

AGENDA ITEM #18.C.2.



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

**SUBJECT: Preferred College of Nursing, Van Nuys, Vocational Nursing Program -
*Reconsideration of Revocation of Approval*** (Director: Elizabeth Estrada, Van Nuys,
Los Angeles County, Private)

On May 13, 2016, the Board denied the request of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program to admit one (1) class of 20 students. In addition, with one (1) class of students enrolled and not scheduled to graduate until January 2017, the Board voted to revoke the provisional approval of the program, effective immediately, and to remove the program from the Board's list of *Approved Vocational Nursing Programs*. The recommendation is to uphold the May 13, 2016 decision.

Recommendation:

Uphold the Board's May 13, 2016, revocation of approval of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program.

Agenda Item #18.C.2.



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

DATE: August 1, 2016

TO: Board Members

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

SUBJECT: Preferred College of Nursing, Van Nuys, Vocational Nursing Program –
Reconsideration of Revocation of Approval (Director: Elizabeth Estrada, Van Nuys,
Los Angeles County, Private)

On May 13, 2016, the Board denied the request of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program to admit one (1) class of 20 students. In addition, with one (1) class of students enrolled and not scheduled to graduate until January 2017, the Board voted to revoke the provisional approval of the program, effective immediately, and to remove the program from the Board's list of *Approved Vocational Nursing Programs*. The recommendation is to uphold the May 13, 2016 decision.

That action was taken due to the program's **continued noncompliance with regulatory requirements** set forth in the Vocational Nursing Rules and Regulations. Section 2526.1(e) that states:

“A program placed on provisional approval shall receive written notification from the Board. 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.”

Correspondence informing the program of the Board's decisions was forwarded on May 16, 2016. (See Attachment A)

The program forwarded correspondence to the Board dated May 18, 2016. The program requested placement on the Board's August 2016 agenda “to exercise our appeal.” (See Attachment B)

The specific areas of non-compliance referenced in the Board's May 13, 2016, decision, described as **persistent uncorrected violations of regulatory requirements**, and failure to demonstrate progress are described below.

On May 27, 2014, the program received notification from the Board of areas of non-compliance and specific requirements for correction. (See Attachment C) Based on documentation submitted by the program in the preceding months and on published pass rate statistics, the

Board had determined that the program had been non-compliant with the following regulatory requirements.

1. Section 2526(a)(13) regarding, "Screening and selection criteria"
2. Section 2526(a)(16) regarding, "List of resources for provision of counseling and tutoring services for students"
3. Section 2527(a) regarding required reports
4. Section 2530(a) regarding adequate resources, "to achieve the program's objectives"
5. Section 2530(l) regarding maintenance of "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..."

On February 23, 2015, the program received notification from the Board of additional areas of non-compliance and required corrections. (See Attachment D) Based on program records, published pass rate statistics, and on an unannounced program inspection that was conducted on October 28 and 29, 2014, the Board had determined that the program had been non-compliant with the following regulatory requirements.

1. Section 2526(a)(7) regarding use of an, "Instructional Plan"
2. Section 2526(a)(8) regarding use of, "Evaluation methodology for the curriculum"
3. Section 2526(a)(11) regarding use of, "Evaluation methodology for clinical facilities"
4. Section 2526(a)(13) regarding, "Screening and selection criteria."
5. Section 2526(a)(16) regarding, "List of resources for provision of counseling and tutoring services for students"
6. Section 2530(a) regarding adequate resources, "...to achieve the program's objectives."
7. Section 2530(f) regarding availability of the Instructional Plan to all faculty
8. Section 2530(g) regarding documentation of completion of high school or the equivalent for all enrolled students
9. Section 2530(i) regarding evaluation of, "student performance to determine the need for remediation or removal from the program"
10. Section 2530(l) regarding maintenance of, "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..."
11. Section 2533(a) regarding inclusion of, "theory and correlated clinical experience"
12. Section 2534(b) regarding provision of adequate clinical experiences
13. Section 2534(c) regarding continuous evaluation of clinical facilities
14. Section 2882 regarding provision of required clinical experience.

On February 16, 2016, the program received notification from the Board of violations identified during the course of a second unannounced program inspection conducted by two Board representatives on February 2 and 3, 2016. (See Attachment E) **In addition to non-compliance with regulatory requirements regarding the program's average annual pass rate**, the Board determined the program had been non-compliant with the following regulatory requirements.

1. Section 2526(a)(8) regarding use of, "Evaluation methodology for the curriculum"
2. Section 2526(a)(11) regarding use of, "Evaluation methodology for clinical facilities"
3. Section 2526(a)(16) regarding, "List of resources for provision of counseling and tutoring services for students"

4. Section 2529(b) regarding active administration of the program by a faculty member designated as director
5. Section 2530(a) regarding adequate resources to achieve the program's objectives
6. Section 2530(i) regarding evaluation of, "student performance to determine the need for remediation or removal from the program"
7. Section 2530(h) regarding an attendance policy and acceptable methods of make-up
8. Section 2534(c) regarding, "...continuous evaluation of clinical facilities..."

At the time of revocation of approval status on May 13, 2016, the program remained non-compliant with the following regulatory requirements.

1. Section 2526(a)(8) regarding use of, "Evaluation methodology for the curriculum"
2. Section 2526(a)(11) regarding use of, "Evaluation methodology for clinical facilities"
3. Section 2529(b) regarding active administration of the program by a faculty member designated as director
4. Section 2530(l) regarding maintenance of, "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..."
5. Section 2534(c) regarding continuous evaluation of clinical facilities

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 2009 through June 2016 specify the pass percentage rates for graduates of the Preferred College of Nursing, Van Nuys, 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 Average 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 2009	16	9	56%	70%	62%	72%	-10
Apr – Jun 2009	29	18	62%	71%	61%	70%	-9
Jul – Sep 2009	35	22	63%	74%	62%	72%	-10
Oct – Dec 2009	30	18	60%	76%	61%	73%	-12
Jan - Mar 2010	18	11	61%	76%	62%	74%	-12
Apr - Jun 2010	21	13	62%	74%	62%	75%	-13
Jul - Sep 2010	13	9	69%	76%	62%	75%	-13
Oct - Dec 2010	9	6	67%	77%	64%	76%	-12
Jan - Mar 2011	20	16	80%	80%	70%	77%	-7
Apr - Jun 2011	16	10	63%	71%	71%	76%	-5
Jul - Sep 2011	9	5	56%	74%	69%	76%	-7
Oct - Dec 2011	5	5	100%	74%	70%	75%	-5
Jan - Mar 2012	6	4	67%	77%	67%	74%	-7
Apr - Jun 2012	15	7	47%	72%	60%	74%	-14
Jul - Sep 2012	13	6	46%	74%	56%	74%	-18
Oct - Dec 2012	7	4	57%	70%	54%	74%	-20
Jan - Mar 2013	4	2	50%	75%	49%	73%	-24
Apr - Jun 2013	4	3	75%	78%	54%	73%	-19

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR §2530(l)]	Variance from State Average Annual Pass Rate
Jul - Sep 2013	12	7	58%	75%	59%	74%	-15
Oct - Dec 2013	17	7	41%	76%	51%	76%	-25
Jan - Mar 2014	19	8	42%	74%	48%	76%	-28
Apr - Jun 2014	7	4	57%	66%	47%	73%	-26
Jul - Sep 2014	11	7	64%	72%	48%	73%	-25
Oct - Dec 2014	7	5	71%	72%	55%	72%	-17
Jan - Mar 2015	12	7	58%	73%	62%	71%	-9
Apr - Jun 2015	8	7	88%	69%	68%	72%	-4
Jul - Sep 2015	6	3	50%	73%	65%	72%	-7
Oct - Dec 2015	9	2	22%	75%	53%	72%	-19
Jan - Mar 2016	3	2	67%	73%	54%	73%	-19
Apr - Jun 2016	2	1	50%	75%	40%	74%	-34

*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.

Overview of Program History

(See Attachment F for the History of Prior Board Action).

Reliable data regarding program enrollment is not available prior to 2009. Utilizing the data provided by the program, previously reported to the Board in the Enrollment Data Tables since 2009, the following is noted.

- A total of 411 students were reported as admitted to the program
- A total of 293 students were reported as having completed the program

Utilizing statistics furnished by the Pearson Vue and published by the National Council of State Boards of Nursing since 2009, as seen above, the following is noted.

- A total of 381 candidates took the licensure examination
- A total of 227 candidates passed the examination on the first attempt (this includes candidates who graduated prior to 2009)

On July 22, 2010, in conjunction with record inspection conducted for a request for continued accreditation, the program was found to be non-compliant with the following regulatory requirements.

1. Section 2527(b) regarding failure of notification of faculty termination
2. Section 2530(k) regarding failure to obtain Board approval prior to increasing the number of students per class or increasing the frequency of admission of classes.

A brief history since the program was placed on provisional approval is found in Attachment G.

More recent events reflecting non-compliance with regulatory requirements are listed below.

1. Persistent non-compliance with section 2530(l) regarding evaluation of "student performance to determine the need for remediation or removal from the program."
 - The current director presented a revised evaluation policy in December 2015 which would have corrected the violation *if consistently implemented*; however, the program failed to include the new policy in the 2016 catalog provided to incoming students in January 2016.
2. Persistent non-compliance with section 2534(b) regarding "clinical facilities adequate as to number, type, and variety of patients treated" and such that there is "an adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught."
 - The February 2016 report to the Board identified specific areas in which the program failed to comply, including proposing to have 10 students complete 688 clinical hours over five (5) terms, in one (1) single skilled nursing facility with a resident census of 145.
 - This specific pattern of clinical placement was again proposed by the program in March 2016 and described in the May 2016 report to the Board.
3. Persistent non-compliance with section 2530(l) regarding maintenance of "a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average annual pass rate for first time candidates..."
 - When placed on provisional approval on May 16, 2014, the program's average annual pass rate was **48% in the eighth consecutive quarter of non-compliant pass rates**. On May 13, 2016, when the program's approval status was revoked by the Board, the program's average annual pass rate was **54%, which was 19 percentage points below the state average annual pass rate**. At the time of revocation of approval status, the program had been non-compliant with regulatory requirements regarding pass rate for five (5) of eight (8) quarters while on provisional approval.
 - The program's current average annual pass rate is **40%**, which is **34 percentage points below the state average annual pass rate**.

Recommendation:

Uphold the Board's May 13, 2016, revocation of approval of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program.

Rationale:

The Board's decision was consistent with regulations as evidenced in the data, above. The program has failed to demonstrate compliance with California Business and Professions Code, Division 2, Chapter 6.5, Article 4 and California Code of Regulations, Division 25, Chapter 1, Article 5 as an approved and provisionally approved Vocational Nursing program. Thus, the Board's decisions of May 13, 2016, were also consistent with the mandate of consumer protection.

If the Board upholds its prior decision to revoke the program's provisional approval, no students will be impacted. Students successfully completing the program prior to May 13, 2016, will be eligible for the licensure examination as a graduate of an approved program. Students who may have successfully completed all program hours, but not all program requirements, will have the option to apply for the licensure examination as an applicant with equivalent education.

- Attachment A: Board Correspondence Dated May 16, 2016
- Attachment B: Program Correspondence Dated May 18, 2016
- Attachment C: Board Correspondence Dated May 27, 2014
- Attachment D: Board Correspondence Dated February 23, 2015
- Attachment E: Board Correspondence Dated February 16, 2016
- Attachment F: History of Prior Board Action
- Attachment G: Program History Since May 2014

Agenda Item #18.C.2., Attachment A



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

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



CERTIFIED MAIL

May 16, 2016

Elizabeth Estrada, Director
Vocational Nursing Program
Preferred College of Nursing, Van Nuys
7400 Van Nuys Blvd #207
Van Nuys, CA 91401

Subject: Notice of Decisions

Dear Ms. Estrada,

On May 13, 2016, the Board of Vocational Nursing and Psychiatric Technicians (Board) considered the consultant's report relative to the ***Preferred College of Nursing, Van Nuys, Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students.***

The following decisions were rendered.

Recommendations:

1. Revoke the provisional approval of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program, **effective immediately.**
2. Remove the program from the Board's list of *Approved Vocational Nursing Schools*, **effective immediately.**

Should you have any questions, please contact the Board.

Sincerely,

Donna G. Johnson

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

Agenda Item #18.C.2., Attachment B.



May 18, 2016

Dr. Kameka Brown, Executive Officer
Board of Vocational Nursing and Psychiatric Technicians
Administration Division
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833

Re. Reconsideration of Revocation: Appeal the Decision to Revoke the Provisional Approval and to Remove Preferred College of Nursing, Van Nuys, Vocational Nursing Program

Dear Dr. Brown,

On May 13, 2016, Donna Johnson, Nursing Education Consultant, presented a recommendation to *Revoke* the provisional approval of Preferred College of Nursing, Van Nuys, Vocational Nursing Program and *Remove* the program from the Board's list of Approved Vocational Nursing Schools, *effective immediately*.

The Board adopted the recommendation.

Preferred College of Nursing, Van Nuys, Vocational Nursing Program, was being reviewed for reconsideration of its provisional approval. The program was requesting time to vet thoroughly, issues and concerns related to its position and performance.

Based on the outcome of the meeting, held in Sacramento, California, Preferred College of Nursing, Van Nuys, request the Board reconsider the revocation and allow the opportunity to appeal the decision of May 13, 2016. We formally request placement on the Board's August 2016 agenda to exercise our appeal.

A handwritten signature in black ink that reads 'E Estrada, MSN, RN'.

Elizabeth Estrada, MSN, RN
Preferred College of Nursing, Van Nuys
(P) (818) 902-3708
(F) (818) 937-1632

Bernardita Sanchez, President
Freddie Sanchez, Vice President
Michael Landver, Investor / Consultant
Stan Gershovich, Director of Operations

cc: Cheryl Anderson, BVNPT, Supervising Nursing Education Consultant
Donna Johnson, BVNPT, Nursing Education Consultant

7400 Van Nuys Blvd., Suite 207
Van Nuys, CA 91405
(818) 902 - 3708



CERTIFIED MAIL

May 27, 2014

Joielynn Herra, Director
Preferred College of Nursing, Van Nuys
Vocational Nursing Program
6551 Van Nuys Blvd., Suite 200
Van Nuys, CA 91401

Subject: Notice of Change in Approval Status

Dear Ms. Herra:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on May 16, 2014, the status of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program has been changed from full approval to provisional approval for the two – year period from May 16, 2014 through September 30, 2014.

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 (Code),

"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 2526 (a)(13) of the Code states:

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

(13) Screening and selection criteria."

Notice of Change in Approval Status

May 27, 2014

Page 2 of 5

Section 2526 (a)(16) of the Code states:

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

- (13) List of resources for provision of counseling and tutoring services for students."

Section 2527 (a) of the Code states:

"The Board shall require such reports by schools and conduct such investigations as necessary to determine whether or not approval will be continued."

Section 2530 (a) of the Code states:

"The program shall have sufficient resources, faculty, clinical facilities, library, staff, and support services, physical space, skills laboratory, and equipment to achieve the program's objectives."

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

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

The program pass rates of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program for the past twenty-two (22) quarters are set forth in the following table.

NCLEX-RN® Licensure Examination Data			
Annual Statistics*			
Quarter	State Average Annual Pass Rate	Program Average Annual Pass Rate	Variance from State Average Annual Pass Rate
July - Sep 2008	74%	75%	+1
Oct - Dec 2008	73%	70%	-3
Jan - Mar 2009	72%	62%	-10
Apr - Jun 2009	70%	61%	-9
July - Sep 2009	72%	62%	-10
Oct - Dec 2009	73%	61%	-12
Jan - Mar 2010	74%	62%	-12
Apr - Jun 2010	75%	62%	-13
Jul - Sep 2010	75%	62%	-13
Oct - Dec 2010	76%	64%	-12

NCLEX-PN® Licensure Examination Data			
Annual Statistics			
Quarter	State Average Annual Pass Rate	Program Average Annual Pass Rate	Variance from State Average Annual Pass Rate
Jan - Mar 2011	77%	70%	-7
Apr - Jun 2011	76%	71%	-5
Jul - Sep 2011	76%	69%	-7
Oct - Dec 2011	75%	70%	-5
Jan - Mar 2012	74%	67%	-7
Apr - Jun 2012	74%	60%	-14
Jul - Sep 2012	74%	56%	-18
Oct - Dec 2012	74%	54%	-20
Jan - Mar 2013	73%	49%	-24
Apr - Jun 2013	73%	54%	-19
Jul - Sep 2013	74%	59%	-15
Oct - Dec 2013	76%	51%	-25
Jan - Mar 2014	76%	48%	-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.

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

REQUIRED CORRECTION(S)

1. Preferred College of Nursing, Van Nuys, Vocational Nursing Program shall submit a written report no later than **June 1, 2014**. The report shall include a comprehensive analysis of the program including all elements in the previously submitted plan of correction, identification of factors negatively impacting student achievement, specific actions taken to improve program pass rates, the effect of employed interventions, and specific program resources required for achievement of program objectives.
2. The program shall admit no additional students without prior approval by the full Board.
3. If the program fails to submit the report as specified in Corrective Action #1, place the program on the September 2014 Board agenda for reconsideration of provisional approval.
4. If the program submits the report as specified in Corrective Action #1, by **June 1, 2014**, the program's provisional approval shall be extended from September 30, 2014 through May 31, 2016.

Notice of Change in Approval Status

May 27, 2014

Page 4 of 5

5. The program shall bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
6. The program shall demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
7. The program shall submit follow-up reports in two (2) months, but no later than **July 1, 2014**, and 21 months, but no later than **February 1, 2016**. 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.
8. The program shall comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
9. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

FUTURE BOARD ACTION

Your program will be placed on the **September 2014** 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 page 3 and 4, 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: **Prior approval by the full Board is required to admit classes.**

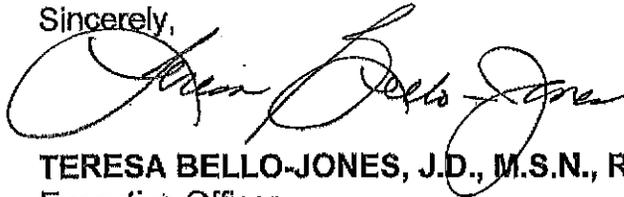
In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

The program may no longer advertise that it has full 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.

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

Sincerely,



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

Enclosures

cc: Board Members

TBJ/sc



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.

Agenda Item #18.C.2., Attachment D



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

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



CERTIFIED MAIL

February 23, 2015

Sasha Rarang, B.S., R.N.
Director, Vocational Nursing Program
Preferred College of Nursing, Van Nuys
6551 Van Nuys Blvd #200
Van Nuys, CA 91401

Subject: Notice of Change in Approval Status

Dear Ms. Rarang,

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on May 16, 2014, Preferred College of Nursing, Van Nuys, Vocational Nursing Program's provisional approval was changed from full approval to provisional approval for the three (3) month period from May 16, 2014 through September 30, 2014 and subsequently extended through May 31, 2016.

On February 13, 2015, the Board identified additional program deficiencies. 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 **Monday, March 2, 2015**.

AREAS OF NON-COMPLIANCE / VIOLATION(S)

In accordance with Section 2526.1(c) of the Vocational Nursing Rules and 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 2526(a)(7) of the Vocational Nursing Rules and Regulations states:

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:
... (7) Instructional Plan."

Section 2526(a)(8) of the Vocational Nursing Rules and Regulations states:

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:
... (8) Evaluation methodology for curriculum."

Section 2526(a)(11) of the Vocational Nursing Rules and Regulations states:

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:
... (11) Evaluation methodology for clinical facilities."

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

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

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

"The program shall have sufficient resources, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment to achieve the program's objectives."

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

"The program's instructional plan shall be available to all faculty."

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

"Each school shall have on file proof that each enrolled student has completed a general education course of study through the 12th grade or evidence of completion of the equivalent thereof. Equivalency is determined by the Department of Education in any of the United States or by a nationally-recognized regional accrediting body."

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

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

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

"The Board 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."

Section 2533(a) of the Vocational Nursing Rules and Regulations states:

"Vocational nursing programs shall include theory and correlated clinical experience."

Section 2882 of the Vocational Nurse Practice Act states:

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

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. Clinical objectives which students are expected to master shall be posted on patient care units utilized for clinical experience."

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

"Schools are responsible for the continuous review of clinical facilities to determine if the student's clinical objectives for each facility are being met."

The program pass rates of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program for the past 21 quarters are set forth in the following table.

NCLEX-RN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Oct – Dec 2009	73%	61%	-12
Jan – Mar 2010	74%	62%	-12
Apr – Jun 2010	75%	62%	-13
Jul – Sep 2010	75%	62%	-13
Oct – Dec 2010	76%	64%	-12
Jan – Mar 2011	77%	70%	-7
Apr – Jun 2011	76%	71%	-6
Jul – Sep 2011	76%	69%	-7
Oct – Dec 2011	76%	70%	-6
Jan – Mar 2012	74%	67%	-7
Apr – Jun 2012	74%	60%	-14
Jul – Sep 2012	74%	56%	-18
Oct – Dec 2012	74%	54%	-20
Jan – Mar 2013	73%	49%	-24
Apr – Jun 2013	73%	54%	-19
Jul – Sep 2013	74%	59%	-15
Oct – Dec 2013	76%	51%	-25
Jan – Mar 2014	76%	48%	-28
Apr – Jun 2014	73%	47%	-26
Jul – Sep 2014	73%	48%	-25
Oct – Dec 2014	72%	55%	-17

Based on this data, the program failed to meet regulatory requirements for vocational nursing programs.

REQUIRED CORRECTIONS

1. The Preferred College of Nursing, Van Nuys, Vocational Nursing Program shall bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
2. The program shall continue to admit no additional classes without prior approval by the full board.
3. The program shall correct program deficiencies identified during the onsite inspection and submit a report identifying implemented interventions no later than **March 1, 2015**.
4. The program shall submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by **March 1, 2015**.

5. The program shall submit, under penalty of perjury, documentation of clinical experiences for both Pediatric and Maternity Nursing for all students scheduled to graduate in 2015 prior to graduation.
6. The program shall submit a written report no later than **March 13, 2015**. The report shall include a comprehensive analysis of the program including identification of factors negatively impacting student achievement, specific actions taken to improve program pass rates, dates of implementation, the effect of employed interventions, and specific program resources required for achievement of program objectives. 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.
7. The program shall demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
8. The program shall comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.

FUTURE BOARD ACTION

Your program has been scheduled for the **May 2016** Board Meeting agenda, at which point the Board may revoke or extend the program's approval. The nursing education consultant assigned to your program will ask you to submit documentation of the

correction of your violations(s) by the fifteenth day of the second month prior to that Board meeting. If you have additional information that you wish considered beyond the required corrections listed on pages 4 and 5, you must submit this documentation by the fifteenth day of the second month prior to that Board meeting.

OTHER IMPORTANT INFORMATION

Please be advised that, pursuant the Board's regulations, the program will not be authorized to admit new classes beyond the established pattern of admissions previously approved the Board. The established pattern of admissions approved by the Board is as follows: **Approval by the full Board is required prior to the admission of additional classes.**

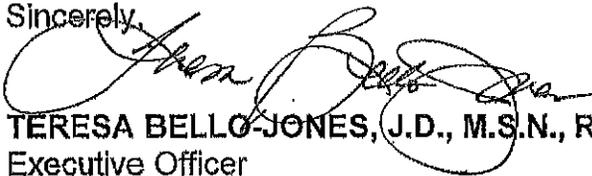
In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

The program may no longer advertise that it has full 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 website at www.bvnpt.ca.gov.

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

Sincerely,


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

Enclosures

Cc: Board Members

TBJ:cca



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.

Agenda Item #18.C.2., Attachment E.



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

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



CERTIFIED MAIL

February 16, 2016

Elizabeth Estrada, Director
Vocational Nursing Program
Preferred College of Nursing, Van Nuys
7400 Van Nuys Blvd #207
Van Nuys, CA 91401

Subject: Notice of Violations

Dear Ms. Estrada,

On February 2 and 3, 2016, two (2) Board representatives conducted an unannounced program inspection, during which current students were interviewed, physical resources were examined, student and program records were inspected, and interviews were conducted with the program director and other program representatives. Based on the inspection, the following violations were identified.

Section 2526(a)(8) of the Vocational Nursing Rules and Regulations states:

“The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:
... (8) Evaluation methodology for curriculum.”

Violation #1:

Board files confirm that the program has a methodology and procedure for evaluation of the curriculum. The program revised the intended method for evaluation of the curriculum in March 2015 and again as recently as September 12, 2015, as submitted by the current program director.

Board representatives requested evidence of evaluation of the curriculum. However, the program director did not produce the requested documentation substantiating that the curriculum had been evaluated to determine its currency, effectiveness, consistency with the NCLEX/PN® test plan, or the need for revision.

Required Action:

The program has presented two different plans for evaluation of the curriculum after the notice of violation for failure to

provide documentation of evaluation of the curriculum in 2014. To date, the program has not produced evidence that the original curriculum is being evaluated for effectiveness, currency, and consistency with the NCLEX-PN® test plan.

Section 2526(a)(11) of the Vocational Nursing Rules and Regulations states:

“The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (11) Evaluation methodology for clinical facilities.”

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

“Schools are responsible for the continuous review of clinical facilities to determine if the student’s clinical objectives for each facility are being met.”

Violation #2:

Board files confirm that the program has a methodology and procedure for evaluation of clinical facilities. Board representatives requested evidence of evaluation of the curriculum. The program director failed to produce the requested documentation substantiating that clinical facilities had been evaluated. With two (2) Board representatives present, the director acknowledged there was no written documentation of evaluation of clinical facilities conducted by the director or faculty and that student evaluations were “just handed to me last night.”

Required Action:

On Sept 12, 2015, the current program director submitted an updated response to violations identified in 2014. According to that response, the director planned to visit all clinical rotation sites and to conduct periodic clinical site visits. To date, the program has not produced evidence that clinical facilities are being evaluated, other than by students, or that student feedback is being considered.

Section 2526(a)(16) of the Vocational Nursing Rules and Regulations states:

“The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (16) List of resources for provision of counseling and tutoring services for students.

Violation # 3: No list of resources for counseling is posted or provided to students. When asked for this list, the program director referred the Board representatives to the school catalog. The school catalog lists "**Counseling and Advising Services** – where students obtain help with educational, career, and personal concerns from a trained staff of counselors, specialists, and advisors." No licensed or trained specialists are on staff. These are the same findings as the 2014 program inspection. The program has failed to correct the previously identified violation.

Required Action: Provide a copy of a list of resources for counseling in the area and provide documentation that this has been provided to currently enrolled students. **Due no later than March 1, 2016.**

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

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

Violation #4: Board files confirm the program presented revised policies for evaluation of student progress and remediation after the identification of this violation in October 2014. On March 1, 2015, the program reported a process and revised policy were to be implemented, effective March 2, 2015. The September 12, 2015 updated response to violations reported continued "discrepancies" with policies related to the evaluation of student progress and remediation. On December 14, 2015, the program director submitted a revised policy, stating the revised policy had been effective elsewhere and would be utilized in this program.

During the February 2016 program inspection, two Board representatives reviewed the 18 files of the most recent graduates. A total of eight (8) student files documented multiple course failures **after** implementation of the new policies in March 2015, indicating the program failed to follow its own policies regarding evaluation of student progress and remediation. As noted in student files examined during the inspection, after March 2015 failing students were allowed to remain in the program without successfully passing a remediation exam, students failing multiple courses in a term remained in the program, and no documentation of follow-up

was noted in student files or the remediation binder. Further, there was no improvement in documentation of remediation and follow-up with students **after** the current director was approved by the Board and failing students were still allowed to remain in the program.

In December 2015, the current program director submitted another revised policy for the evaluation of student performance and the need for remediation or removal from the program. However, the January 2016 School Catalog does **not** describe the most recently submitted policy for the evaluation of student performance.

Required Action: As noted above, the program submitted revised policies for evaluation of student progress and remediation. As noted during the program inspection, the program has failed to follow the submitted policies. Further the program has not presented the most recent policy to newly enrolled students in the current version of the School Catalog dated January 2016.

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

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

- (1) Theory: case studies, independent study, written examination, attendance at seminars or workshops, auto-tutorial laboratory, and research reports.
- (2) Clinical: performance evaluation in skills laboratory or additional time in the clinical area with clients/patients.”

Violation #5: During the program inspection on February 2-3, 2016, the program director failed to produce attendance records for the class that graduated on December 30, 2015, stating the records could not be located. Paper sign-in sheets for current students were provided by the class instructor. The program director was not aware of absences identified for the new class.

The attendance policy listed in the school catalog does not include the required aspects of acceptable methods of make-

up and does not conform to Board-approved attendance policies.

Required Correction: Submit for Board approval a proposed policy for attendance that includes timely make-up and acceptable methods of make-up for both theory and clinical absences. Submit a written plan for monitoring and tracking attendance and make-up for both theory and clinical absences. **Due no later than March 1, 2016.**

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

“The program shall have sufficient resources, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment to achieve the program’s objectives.”

Violation #6: During the program inspection of February 2-3, 2016, the only skills lab materials and equipment related to pediatric and maternity nursing were one (1) pediatric nebulizer, a child’s doll, and a model of a uterus and fetus. After discussing with the program the lack of equipment related to skills training in maternity and pediatric nursing, an instructor emailed the assigned consultant that she has her own maternity supplies. However, the **program** lacks adequate equipment to achieve objectives related to skills acquisition in maternity and pediatric nursing. There are now three (3) beds in the skills lab and one (1) mannequin, which has broken limbs.

As currently arranged, the program has 14 computer stations for student use, which would not accommodate the larger class size that was most recently requested.

Required Action: Document acquisition of materials for instruction in maternity and pediatric nursing such that program objectives can be accomplished. **Due no later than March 1, 2016.**

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

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

Violation #7:

The program presents with at least a two-year history of the lack of active administration of the program as noted by the following.

- 1) The May 2014 report to the Board documents the program director failed to provide the required reports and comprehensive analysis in a timely fashion in 2013 and early 2014.
- 2) During the October 2014 program inspection, the part-time director was absent for most of the inspection and stated to Board representatives that she did not know how to evaluate a curriculum (see the February 2015 report to the Board).
- 3) On December 29, 2014, a new part-time director was approved by the Board and was provided notice of the program's consideration at the upcoming February 2015 Board meeting. No program representative was present during the February 2015 Board meeting.
- 4) On August 26, 2015, a new part-time director was approved by the Board. As noted during the most recent program inspection, violations identified in October 2014 remain uncorrected. The program director could not locate attendance files of the most recently graduated students and was unaware of the location of attendance records for current students. The current director has not evaluated clinical facilities and has not documented evaluation of the curriculum, despite describing, in documents submitted to the Board in September 2015, plans to do so. In addition, after noting continued "discrepancies" in grading and remediation policies and submitting in December 2015 another revised policy, which the director stated would be implemented, the director failed to include the most recently revised policy in the January 2016 School Catalog, issued to newly enrolled students.

This represents a pattern over the past two years of the lack of active administration of the program by a Board-approved director who is responsible for compliance with all regulations.

Required Action:

Submit for Board approval a written plan, with measurable objectives and specific time lines, to be completed through the active administration of the program, such that all

February 16, 2016
Notice of Violations
Preferred College of Nursing, Van Nuys
Vocational Nursing Program
Page 7 of 7

violations are corrected, including non-compliant program
pass rates. **Due no later than March 1, 2016.**

Should you have any questions, please contact the Board.

Sincerely,

Donna G. Johnson

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

Agenda Item #18.C.2., Attachment F

PREFERRED COLLEGE OF NURSING, VAN NUYS VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On April 27, 2001, the Board approved the school's request to begin a part-time weekend vocational nursing program with an initial class of 20 students on May 11, 2001, only. The Board also approved the vocational nursing curriculum of 1,550 hours, including 590 theory and 960 clinical hours. The program is 75 weeks in length. Classes are held on Fridays, Saturdays and Sundays. There are 5 terms, each 15 weeks long.
- On September 6, 2002, the Board approved initial accreditation for the Preferred College of Nursing Vocational Nursing Program for the period from May 11, 2001, to September 5, 2006. Additionally, the Board approved the school's request to admit 20 students into the part-time weekend class on December 8, 2002, only, to **replace** students graduating December 7, 2002.
- On June 20, 2003, the Board approved the school's request to begin a second 75-week part-time evening program of 20 students on July 8, 2003, only. This class is known as the part-time Tuesday-Thursday class.
- On September 19, 2003, the Board approved the school's request to begin a full-time program of 20 students on October 10, 2003, only.
- On February 20, 2004, the Board approved the school's request to begin a part-time program (Wednesday and Friday class) of 20 students on March 26, 2004, only.
- On May 14, 2004, the Board approved the program's request to admit 30 students into the part-time week-end class starting June 18, 2004, only, to replace students graduating on June 13, 2004.

The Board approved the program's request to increase class size from 20 to 30 students per class in both the part-time and full-time programs.

The Board approved on-going admissions to **replace** graduating classes, only, for the Preferred College of Nursing, Panorama City, Vocational Nursing Program with the stipulation that no additional classes are to be added to the program's current pattern of admissions without prior Board approval. The program's current pattern of admissions includes 1 part-time weekend class, 1 part-time Tuesday & Thursday

evening class, 1 part-time Wednesday & Friday evening class and 1 full-time class Monday through Friday per year, each admitting 30 students per class.

- On September 10, 2004, the Board approved the program's request to admit 30 students into a fourth part-time Tuesday, Wednesday, Thursday class starting on October 28, 2004, only, with a projected completion date of May, 2006.
- On April 21, 2005, the director notified the Board of a location and address change to Van Nuys, California. The name of the school was changed to reflect this change as Preferred College of Nursing, Van Nuys.
- On June 20, 2005, the director submitted a plan to improve NCLEX-PN pass rates, as requested by the consultant.
- On September 16, 2005, the Executive Officer approved the program's request to admit 30 students into the Monday through Friday full-time class starting on September 19, 2005, with a projected graduation date of September 22, 2006, replacing the students that graduate on September 28, 2005; approved the program's request to admit 30 students into the Su-M-W-F part-time program starting on October 3, 2005, with a projected graduation date of June 4, 2007, to replace students graduating October 10, 2005; **and** approved ongoing admissions to **replace** graduating classes, only, for the program 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 one full-time class which admits once each calendar year and four part-time classes which admit every 18 months.
 - b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
- On October 20, 2005, the Board notified the director that the program's pass rates had fallen more than ten (10) percentage points below the state average pass rate for the fourth quarter. The school was acknowledged for submitting a written plan for pass rate improvement and requested that any additional plans currently implemented be submitted to the Board.
- On February 8, 2006, the Board notified the director that the program's pass rates had fallen more than ten (10) percentage points below the state average pass rate for the fifth quarter.
- On May 12, 2006, the Executive Officer approved continued full accreditation for the Preferred College of Nursing, Van Nuys, Vocational Nursing Program for the period from September 5, 2006, through September 4, 2010, and issued a certificate accordingly.

- On December 6, 2006, the Executive Officer approved the program's request to admit 40 students into the Monday, Wednesday, Friday, and Saturday part-time program starting on January 26, 2007, with a projected graduation date of July 18, 2008.

The Board approved the program's request to increase the class size from 30 to 40 students per class.

- On January 5, 2007, the director notified the Board of a modification of the part-time program scheduled to start January 26, 2007. The start date was changed to February 6, 2007 with a projected graduation date of July 18, 2008. Instead of a Monday, Wednesday, Friday, and Saturday schedule, a change was made to a Monday, Tuesday, Friday, and Saturday schedule.
- **On September 15, 2008 a new director was approved.**
- **On March 11, 2009 a new director was approved**
- On April 23, 2010, the Board received the program's completed Program Records Survey for Continued Accreditation and required supporting documents.
- On July 22, 2010, the Executive Officer approved continued full accreditation for the Preferred College of Nursing, Van Nuys, Vocational Nursing Program for the period September 5, 2010 through September 4, 2014, and issued a certificate accordingly; **and**, continued approval of the program's ongoing admission pattern of one (1) full-time class of 40 students once each year and four (4) part-time classes of 40 students which admits every 18 months to **replace** outgoing students only, with the following stipulation: the program must maintain an average annual licensure pass rate within ten (10) percentage points of the California average annual licensure examination pass rate, consistent with Section 2530 (I) of the Vocational Rules and Regulations.
- On April 16, 2012, the Executive Officer approved the following recommendations:
 1. Deny Preferred College of Nursing, Vocational Nursing Program's request to admit an additional full-time evening class of 40 students and **approve** a class of 30 students with a commencement date of April 18, 2012 and graduation date of May, 25 2013 **only**.
 2. Continue the program's approval for ongoing admissions of one (1) full-time class of 40 students each year and four (4) part-time classes of 40 students every 18 months to **replace** graduating students only, with the following stipulations:
 - a. No additional classes are added to the program's current pattern of admissions without prior Board approval. The current pattern is approval is one (1) Full-time class each year and four (4) Part-time classes every 18 months.

- b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
 - c. The program's average annual pass rate is no more than ten (10) percentage points below the state average annual pass rate.
- On May 16, 2014, the Board placed the program on provisional approval for the four - month period from May 16, 2014, through September 30, 2014, 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. **Further**, the Board rescinded approval of the program's ongoing admissions; **and** required the program to admit no additional classes without prior approval by the full Board; **and** required the program to submit a written report no later than **June 1, 2014**. The report was to include a comprehensive analysis of the program including all elements in the previously submitted plan of correction, to identify factors negatively impacting student achievement, to identify specific actions taken to improve program pass rates and dates of implementation, to identify the effect of employed interventions, and to identify specific program resources required for achievement of program objectives. **Further**, the Board directed that if the program fails to submit the report as specified by **June 1, 2014**, the program would be placed on the **September 2014** Board agenda for reconsideration of provisional approval; **and**, if the program submits the report as specified by **June 1, 2014**, the Board would extend the program's provisional approval from September 30, 2014 through May 31, 2016.

The Board also 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 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.

The Board also required the program to submit follow-up reports in two (2) months, but no later than **July 1, 2014**, and 21 months, but no later than **February 1, 2016**. 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.

Also on May 16, 2014, 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** the Board noted that failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

- On May 27, 2014, the Board forwarded to the director the Notice of Change in Approval Status. That document identified violations, required corrections, and timeline for completion.
- On May 30, 2014, the Board received the director's comprehensive analysis.
- On July 15, 2014, with curriculum revision in process, the Board received electronic correspondence from the director indicating she would be out of the country until August 25, 2014.
- On August 11, 2014, electronic and telephonic communication with the Assistant Director clarified the lack of obstetrical clinical experience.
- On September 12, 2014, the Board denied the program's request to admit students. The Board also required the program to admit no students without approval of the full board and the Board required documentation of approved clinical experience for obstetrical and pediatric nursing.
- On October 28 and 29, 2014, an unannounced program survey was conducted.
- On November 12, 2014, the Board sent, via certified mail, Notice of Violations.
- On November 19, 2014, the Board sent, via certified mail, revised numbering of the identified violations.
- On November 26, 2014, the Board notified the program of placement on the February 2015 Board agenda for reconsideration of provisional approval and consideration of the report of the unannounced program survey visit.
- On December 1, 2014, the Board received a notice of resignation from the program director.

- On December 5, 2014, the Board sent correspondence to the program administrator regarding the need for active administration of the program and the need for response to previous Board correspondence.
- On December 12, 2014, the Board sent, via certified mail, correspondence to the program regarding additional required corrective action.
- On December 15, 2014, the Board received the program's response to the violations.
- On December 29, 2014, the program administrator sent, via electronic correspondence, a request for placement on the February 2015 Board agenda for a request to admit students.
- On December 29, 2014, the Board informed the administrator the deadline passed on December 15, 2014.
- **On December 29, 2014, a new director was approved.**
- On February 13, 2015, the Board approved the following:
 1. Require the Preferred College of Nursing, Van Nuys, to correct violations identified during the onsite inspection and submit a report identifying implemented interventions no later than **March 1, 2015**.
 2. Continue to require the program to admit no additional classes without prior approval by the full Board.
 3. Require the program director to submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by **March 1, 2015**.
 4. Require the program director, under penalty of perjury, to submit documentation of clinical experiences for both Pediatric and Maternity Nursing for all students scheduled to graduate in 2015 **prior** to graduation.
 5. Require the program to submit a written report no later than **March 13, 2015**. The report shall include a comprehensive analysis of the program including identification of factors negatively impacting student achievement, specific actions taken to improve program pass rates, dates of implementation, the effect of employed interventions, and specific program resources required for achievement of program objectives. 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. Continue to 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. 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.
 8. 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.
 9. Continue the program's placement on the program on the Board's May 2016 for reconsideration of provisional approval.
- **On August 26, 2015, the Board approved a new program director.**
 - On November 20, 2015, the Board approved the following:
 1. Require the Preferred College of Nursing, Van Nuys, Vocational Nursing Program to submit a revised policy, and timeline for implementation of the policy, for the evaluation of student progress to determine the need for remediation or removal from the program. Due no later than **December 14, 2015**.
 2. Require the program to submit documentation of adequate physical resources to support achievement of the program's objectives. Due no later than **December 14, 2015**.
 3. Deny the program's request for approval to admit one (1) class of 20 students beginning January 11, 2016, graduating January 30, 2017.
 4. Contingent upon satisfactory submission of documentation of physical resources and a revised policy for evaluation of student progress, **approve** the Preferred College of Nursing, Van Nuys, Vocational Nursing Program's admission of one (1) class of ten (10) students beginning January 11, 2016, graduating January 30, 2017, **only**.
 5. Continue to require the program to admit no additional classes without prior approval by the full Board.

6. Require the program director to submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by **January 29, 2016**.
 7. Continue the program's placement on the Board's May 2016 agenda for reconsideration of provisional approval.
- On February 2 and 3, 2016, two Board representatives conducted an unannounced program inspection.
 - On February 5, 2016, the Board approved the following:
 1. Deny the Preferred College of Nursing, Van Nuys, Vocational Nursing Program's request for approval to admit one (1) part-time class of 20 students beginning April 4, 2016 and graduating September 25, 2017.
 2. Continue to require the program to admit no additional classes without prior approval by the full Board.
 3. Continue the program's placement on the Board's May 2016 agenda for reconsideration of provisional approval.
 - On May 13, 2016, the Board approved the following:
 1. Revoke the provisional approval of the Preferred College of Nursing, Van Nuys, Vocational Nursing Program, effective immediately.
 2. Remove the program from the Board's list of *Approved Vocational Nursing Schools*, effective immediately.

Agenda Item #18.C.2., Attachment G

PREFERRED COLLEGE OF NURSING VAN NUYS VOCATIONAL NURSING PROGRAM

Events Since Placement on Provisional Approval

- On September 12, 2014, when denying the program's request to admit students, the Board required the program to submit documentation of approved clinical experience for Obstetrical and Pediatric Nursing. That documentation was **not** received.
- On October 28 and 29, 2014, an unannounced program inspection was conducted by Board representatives. A total of **16 violations** were identified.
- On November 26, 2014, the Board notified the program of placement on the February 2015 Board meeting agenda and requested information for preparation of this report to the Board.
- On December 1, 2014, the director notified the Board of her resignation.
- On December 5, 2014, the Board sent, via certified mail, a letter to the program administrator regarding the need for active administration of the program by a Board – approved director.
- On December 29, 2014, a new director was approved by the Board.
- On February 13, 2015, the Board considered the report regarding the unannounced program inspection. **The program failed to send a representative to the meeting.** At the time of the Board meeting, a total of **11 violations were uncorrected.** The Board continued the program's provisional approval through May 31, 2016.
- On February 23, 2015, the Board issued a *Notice of Change in Approval Status and Required Correction of Violations* to the program. Receipt was acknowledged by the program director.
- On March 1, 2015, the program director submitted the required report identifying implemented interventions to correct the violations.
- On March 9, 2015, the Board issued a letter to the program regarding **failure to submit required data** describing student enrollment as specified in the required corrective actions.

- On March 13, 2015, the program submitted the required comprehensive analysis and student enrollment data.
- On August 7, 2015, the Board was notified of the program director's resignation.
- On August 26, 2015, the Board approved a new program director. Between August 27 and September 15, 2015, the assigned consultant conducted seven (7) phone consultations with the new program director.
- On September 16, 2015, the program submitted a revised request to admit students, current information regarding the program, and an updated response to the violations identified during the course of the October 2014 program inspection. The summary and analysis of those documents was presented in the November 2015 report to the Board.
- On November 20, 2015, with the program's average annual pass rate at 65%, which was seven (7) percentage points below the state average annual pass rate; with eight (8) violations considered corrected; with plans in place to correct four (4) other violations; with three (3) violations not yet corrected; and with inadequate placements for the total number of students requested by the program, the Board approved admission of 10 of the 20 requested students.
 - Violations uncorrected as of the November 2015 report to the Board included the following:
 - a) Section 2530(l) regarding maintenance of a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average annual pass rate.
 - b) Section 2530(a) regarding adequate resources to achieve the program's objectives
 - c) Section 2530(i) regarding evaluation of student performance to determine the need for remediation or removal from the program
- On December 14, 2015, the program submitted a proposed Student Progress Policy, which, ***if consistently implemented***, would correct the violation related to failure to document evaluation of student performance and remediation.
 - The program submitted photos of the new site and the program submitted a number of invoices and packing slips for skills lab equipment.
- An unannounced program inspection was conducted by two (2) Board representatives on **February 2 and 3, 2016**, as a **follow-up** to the October 2014 unannounced inspection. Based on the program inspection, a total of **seven (7) violations** were identified.
 - NOTE that the revised Student Progress Policy, presented on December 14, 2015 was not in the program's new catalog, presented to entering students in January 2016.

- On February 5, 2016, with a rationale of program pass rates that were noncompliant with regulations, with significant deficits identified in the documents submitted in support of the request to admit students, and with an unannounced program inspection having been conducted immediately preceding the meeting, the program withdrew the request to admit students during the meeting. On that date, the Board denied the program's request to admit a class of 20 students.
- On February 16, 2016, the Board forwarded a *Notice of Violations* to the program via certified mail, specifying deficiencies identified during the February 2016 inspection
- The program submitted a response to the violations on March 1, 2016
- On March 13, 2016, the program submitted documents related to a major curriculum revision
- On March 14, 2016, the Board received the program's request for approval to admit 20 students to a part-time evening class.
- On March 22, 2016, the Board received correspondence from the program's accrediting body, the Accrediting Bureau of Health Education Schools (ABHES) describing that the program must "show cause why its accreditation should not be withdrawn."
- On April 21, 2016, the Board received, from the Bureau for Private Post-secondary Education (BPPE), a copy of a letter sent to the program on April 14, 2016 from the U.S. Department of Education (DOE). The letter describes action taken by the DOE due to failure of the program to submit Gainful Employment Reporting and "serious concerns regarding the institutions' status."