

Agenda Item #16.C.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
Phone (916) 263-7800 Fax (916) 263-7855 Web www.bvnpt.ca.gov



COVER SHEET

SUBJECT: Oikos University Vocational Nursing Program. Consideration of Request to Admit Students (Director: Ellen Cervellon, Oakland, Alameda County, Private)

The Oikos University Vocational Nursing Program has requested approval to admit one (1) class of 12 students beginning January 11, 2016 and graduating May 20, 2017.

Recommendations:

1. **Deny** the Oikos University Vocational Nursing Program's request to admit one (1) class of 12 students beginning January 11, 2016, graduating May 20, 2017.
2. Approve the program's request to admit one (1) class of **six (6)** students beginning January 11, 2016, graduating May 20, 2017, only.
3. Continue to require the program to admit no additional students unless approved by the full Board.

Rationale:

The program's current average annual pass rate on the licensure examination is **100%**, which is **28** percentage points above the state average annual pass rate. While no candidates have tested in the past two (2) quarters, the program's current pass rate indicates improvement since provisional approval was extended in May 2014.

The program has struggled to document adequacy of placements in Maternity and Pediatric clinical nursing experiences. While the most recently submitted documentation indicates placements for students, the placement plans for Maternity clinical nursing experiences for 12 students are **not consistent with the Board-approved Instructional Plan and are not consistent with section 2533(a)**, which requires correlation of theory content and clinical experiences. The submitted plans **also violate section 2533(f)** in that the program would be altering the Board-approved Instructional Plan. Reduction in the number of admitted students to a total of **six (6)** students allows all students to complete the Maternity nursing clinical experiences within three (3) weeks **after** completion of Maternity nursing theory content, thereby minimizing inconsistency with the Board-approved

Instructional Plan and minimizing the lack of correlation between theory and clinical experiences.

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2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
Phone 916-263-7800 Fax 916-263-7855 Web www.bvnpt.ca.gov



DATE: November 4, 2015

TO: Board Members

FROM: 
Donna G. Johnson, RNP, MS, MA
Nursing Education Consultant

SUBJECT: Oikos University Vocational Nursing Program. Consideration of Request to Admit Students (Director: Ellen Cervellon, Oakland, Alameda County, Private)

The Oikos University Vocational Nursing Program has requested approval to admit one (1) class of 12 students beginning January 11, 2016 and graduating May 20, 2017.

On May 11, 2012, after identifying unapproved admissions of thirty-six (36) students, and with eight (8) consecutive quarters of non-compliance with Section 2530(l) of the Vocational Nursing Rules and Regulations, the Board placed the Oikos University Vocational Nursing Program on provisional approval for a two (2) year period. The program's average annual pass rate at the time was 47%.

On May 16, 2014, with an average annual pass rate of 67%, the Board extended the program's provisional approval through May 30, 2016.

History of Prior Board Actions

(See Attachment A, History of Prior Board Actions)

Enrollment

The program offers a full – time course of instruction over 60 weeks. Board approval is required prior to the admission of all classes.

The following table represents current and proposed enrollment based on the current class starts and completions. The table indicates a **maximum enrollment of 15 students** for the period of **July 2010 through January 2016**.

| ENROLLMENT DATA | | | | |
|-----------------|----------|--------------------|---------------------------------|----------------|
| CLASS DATES | | #Students Admitted | # Students Current or Completed | Total Enrolled |
| Start | Complete | | | |
| 7/10 | | 8 | 6 | 6 |

| ENROLLMENT DATA | | | | |
|--------------------|-----------------------|--------------------|---------------------------------|----------------|
| CLASS DATES | | #Students Admitted | # Students Current or Completed | Total Enrolled |
| Start | Complete | | | |
| 2/11 Unapproved | | 14 | 8 | 8 + 6 = 14 |
| | 6/11 (6/10 Class) | | -6 | 14 - 6 = 8 |
| 7/11 Unapproved | | 13 | 6 | 8 + 6 = 14 |
| | 3/12 (2/11 Class) | | -8 | 14 - 8 = 6 |
| 2/12 Unapproved | | 9 | 9 | 6 + 9 = 15 |
| | 6/12 (7/11 Class) | | -6 | 15 - 6 = 9 |
| | 2/13 (2/12 Class) | | -9 | 9 - 9 = 0 |
| 4/13 | | 8 | 6 | 0 + 6 = 6 |
| 6/14 | | 4 | 2 | 6 + 2 = 8 |
| | 8/14 (4/13 Class) | | -6 | 8 - 6 = 2 |
| | 10/15 (6/14 Class) | | -2 | 2 - 2 = 0 |
| 1/16 (Proposed) | 10/17 | 12 | | 0 + 12 = 12 |

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 January 2012 through September 2015, specify the pass percentage rates for graduates of Oikos University Vocational Nursing Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®), and the variance from state average annual pass rates for the past 15 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(I)] | Variance from State Annual Average Pass Rate |
| Jan-Mar 2012 | 2 | 1 | 50% | 77% | 47% | 74% | -27 |
| Apr-Jun 2012 | 1 | 0 | 0% | 72% | 44% | 74% | -30 |
| Jul-Sep 2012 | 3 | 2 | 67% | 74% | 60% | 74% | -14 |

| 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 Annual Average Pass Rate |
| Oct-Dec 2012 | 5 | 3 | 60% | 70% | 55% | 74% | -19 |
| Jan-Mar 2013 | 5 | 4 | 80% | 75% | 64% | 73% | -9 |
| Apr-Jun 2013 | 2 | 0 | 0% | 78% | 60% | 73% | -13 |
| Jul-Sep 2013 | 3 | 3 | 100% | 75% | 67% | 74% | -7 |
| Oct-Dec 2013 | 2 | 1 | 50% | 76% | 67% | 76% | -9 |
| Jan-Mar 2014 | 2 | 2 | 100% | 74% | 67% | 76% | -9 |
| Apr-Jun 2014 | 1 | 0 | 0% | 66% | 75% | 73% | +2 |
| Jul-Sep 2014 | 1 | 0 | 0% | 72% | 50% | 73% | -23 |
| Oct-Dec 2014 | 2 | 2 | 100% | 72% | 67% | 72% | -5 |
| Jan-Mar 2015 | 4 | 4 | 100% | 73% | 75% | 71% | +4 |
| Apr-Jun 2015 | No Candidates Tested | | | 69% | 86% | 72% | +14 |
| Jul-Sep 2015 | No Candidates Tested | | | 73% | 100% | 72% | +28 |

*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(I) 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 January 2012 through September 2015 substantiate the program’s **compliance for the most recent four (4) consecutive quarters.**

Based on the most recent data available (July through September 2015) the program’s average annual pass rate is **100%**. However, no candidates have taken the examination for the past two (2) quarters. The California average annual pass rate for graduates of approved vocational nursing programs who took the NCLEX-PN® for the first time during the same period is 73%. The pass rate for the Oikos University Vocational Nursing Program is 28 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."

On May 16, 2014, the Board required the program to provide no less than one (1) clinical instructor for every ten (10) students in clinical experience.

In addition to the director, the program lists four (4) active clinical faculty, one (1) active Additional Faculty, one (1) Teacher Assistant on a substitute list, and six (6) substitute faculty who have been approved for clinical instruction. The director has a 50% time position with the program and spends 100% of that time administering the program.

Based on a maximum enrollment of 15 students, two (2) instructors are needed. Therefore, the number of current 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 **lacks** sufficient clinical facilities to afford the number type and variety of patients that will provide clinical experiences consistent with competency-based objectives and theory. Specifically, the program lacks adequate clinical facilities for Maternity nursing such that experiences are provided in a manner that is consistent with the Board-approved Instructional Plan and in a manner that maintains correlation between theory and clinical, as required by regulation.

Other Considerations

Beginning with the class admitted in April 2013, a new curriculum was implemented to assist students in mastering program content with the goal of increasing the program's licensure examination pass rate. The first class to complete the program since full implementation of the new curriculum graduated in August 2014.

The program has withdrawn three (3) previous requests for approval to admit students after Board staff informed the program that they had failed to document adequate placements for students in maternity and pediatric nursing such that a correlation between theory and clinical was maintained and such that the consistency with the Board-approved Instructional Plan was maintained. Sections 2533(a) and 2533(f) of the Vocational Nursing Rules and Regulations describe these requirements.

1. A July 14, 2014 request to admit 30 students in January 2015 was reduced to 20 students on August 11, 2014 and then withdrawn on August 14, 2014.
2. A September 12, 2014 request to admit 20 students in January 2015 was withdrawn on September 30, 2014.
3. A December 15, 2014 request to admit 20 students in March 2015 was withdrawn on January 15, 2015

Over the past year, in the course of evaluating documentation submitted in support of the requests for approval to admit students, Board representatives have evaluated photo documentation of the program's skills lab resources, contacted proposed clinical facilities to ascertain feasibility of students achieving listed clinical objectives as well as willingness of facilities to accommodate the number of students proposed by the program, and Board representatives have consulted with the program on revisions to the Maternity and Pediatric clinical objectives of the Instructional Plan. (See Attachment C).

On February 9, 2015, the program electronically submitted the required comprehensive analysis. (See Attachment D). A summary of the document is presented, below, and analysis and concerns are noted in *Italics*.

- Admission Criteria –
Described as “strict.” Policy was attached by the program.
- Screening and Selection Criteria –
Entrance testing and interview by director or designee.
- Terminal Objectives –
Copy attached. Program describes introduction to students at the beginning of the program and that faculty are encouraged to integrate the content in classes.
- Curriculum Objectives, Instructional Plan, and Lesson Plans –
New curriculum adopted with class admission April 2013. Described as “more integrated.” Course of study is four (4) days per week, 15 week semesters, and four (4) semesters.
Less remediation of exams is required now and faculty are utilizing lesson plans.
The program is searching for new clinical sites.
The plan was to revise part of the curriculum in time for consideration of a request at the May 2015 meeting.
Note: The curriculum revision was approved on July 27, 2015.
- Theory and Clinical Objectives for Each Course –
Clinical Objectives attached by the program.
- Textbooks –
Students are issued newest editions.
New pharmacology text began with most recent admission.
- Attendance and Remediation Policies –
No changes made since May 2012.
Note: Documents attached by program include fee schedule for remediation examinations.
- Evaluations of Theory and Clinical Faculty –
*Note: While the program addressed evaluation **by** students and provided examples of forms, the program did not address evaluation by program administration.*
- Evaluation of Theory Presentations –

Note: As stated above, while the program addressed evaluation by students and provided examples of forms, the program did not address evaluation by program administration. Further, the program statement, "They do not see the building of one course on another ..." conflicts with statements made in the section, above, where the program stated that faculty reported students did recognize the building of one course on another.

- Evaluations of Clinical Rotations and Their Correlation to Theory Presentations –
The program described student evaluation of clinical rotations and provided a form in the attachments.
Note: While student evaluation of all programmatic aspects is vital, it is equally vital that program faculty and administration address evaluation of clinical rotations, facilities, and correlation with theory. This was not addressed by the program.
- Evaluation of Student Achievement –
The program addressed student GPAs and available NCLEX-PN® data.
The class that graduated in August 2014 was the first group required to take and pass a comprehensive exit/predictor examination.
Note: Identifying data related to GPA and licensure examinations have been removed by Board staff.
- Current Enrollment –
The program addressed challenges in not yet having federal financial aid.
Note: Identifying enrollment data has been removed by Board staff.

On July 27, 2015, the Board approved minor revisions to the curriculum. Specifically, new clinical objectives for Maternity and Pediatric nursing were approved. The goal of the changes was to better align clinical objectives with potential clinical facilities and yet maintain consistency with didactic objectives. There were no changes to the number of hours of clinical experience or theory content.

The request for approval to admit students that is being considered today was submitted on September 10, 2015 and was a request to admit **16** students. The documentation submitted in support of the request contained a proposal to send more students to a clinical facility than the facility is approved to accept. Communication with staff in the facility, a physician's office, did **not** confirm the ability to accept more students. The program director was notified on September 29, 2015.

On October 5, 2015 the Board received a revised request for approval to admit students. The revisions were to number of students (now 12 instead of 16), graduation date, and proposed placements for Maternity clinical experiences. The documentation received was not consistent with section 2533(a) of the Vocational Nursing Rules and Regulations, which specifies that theory and clinical experience must be correlated. Consultation with the program director was held that day and a follow-up letter was sent that day. (See Attachment E).

Later on October 5, 2015, the program director submitted a proposed calendar and placement plans for Maternity nursing. While the **Board-approved Instructional Plan describes that Maternity theory and clinical experiences are presented to students over a period of four (4) weeks**, the final proposal describes that students would be in Maternity theory for a total of three (3) weeks, during which time 16 hours of skills lab would be conducted. Maternity clinical

experiences would be conducted in a physician's office over the course of the **following eight (8) weeks**, during which time students are engaged in didactic content related to other topics. Thus, while the most recently submitted proposal provides clinical placements for Maternity nursing, the placement plan is **not** consistent with the Board-approved Instructional Plan and correlation with theory is not maintained, as required by section 2533 of the regulations.

The program's current average annual pass rate is 100%, with no candidates testing the past two (2) quarters. A total of six (6) students graduated in August 2014. This graduating class was the first class to complete the program since implementation of the new curriculum. The NCLEX-PN® Licensure Examination statistics indicates that since October 1, 2014, all six candidates who took the examination passed on the first attempt.

Recommendations:

1. **Deny** the Oikos University Vocational Nursing Program's request to admit one (1) class of 12 students beginning January 11, 2016, graduating May 20, 2017.
2. Approve the program's request to admit one (1) class of **six (6)** students beginning January 11, 2016, graduating May 20, 2017, only.
3. Continue to require the program to admit no additional students unless approved by the full Board.

Rationale:

The program's current average annual pass rate on the licensure examination is **100%**, which is **28** percentage points above the state average annual pass rate. While no candidates have tested in the past two (2) quarters, the program's current pass rate indicates improvement since provisional approval was extended in May 2014.

The program has struggled to document adequacy of placements in Maternity and Pediatric clinical nursing experiences. While the most recently submitted documentation indicates placements for students, the placement plans for Maternity clinical nursing experiences for 12 students are **not consistent with the Board-approved Instructional Plan and are not consistent with section 2533(a)**, which requires correlation of theory content and clinical experiences. The submitted plans **also violate section 2533(f)** in that the program would be altering the Board-approved Instructional Plan. Reduction in the number of admitted students to a total of **six (6)** students allows all students to complete the Maternity nursing clinical experiences within three (3) weeks **after** completion of Maternity nursing theory content, thereby minimizing inconsistency with the Board-approved Instructional Plan and minimizing the lack of correlation between theory and clinical experiences.

- Attachment A: History of Prior Board Actions
- Attachment B: Notice of Continuation of Provisional Approval Dated May 27, 2014
- Attachment C: Board Correspondence, multiple dates
- Attachment D: Program Correspondence dated February 9, 2015
- Attachment E: Board Correspondence dated October 5, 2015

Agenda Item #16.C.3., Attachment A

OIKOS UNIVERSITY VOCATONAL NURSING PROGRAM

History of Prior Board Actions

- On August 13, 2008, the Executive Officer approved Oikos University's request to begin a vocational nursing program with an initial full-time class of 30 students on January 20, 2009, only. The program curriculum was approved for 1611 hours, including 657 theory, and 954 clinical hours.
- On September 28-29, 2009, the assigned consultant completed an inspection of the Oikos University Vocational Nursing Program. Four (4) violations were identified.
- On December 2, 2009, the Executive Officer approved initial full accreditation for the Oikos University Vocational Nursing Program for the period of December 2, 2009 through December 1, 2013, and issued a certificate accordingly; **and** approved the program's request to admit a class of 30 students on February 1, 2010, only to **replace** students graduating on January 30, 2010. That class is expected to graduate on January 29, 2011; **and**, approved the program's request to admit a class of 30 students on June 5, 2010, only. That class is expected to graduate on June 29, 2011.
- On February 28, 2010, the director resigned.
- **On June 1, 2010, the Board approved a new director.**
- On May 17, 2011, Board correspondence was forwarded to the director advising that the program's average annual pass rates had been more than ten (10) percentage points below state average annual pass rates for four (4) consecutive quarters. The program was requested to submit a written plan for improving the program's NCLEX-PN pass rates.
- On May 30, 2011, the director submitted a plan for improving program pass rates.
- **On August 22, 2011, the Board approved a new director.**
- On October 14, 2011, Board correspondence was forwarded to the director advising that the program's average annual pass rates had been more than ten (10) percentage points below state average annual pass rates for five (5) consecutive quarters.
- On November 1, 2011, the director submitted an updated evaluation of the program's plan to increase licensure pass rates.
- On March 15, 2012, Board correspondence was forwarded to the director advising that the program was noncompliant with Section 2530 (l) related to pass rates below the required 10 points of state average pass rate.

- On April 19, 2012, the Board received information indicating that the program admitted classes in February 2011, July 2011, and February 2012 **without** prior approval by the Board. In total **thirty-six (36) students were admitted to the program without prior Board approval.**
- On May 11, 2012, the Board adopted the following recommendations:
 1. Place Oikos 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.
 2. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by April 1, 2014.
 3. Require the program to provide the Board with current enrollment information, current faculty and facility information, documentation demonstrating the clinical rotation schedules for all current classes, and an analysis of the program's correctional plan submitted on May 30, 2011 and November 1, 2011 by June 1, 2012.
 4. Require the program to obtain approval by the full Board prior to the admission of any additional students.
 5. Require 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 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
 6. Require the program to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, Commencing at California Code of Regulations, Title 16, Section 2526.
 7. Require the program to demonstrate incremental progress in correcting the violation. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
 8. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 9. Place the program on the May 2014 Board agenda for reconsideration of Provisional approval.

- On June 13, 2012, the Board forwarded the *Notice of Change in Approval Status* to the program director.
- On January 31, 2013, the director submitted the follow-up report required by the Board during the May 2012 Board meeting. The report was dated February 1, 2013.
- On February 22, 2013, the Board approved the following recommendations:
 1. Approve the Oikos University Vocational Nursing Program's request to admit 30 students into a full-time class commencing on March 11, 2013, **only**, and graduating on July 12, 2014, to **replace** the class graduating on January 26, 2013.
 2. Continue to require the program to request admission of any additional students.
 3. Approve the requests curriculum revision with new program hours as follow: Theory Hours = 605; Clinical Hours = 960; Total Program Hours = 1565.
 4. Approve the revised program length as 60 weeks.
- On July 13, 2013, a letter was sent to the director giving her the opportunity to submit additional documents to support her request to admit students that will be considered at the September 2013 Board meeting.
- On September 13, 2013, the Board approved the following recommendations:
 1. Approve the Oikos University Vocational Nursing Program's request to admit 30 students into a full-time class commencing on September 16, 2013, **only**, and graduating on December 20, 2014, to **replace** the class graduating on June 30, 2012.
 2. Deny the Oikos University Vocational Nursing Program's request to admit 30 students into an additional full-time class commencing on January 21, 2014, **only**.
 3. Continue to require the program to request admission of any additional students.
- On May 16, 2014, the Board approved the following recommendations:
 1. Extend the Oikos University Vocational Nursing Program's Provisional Approval for the two - year period from May 16, 2014 through May 30, 2016, 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.
 2. Approve the program's request for modification of the start date of the class of 30 students approved to start in September 2013 to May 27, 2014 and graduate on October 3, 2015, provided that the program has no more than ten (10) students per instructor during clinical experience.
 3. Require the program to admit no additional students unless approved by the full Board.
 4. Require the program to submit a follow-up report in 9 months, but no later than **February 1, 2015** and in 21 months, but no later than **February 1, 2016**. Each report must include a review of the comprehensive analysis submitted by the program including the effect of employed interventions and identification of revisions required to the program's plan of correction, and a timeline for implementation.

5. Failure to show progress shall constitute cause for revocation of provisional approval.
 6. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
 7. 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. 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 **May 2016** Board agenda for reconsideration of provisional approval.
- On May 21, 2014, the Board received correspondence from the program regarding a request to delay the start date of the previously approved start date of May 27, 2014.
 - On June 10, 2014, the Executive Officer approved the submitted request to modify the start date of the class of 30 students originally approved by the full board to start in September 2013 and modified to start on May 27, 2014 to no start on or before June 16, 2014 and graduate on October 17, 2015, provided that the program has no more than ten (10) students per instructor during clinical experience.
 - On July 14, 2014, the Board received a request from the director to admit a class of thirty (30) students to start January 20, 2015 and graduate April 30, 2016 to **replace** students graduating on August 23, 2014.
 - On August 11, 2014, the Board received electronic correspondence from the program director requesting to change to request to admit students to twenty (20) from thirty (30) students.
 - On August 14, 2014, the program withdrew the request to admit students.
 - On September 12, 2014, the Board received a request from the director to admit a class of twenty (20) students to start January 20, 2015 and graduate April 30, 2016 to replace students graduating on August 23, 2014.
 - On January 15, 2015, the Board was notified the pending request to admit students was withdrawn.
 - On July 27, 2015, the Board approved minor curriculum revisions.



BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945
Phone (916) 263-7800 Fax (916) 263-7855 Web www.bvnpt.ca.gov



CERTIFIED MAIL

May 27, 2014

Ellen Cervellon, B.S., R.N.
Director, Vocational Nursing Program
Oikos University School of Nursing
7850 Edgewater Drive
Oakland, CA 94621

Subject: Notice of Continuation of Provisional Approval Status

Dear Ms. Cervellon:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on May 16, 2014, the provisional approval status of the Oikos University Vocational Nursing Program has been extended for the two-year period from May 16, 2014, through May 30, 2016. The purpose of this letter is to explain the areas of non-compliance found and the corrections required of your program to avoid losing approval completely.

Once you have reviewed this letter, please sign and return the enclosed "Acknowledgement of Change in Approval Status" form by Friday, June 6, 2014.

AREAS OF NON-COMPLIANCE [VIOLATION(S)]

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

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

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

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

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

Notice of Continuation of Provisional Approval Status

May 27, 2014

Page 2 of 4

Program pass rates of the Oikos University Vocational Nursing Program for the past fourteen quarters are set forth in the following table.

| 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 Annual Average Pass Rate |
| Oct-Dec 2010 | 11 | 7 | 64% | 77% | 58% | 76% | -18 |
| Jan-Mar 2011 | 4 | 1 | 25% | 80% | 52% | 77% | -25 |
| Apr-Jun 2011 | 7 | 3 | 43% | 71% | 52% | 76% | -24 |
| Jul-Sep 2011 | 2 | 0 | 0% | 74% | 46% | 76% | -30 |
| Oct-Dec 2011 | 4 | 3 | 75% | 74% | 41% | 75% | -34 |
| Jan-Mar 2012 | 2 | 1 | 50% | 77% | 47% | 74% | -27 |
| Apr-Jun 2012 | 1 | 0 | 0% | 72% | 44% | 74% | -30 |
| Jul-Sep 2012 | 3 | 2 | 67% | 74% | 60% | 74% | -14 |
| Oct-Dec 2012 | 5 | 3 | 60% | 70% | 55% | 74% | -19 |
| Jan-Mar 2013 | 5 | 4 | 80% | 75% | 64% | 73% | -9 |
| Apr-Jun 2013 | 2 | 0 | 0% | 78% | 60% | 73% | -13 |
| Jul-Sep 2013 | 3 | 3 | 100% | 75% | 67% | 74% | -7 |
| Oct-Dec 2013 | 2 | 1 | 50% | 76% | 67% | 76% | -9 |
| Jan-Mar 2014 | 2 | 2 | 100% | 74% | 67% | 76% | -9 |

*The Annual Pass Rate changes every quarter. It is calculated by dividing the number of candidates who passed during the current and previous three-quarters by the number of candidates who tested during the same period. If no data is available for the relevant period, the statistic is carried over from the last quarter for which data is available.

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

REQUIRED CORRECTION(S)

1. The program is required to admit no additional students unless approved by the full Board.
2. The program is required to submit a follow-up report in 9 months, but no later than February 1, 2015 and in 21 months, but no later than February 1, 2016. Each report must include a review of the comprehensive analysis submitted by the program including the effect of employed interventions and identification of revisions required to the program's plan of correction, and a timeline for implementation.
3. Failure to show progress shall constitute cause for revocation of provisional approval.

Notice of Continuation of Provisional Approval Status

May 27, 2014

Page 3 of 4

4. The program is required to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
5. The program is required to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
6. The program is required to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
7. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
8. The program will be placed on the May 2016 Board agenda for reconsideration of provisional approval.

FUTURE BOARD ACTION

Your program will be placed on the May 2016 Board Meeting agenda, at which point the Board may revoke or extend the program's approval. If you have additional information that you wish considered beyond the required corrections listed on pages 2 and 3, you must submit this documentation by the fifteenth day of the second month prior to the Board meeting.

OTHER IMPORTANT INFORMATION

Please be advised that, pursuant to the Board's regulations, the program will not be authorized to admit new classes beyond the established pattern of admissions previously approved by the Board. The established pattern of admissions approved by the Board is as follows: Based on the above corrections, the full Board's permission will be required for each future class admission.

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

The program may not advertise that it has full approval, and should take steps to correct any ongoing advertisements or publications in that regard.

A copy of title 16, California Code of Regulations, section 2526.1, regarding provisional approval is attached for your reference. A complete copy of the Board's laws and regulations can be found on the Board's web site at www.bvnpt.ca.gov.

Notice of Continuation of Provisional Approval Status

May 27, 2014

Page 4 of 4

Should you have questions, please do not hesitate to contact the Board.

Sincerely,

A handwritten signature in cursive script, appearing to read "Teresa Bello-Jones".

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

Enclosures

cc: Board Members

TBJ:sc



TITLE 16 CALIFORNIA CODE OF REGULATIONS

2526.1. Provisional Approval.

- (a) Provisional approval means a program has not met all requirements as set forth in this chapter and in Chapter 6.5, Division 2 of the Business and Professions Code.
- (b) Provisional approval shall be granted for a period determined by the Board.
- (c) The Board may place any program on provisional approval when that program does not meet all requirements as set forth in this chapter and in Section 2526. If the program has not met all requirements at the end of the initial provisional approval period, provisional approval may be extended if the program demonstrates to the satisfaction of the Board a good faith effort to correct all deficiencies.
- (d) Any program holding provisional approval may not admit "new" classes beyond the established pattern of admissions previously approved by the Board. The admission pattern is defined by the number of students per class and the frequency of admissions for the six class admissions that immediately precede the Board action to consider provisional approval.
- (e) A program placed on provisional approval shall receive written notification from the Board. The notification to the program shall include specific areas of noncompliance and requirements for correction. A program's failure to correct delineated areas of noncompliance is cause for revocation of provisional approval.
- (f) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional approval.
- (g) A program whose provisional approval has been revoked shall be removed from the Board's list of approved programs. The status of students as potential applicants for licensure will be determined by the Board.
- (h) A program that is removed from the Board's list of approved programs subsequent to Board action based on the program's non-compliance with applicable regulations shall not reapply to establish a vocational nursing program for a minimum period of one calendar year.



Acknowledgement of Change in Approval Status

I, Ellen Cervellon, director of Oikos University Vocational Nursing Program
(Director's Name) (Name of Program)

hereby acknowledge that this program's provisional status has been extended through May 30, 2015. I understand that in accordance with Section 2526.1 (f) of the Vocational Nursing Rules and Regulations and Section 2581.1 (f) of the Psychiatric Technician Rules and Regulations, the Board will consider any advertisement of full approval while on provisional approval as "material misrepresentation of fact." "Material misrepresentation of fact" may lead to revocation of the program's approval. Further, I understand the program's provisional approval status will be reflected on the Board's internet website.

Please complete and return this form to the Board by Friday, June 6, 2014.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Signature of Director)

(Date)



May 27, 2014

TO: Education Division

FROM: Oikos University Vocational Nursing Program

SUBJECT: *Acknowledgement of Receipt of Board Meeting Materials*

I, hereby acknowledge receipt of the following report with attachments for the May 16, 2014 Board Meeting.

➤ ***Oikos University Vocational Nursing Program.***

1. *Notice of Continuation of Provisional Approval Status*
2. *California Code of Regulations Excerpt Section 2526.1. Provisional Approval.*
3. *Certificate of Provisional Approval.*
4. *Acknowledgement of Change in Approval Status.*

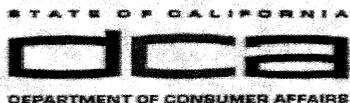
Please sign and fax the ***Acknowledgement of Receipt of Board Meeting Materials*** to the Board at (916) 263-7866 by Wednesday, May 30, 2014.

(Signature, Director)

(Date)

Name of Program: _____

**Please complete this form and fax to the Board at
(916) 263-7866 by Friday, June 6, 2014.**



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

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



CERTIFICATE OF PROVISIONAL APPROVAL

for

Oikos University *Vocational Nursing Program*

This document reflects that the Board of Vocational Nursing and Psychiatric Technicians (Board) has provisionally approved the above-named program pursuant to Article 5 of the Vocational Nursing Practice Act and the Board's Rules and Regulations. A copy of documents related to the provisional approval may be obtained by contacting the Board at the address above. A candidate's completion of an approved vocational nursing program is partial fulfillment of requirements for the vocational nurse licensure examination.

Effective: May 16, 2014

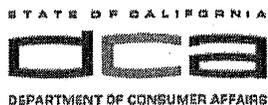
Todd D'Braunstein, P.T.
President



Expires: May 30, 2016

Teresa Bello-Jones
Executive Officer

AGENDA ITEM #16.C.3., ATTACHMENT C



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

Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
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December 23, 2014

Ellen Cervellon, Director
Vocational Nursing Program
Oikos University
7850 Edgewater Drive
Oakland, CA 94621

SUBJECT: Request to Admit Students

Dear Ms. Cervellon,

The Board is in receipt of your request to admit students, dated December 15, 2014.

In the materials submitted to support your request to admit students, it is noted that you have listed a total of **four (4)** clinical facilities as “**pending.**” To date, the Board has not received clinical facility applications for two of the facilities, namely a pediatric and a maternity nursing clinic or office. Further, it is noted that electronic communication from the Board dated September 16, 2014 advised you of the need for revision of the previously submitted clinical facility applications for the other two sites listed as “pending” on the current request to admit students. To date, revised facility applications for the two Women, Infant, and Children programs have not been received.

Please be informed that your request to admit students cannot be completely evaluated as submitted. Without a complete evaluation, a recommendation supporting the request to admit students cannot be forwarded to Board members prior to the February 2015 Board meeting. In order to complete an evaluation of the proposed plans for clinical placements, it will be necessary to receive any outstanding materials, including clinical facility applications **prior to December 31, 2014.**

Please let me know if you have any questions or need further clarification.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA
Nursing Education Consultant
donna.johnson@dca.ca.gov
916-263-7842

cc: C. Anderson, SNEC



January 7, 2015

Ellen Cervellon, Director
Vocational Nursing Program
Oikos University
7850 Edgewater Drive
Oakland, CA 94621

Dear Ms. Cervellon,

The Board is in receipt of the materials in support of your request to admit students. The materials were sent via electronic correspondence December 30, 2014 at 11:13PM.

The application for the pediatric office cannot be approved as submitted due to the following:

1. While you have listed the instructor to student ratio would be one instructor to two or three students and you have provided a faculty orientation plan, you have also indicated this is a satellite facility. The two are inconsistent. In addition, clinical objectives are not consistent with a satellite facility.
2. You have indicated the intent for students to gain 16 hours of maternity nursing experience and 8 hours of pediatric experience. This is inconsistent with the attached clinical objectives, which are all related to pediatric experience in a pediatric medical office.
3. The clinical objectives state, in part: "Tour WIC facility areas with clinical instructor;" this is inconsistent with the site.
4. For clinical objectives you have stated, "Pediatric Office experience with children (newborn to five years)..." Later, on the same page, you note an objective is to attend an examination of a "Normal child (newborn to 12 years)" It will be necessary to clarify the age range the students will be working with at the office and to be consistent throughout the application.

The application for the OB/GYN/Infertility office cannot be approved as submitted due to the following:

1. While you have listed the instructor to student ratio would be one instructor to two or three students and you have provided a faculty orientation plan, you have also indicated this is a satellite facility. The two are inconsistent. In addition, clinical objectives are not consistent with a satellite facility.

2. You have indicated the intent for students to gain 16 hours of maternity nursing experience and 8 hours of pediatric experience. This is inconsistent with attached clinical objectives, which are all related to maternity nursing experience in an OB/GYN/Infertility medical office.

The applications for the two WIC sites will need to be separated such that each facility can be reviewed separately. Until such time as two separate applications are received, each with the necessary supporting documentation, the applications cannot be approved.

The curricular changes you have proposed for Maternity Nursing are pending further review and analysis. As such, they are not, at this time, approved. In addition, the objectives presented as "clinical" objectives contain objectives more appropriate for theory content and, as written, include 40 hours in the skills lab and only 8 hours specifically noted to be in "Maternity Community Education." Be informed that significant revision would be required.

Please be aware that at this time, three (3) weeks past the deadline to submit materials for consideration for the February 2015 Board meeting, you have submitted a request to admit students without the necessary clinical facilities in place.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA

Nursing Education Consultant

donna.johnson@dca.ca.gov

916-263-7842



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

Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
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CERTIFIED MAIL

March 17, 2015

Ellen Cervellon, Director
Vocational Nursing Program
Oikos University
7850 Edgewater Drive
Oakland, CA 94621

Dear Ms. Cervellon,

On March 5, 2015 an email with an attached letter was sent to you at the primary email you have used with the Board, ecervellon@oikos.edu. In that email you were asked to acknowledge receipt of the email. No acknowledgement was received by this Board.

On March 17, 2015, another email with the same attached letter was sent to you at the two email addresses you have used with this Board, ecervellon@oikos.edu and ecervellon@oikos.edu. In that email you were asked to acknowledge receipt of the email. No acknowledgement was received by this Board.

Below, please find the contents of the letter, dated March 5, 2015.

Dear Ms. Cervellon,

The Board is in receipt of your proposed changes to clinical objectives for maternity and pediatric nursing. The current Board – approved instructional plan for maternity and pediatric theory and clinical content has been reviewed. In addition, the proposed maternity and pediatric theory and clinical instructional plan have been carefully reviewed.

The proposed changes cannot be approved as submitted.

During the course of one (1) eight hour day in a child care facility, the students would be very unlikely to obtain and document vital signs. It is also highly unlikely that in the course of one (1) eight hour day students would be able to plan and implement teaching and to evaluate community education classes. Further, as the students would not be in a clinical setting, objective #10 for the community child care facility would have to be revised.

Clinical objectives related to physical assessment, pediatric medication administration, and pediatric procedures in the skills lab could not be accomplished on the two static newborn mannequins for which you previously provided

documentation. If new equipment has been obtained, you will need to provide documentation of that equipment.

The list of clinical objectives for a pediatric clinic is a comprehensive list that, if accomplished, would provide a solid experience for students. However, it is highly unlikely to be accomplished in only one (1) eight hour day. Further, evaluating community education classes and consultations is not likely to be accomplished in a pediatric clinic. In order to accomplish the comprehensive list of pediatric clinical objectives for a pediatric clinic, it would be necessary to allocate more than one (1) eight hour day for clinical experience in a pediatric clinic.

The strong recommendation is to increase the amount of time in a pediatric clinic and reduce the amount of time in the skills lab. Without computerized simulation equipment, the listed objectives cannot be accomplished in the skills lab.

Clinical objectives related to maternity nursing include objectives that cannot be accomplished in the skills lab or in only one (1) eight hour day in a maternity clinical site. Further, the proposed changes list one (1) eight hour day in "Clinical Facility & Community Education." You have previously indicated intent to utilize a Women, Infants, and Children nutrition program as a clinical site. Such a site would not allow for most of the clinical objectives to be accomplished and **would not replace** experience in a clinical facility providing maternity care.

The strong recommendation is to increase the amount of time in a maternity clinical site and reduce the amount of time in the skills lab. If the intention is for students to gain some exposure to community education related to nutrition in the child bearing cycle, one day in a Women, Infants, and Children nutrition program could replace some of the time in the skills lab. It will still be necessary to provide sufficient time in a maternity clinical site for the students to accomplish clinical objectives accompanying the didactic content indicated on the Board – approved instructional plan.

As discussed with the Supervising Nursing Education Consultant, in reviewing the portion of the current instructional plan that covers maternity and pediatric nursing, and in reviewing the proposed changes for maternity and pediatric nursing, similarity is noted. However, as a program on provisional approval, you may wish to update the instructional plan to reflect changes most likely to assist your students.

Given the equipment you have documented as available for maternity and pediatric skills lab, and given that the Board does not at this time approve **virtual** clinical experiences for clinical hours, the strong recommendation is to revise the maternity and pediatric clinical objectives to reflect less time in skills lab and more time in clinical settings providing maternity and pediatric (including sick child care) clinical care. Either enhancing skills lab simulation equipment or adding appropriate clinical facilities will be necessary in order document adequate resources to support additional students.

Please let me know if you have questions or need further clarification.

Sincerely,
Donna G. Johnson

Donna G. Johnson, RNP, MS, MA
Nursing Education Consultant
donna.johnson@dca.ca.gov
916-263-7842

cc: Cheryl Anderson, SNEC

As noted in the March 13, 2015 email to you, no clinical facility applications have been received by you since the submission of the proposed curriculum revisions.

Please contact the Board should you have any questions or need clarification.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA
Nursing Education Consultant
donna.johnson@dca.ca.gov
916-263-7842