic correspondence from Tracey Jensen, President of WestMed College, informing the Board of the administrative decision to close the WestMed College – San Jose, Vocational Nursing Program after the final class graduates on October 30, 2015. The program requests to withdraw voluntarily from the Board's list of approved schools, effective November 1, 2015.

History of Prior Board Actions

(See Attachment A)

Enrollment

The program offers full-time classes that are 51 weeks in length. The program requires approval by the full Board prior to the admission of each class. The pattern of admissions for **current** classes is seen in the enrollment table below.

The following table represents **current and projected** student enrollment based on current and projected class starts and completions. The table indicates a **maximum enrollment of 108 students** during the period **January 2012 through October 2015**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
1/12		30	28	28

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
5/12		30	25	28 + 25 = 53
8/12		30	30	53 + 30 = 83
	2/13 (1/12 Class)		-28	83 - 28 = 55
1/13		27	24	55 + 24 = 79
5/13		30	27	79 + 27 = 106
	6/13 (5/12 Class)		-25	106 - 25 = 81
8/13		30	27	81 + 27 = 108
	9/13 (8/12 Class)		-30	108 - 30 = 78
1/14		23	18	78 + 18 = 96
	3/14 (1/13 Class)		-24	96 - 24 = 72
5/14		15	15	72 + 15 = 87
	6/14 (5/13 Class)		-27	87 - 27 = 60
9/14		14	16	60 + 16 = 76
	9/14 (8/13 Class)		-27	76 - 27 = 49
	3/15 (1/14 Class)		-18	49 - 18 = 31
	6/15 (5/14 Class)		-15	31 - 15 = 16
	10/15 (9/14 Class)		-16	16 - 16 = 0

Licensing Examination Statistics

The following statistics, furnished by the Pearson Vue 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 2011 through June 2015, specify the pass percentage rates for graduates of the WestMed College, San Jose, Vocational Nursing Program on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®).

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics				Annual Statistics*			
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR §2530(l)]	Variance From State Average Annual Pass Rate
Jan – Mar 2011	24	18	75%	80%	63%	77%	-14
Apr – Jun 2011	20	13	65%	71%	72%	76%	-4
Jul – Sep 2011	12	8	67%	74%	75%	75%	0
Oct – Dec 2011	7	2	29%	74%	67%	75%	-8
Jan – Mar 2012	9	7	78%	77%	65%	74%	-9
Apr – Jun 2012	17	12	71%	72%	64%	74%	-10
Jul – Sep 2012	8	5	63%	74%	63%	74%	-11
Oct – Dec 2012	10	8	80%	70%	73%	74%	-1
Jan – Mar 2013	16	10	63%	75%	69%	73%	-4
Apr – Jun 2013	8	3	38%	78%	62%	73%	-11
Jul – Sep 2013	20	12	60%	76%	61%	74%	-13
Oct – Dec 2013	13	9	69%	76%	60%	76%	-16
Jan – Mar 2014	27	13	48%	74%	54%	76%	-22
Apr – Jun 2014	11	5	45%	66%	55%	73%	-18
Jul – Sep 2014	7	4	57%	72%	53%	73%	-20
Oct – Dec 2014	20	12	60%	72%	52%	72%	-20
Jan – Mar 2015	18	4	22%	73%	45%	71%	-26
Apr – Jun 2015	10	8	80%	69%	51%	72%	-21

*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(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.”

Published examination statistics substantiate the program’s **noncompliance for eleven (11) of the previous eighteen (18) quarters**. Further, the program’s average annual pass rates have been noncompliant for the most recent nine (9) consecutive quarters.

Based on the most current data available (April through June 2015), the program’s average annual pass rate is **51%**. 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 WestMed College, San Jose, Vocational Nursing Program is **21 percentage point below** the state average annual pass rate.

Faculty and Facilities

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

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

The current number of Board-approved faculty totals twelve (12), including the program director and assistant director. The director has 70% administrative and 30% teaching duties. Of the total faculty, twelve (12) instructors are approved to teach clinical.

Based upon a maximum enrollment of 108 students, eight (8) 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 **has** clinical facilities that are adequate as to type and variety of patients treated to enable current and proposed students to meet clinical objectives, in accordance with Section 2534 (b) of the Vocational Nursing Rules and Regulations.

Other Considerations

On November 9, 2014, the Board placed the program on provisional approval for a period of one year due to noncompliance with regulatory requirements regarding program pass rates and an inadequacy of critical resources required for accomplishment of the program's educational objective. The Board scheduled reconsideration of the program's status for the February 2015 Board meeting.

On February 13, 2015, the Board continued the program's provisional approval for the one-year period from November 21, 2014 through November 28, 2015; and approved the program's request to admit a class of 15 students commencing March 16, 2015, only.

On February 20, 2015, Tracey Jensen President of WestMed College informed the Board by telephone that the college administration had decided not to start the approved class.

On June 10, 2015, the Board received written notification from Ms. Jensen, president of WestMed College, specifying the college's administrative decision to close the WestMed, San Jose, Vocational Nursing Program effective October 30, 2015. Ms. Jensen specified that the school recognizes "...the importance of establishing and maintaining a quality program and acknowledge that the program in San Jose is not meeting these expectations." Ms. Jensen requests to withdraw the program voluntarily from the Board's *List of Approved*

Programs effective November 1, 2015, immediately after the final class of enrolled students graduate. (See Attachment B).

Recommendations:

1. Accept WestMed College, San Jose, Vocational Nursing Program's voluntary closure effective November 1, 2015.
2. Remove the program from the Board's *List of Approved Vocational Nursing Programs*, effective November 1, 2015.

Rationale: As noted previously, the Board placed the WestMed College, San Jose, Vocational Nursing Program on provisional approval on November 9, 2014, due to noncompliance with regulatory requirements regarding program pass rates for six (6) consecutive quarters. At that time, the program's average annual pass rate was 53%.

On June 10, 2015, the Board received correspondence from the president of the college acknowledging the program's failure to maintain a quality program. Additionally, the president communicated the college's decision to voluntarily withdraw the, "...program from approval (provisional) effective November 1, 2015."

The foregoing supports the recommendations to accept the program's voluntary closure and remove the program from the Board's *List of Approved Vocational Nursing Programs*.

On June 26, 2015, the program graduated one class of 15 students. The remaining class of 16 students are scheduled to graduate on October 30, 2015.

Attachment A: History of Prior Board Actions.

Attachment B: Program Correspondence, Dated June 10, 2015.

Agenda Item #6.B.3., Attachment A

WESTMED COLLEGE, SAN JOSE VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On February 20, 2004, the Board approved WestMed Training to begin a full-time vocational nursing program with an initial class of 30 students commencing March 15, 2004, with a projected date of graduation of January 27, 2005. Additionally, the Board approved the program's total curriculum for 1544 hours, including 590 theory and 954 clinical hours.
- On September 30, 2004, the Board was notified that the school's name had been changed from WestMed Training to WestMed College.
- On November 2, 2004, the Board approved initial accreditation of the WestMed College Vocational Nursing Program for the period February 4, 2005, through February 3, 2009, and issued a certificate accordingly. The Board approved the program's request to admit 30 students into a full-time class starting February 28, 2005, only, to **replace** the class graduating February 14, 2006. The class is projected to complete program requirements on December 17, 2005. Additionally, the Board approved the program's request to admit 30 students into a full-time evening class starting February 15, 2005 only, with a projected completion date of December 17, 2005.
- On August 17, 2005, the Board approved the program's request to admit a class of 30 students on February 13, 2006, to **replace** the part-time class graduating December 16, 2005, and to admit a class of 30 students February 27, 2006, to **replace** the full-time class graduating December 17, 2005. The program postponed commencement of the February 27, 2006 class to April 17, 2006, with a completion date of February 23, 2007.

Additionally, the Board approved the program's request to admit 30 students to a part-time class starting on September 26, 2005, with a projected completion date of September 27, 2006.

- On August 25, 2006, the program was cited for two (2) violations that were generated from numerous student complaints. The students alleged the school had failed to maintain standards set by the Board related to final exam scores; students were not dropped according to policy; school administered multiple final exams; and students were required to take mandatory refresher courses until they passed the final exam before being released from the school. The school submitted and implemented a plan of correction. The identified violations were corrected. The Board requested a follow-up presentation at the February 2007 Board meetings.

- On September 8, 2006, the Board approved the admission of 30 students on September 25, 2006, to **replace** the students graduating September 27, 2006, contingent upon the program's compliance with Article 5 of the Vocational Nursing Rules and Regulations.
- In February 2007, the Board accepted a follow-up report relative to the program's correction of identified violations. The Board approved the program's request to admit 30 students February 26, 2007, to **replace** the class graduating December 14, 2007, and approved the admission of 30 students on April 16, 2007, to **replace** the class graduating February 21, 2007. Further, the Board approved the program's request for **ongoing** admissions based on the current pattern of admissions that includes three (3) classes per year admitted every February, April, and September.
- **On June 1, 2007, a new program director was approved.**
- **On April 18, 2008, a new program director was approved.**
- On December 15, 2008, the program submitted its Program Records Survey for continued accreditation.
- **On December 16, 2008**, the Board received notification that the current program director would be reassigned as Assistant Director, effective December 22, 2008. A **new program director** was designated.
- On February 4, 2009, the program was reviewed to determine compliance with Article 5 of the Vocational Nursing Rules and Regulations. Six (6) violations were identified. Three (3) were subsequently corrected. Three (3) will be analyzed by the director with a plan of correction to be submitted by March 10, 2009. A follow-up report will be presented to the Executive Officer relative to the status of the program and specific actions taken to correct the identified violations by March 31, 2009, and;

The Executive Officer approved continued full accreditation for the WestMed College, San Jose, Vocational Nursing Program for a four-year period from February 4, 2009 through February 3, 2013, and directed staff to issue a certificate accordingly.

- **On December 29, 2009, a new program director was approved.**
- **On April 27, 2011, a new program director was approved.**
- On August 26, 2011, the program was cited for three (3) violations, 2530(k), 2527(c) and 2533(f). Required **response due September 8, 2011**. Additionally, the program was notified they had been removed from the September Board agenda, since their licensure pass rates raised to 74% after eight (8) quarters of significantly low licensure pass rates.

Additionally, the Executive Officer:

1. Approved the programs curriculum revision as follows:

- a. Decrease overall program hours from 1544 to 1539.
 - b. Decrease theory hours from 590 to 579.
 - c. Increase clinical hours from 954 to 960.
2. Required the program to submit a new Instructional Plan by **September 30, 2011**.
- On January 22, 2013 the Executive Officer **continued** approval of the WestMed College, San Jose, Vocational Nursing Program for the four-year period from February 4, 2013, through February 3, 2017, and issue a certificate accordingly; **and**, continued approval of the program's ongoing admission of three classes per year to **replace** graduating classes **only**, 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 three full-time classes of 30 students each year.
 - b. The director documents that adequate resources, i.e. faculty and facilities are available to support each admitted class of students; **and**,
 - c. The program's average annual pass rates remain no more than ten (10) percentage points below state average annual pass rates.
 - **On June 20, 2013, the Board approved a new director.**
 - On August 11, 2014, the Board received the program's 2013/2014 Annual Report.
 - On October 17, 2014, correspondence was forwarded per certified mail advising the program of its placement on the Board's November 21, 2014 agenda for consideration of placement on provisional approval.
 - November 6, 2014 the Board placed the WestMed College – San Jose, Vocational Nursing Program on provisional approval for the one – year period from November 21, 2014 to November 30, 2015, and issue a notice to the program to identify specific area of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations; **and, rescind** approval of the program's ongoing pattern of admissions effective immediately; **and, denied** approval of the program's projected class of 20 students scheduled to commence January 27, 2015 and graduate March 4, 2016; **and, required** the program to admit no additional classes without prior approval by the full Board.

Additionally, the Board **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 for Board approval applications for approval of clinical facilities sufficient to provide clinical experiences in Maternity Nursing for the enrolled students by **December 15, 2014**; **and, required** the program to submit an instructional calendar that substantiates theory and correlated clinical experience for enrolled students including clinical facilities to which students are assigned by **December 15, 2014**.

The Board also require the program to submit a report to the Board no later than seven (7) months, but no later than **June 1, 2015**, and twenty – one (21) months, but no later than **August 1, 2016**. 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 following elements must be addressed in the analysis.

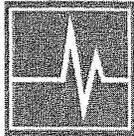
- a. Admission Criteria.
- b. Screening and Selection Criteria.
- c. Terminal Objectives.
- d. Curriculum Objectives.
- e. Instructional Plan.
- f. Theory and Clinical Objectives for Each Course.
- g. Lesson Plans for Each Course.
- h. Textbooks.
- i. Attendance Policy.
- j. Remediation Policy.
- k. 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 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, place the program on the **February 2015** Board agenda for reconsideration of provisional approval; and, place the program on the **November 2015** Board agenda for reconsideration of provisional approval.

- On February 13, 2015, the Board **continued** the provisional approval of WestMed College – San Jose, Vocational Nursing Program for the one – year period from November 21, 2014 to November 28, 2015; and, **required** the program to comply with required corrections specified in the Notice of Correction dated December 10, 2014. **Approved** the program's request to admit a class of 15 full time students commencing March 16, 2015 and graduating May 5, 2015, only, to **replace** the class graduating March 6, 2015; and, **required** the program to provide no less than one (1) clinical instructor for every ten (10) students in all clinical experiences. **Continued** the program's requirement to admit no additional classes without prior approval by the full Board.
- On February 20, 2015, the Board received notification per telephone of the school's decision to cancel the admission of the class approved on February 13, 2015.

- On June 10, 2015, the Board received written correspondence from the college president regarding the college's administrative decision to close the WestMed, San Jose, Vocational Nursing Program effective October 30, 2015. The president specified that the school recognizes "...the importance of establishing and maintaining a quality program and acknowledge that the program in San Jose is not meeting these expectations." The administrator requested to withdraw the program voluntarily from the Board's *List of Approved Programs* effective November 1, 2015, immediately after the final class of enrolled students graduate.

Agenda Item #6.B.3., Attachment B



**WestMed
College**

An Affiliate of the National University System

BVNPT Recd.
6/11/15 via
E-mail jg

June 10, 2015

RE: WestMed College 04-291, Voluntary Withdraw of Approval; Program Closure

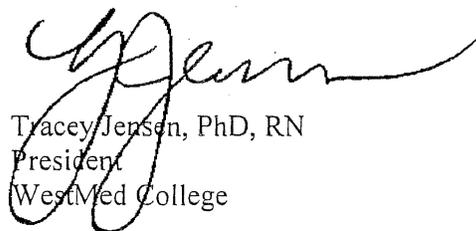
Jessica Gomez, RN
Nursing Education Consultant
Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive
Sacramento, CA 95833

Dear Ms. Gomez,

WestMed College, San Jose (04-291) is voluntarily withdrawing its Vocational Nursing program from approval (provisional) effective November 1, 2015. We recognize the importance of establishing and maintaining a quality program and acknowledge the program in San Jose is not meeting these expectations. There are currently two classes in attendance with completion dates in the near future: June 26, 2015 and October 30, 2015. The College is committed to providing the remaining students with every opportunity to be successful and will complete their education as scheduled. No additional students have been enrolled and the program will close immediately following the completion of the October 30, 2015 graduating class.

I appreciate your assistance in providing those students completing the program with the opportunity to apply for and take the NCLEX-PN exam. Please call if you have any questions.

Sincerely,



Tracey Jensen, PhD, RN
President
WestMed College

cc: Mr. Duemand Edwards, Sr. Campus Director
Ms. Marisol Manipol, MSN, RN, Program Director
Mr. Jeremy Lyon, Associate Vice President, Academics
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