

AGENDA ITEM #18.D.1.



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

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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COVER SHEET

SUBJECT: Bay Area College of Nursing, Palo Alto, Vocational Nursing Program –
Consideration of Program Closure (Director: Rachelle Cagampan, Palo Alto, Santa Clara County, Private)

The Bay Area College of Nursing, Palo Alto, Vocational Nursing Program is presented for consideration of program closure, effective August 12, 2016. Acceptance of the program's closure is recommended.

Recommendations:

1. Accept the voluntary closure of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program.
2. Remove the program from the Board's *List of Approved Vocational Nursing Programs*, effective immediately.

Rationale: Based on previously submitted enrollment data, the program's last class was scheduled to graduate August 2016.

With the program reporting no further students as currently enrolled, no students will be impacted by a decision to accept the closure.

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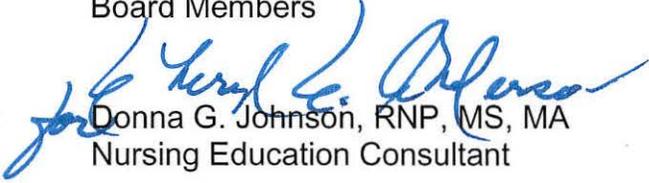
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DATE: August 12, 2016

TO: Board Members

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

SUBJECT: Bay Area College of Nursing, Palo Alto, Vocational Nursing Program.
Consideration of Program Closure (Director: Rachelle Cagampan, Palo Alto,
Santa Clara County, Private)

The Bay Area College of Nursing, Palo Alto, Vocational Nursing Program is presented for consideration of program closure, effective August 12, 2016. Acceptance of the program's closure is recommended.

The Board placed the program on provisional approval on November 10, 2011 due to non-compliance with regulatory requirements regarding pass rates on the licensure examination. Provisional approval was extended on November 22, 2013 and on November 21, 2014. On February 5, 2016, noting non-compliant pass rates and violations identified on an unannounced program inspection in September 2015, the Board extended provisional approval through November 30, 2016 and denied the program's request to admit additional students. Reconsideration of the program's status was scheduled for November 2016.

On August 2, 2016, the program forwarded correspondence to the Board advising of its "intention to exercise its non-compulsory right to close its vocational nursing program as of August 12, 2016."

History of Prior Board Actions

(See Attachment A, History of Prior Board Actions)

Enrollment

The program offers classes that are thirty (30) hours per week and fifty-eight (58) weeks in length. Approval by the full Board is required prior to the admission of each class.

Based on enrollment statistics reported for preparation of the report presented February 5, 2016, the program was scheduled to graduate students in March, June and August of 2016.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
1/10		24	21	21
7/10		25	22	$22 + 21 = 43$
1/11		16	14	$43 + 14 = 57$
	2/11 (1/10 Class)		-21	$57 - 21 = 36$
	9/11 (7/10 Class)		-22	$36 - 22 = 14$
12/11		10	13	$14 + 13 = 27$
	2/12 (1/11 Class)		-14	$27 - 14 = 13$
6/12		19	18	$13 + 18 = 31$
	3/13 (12/11 Class)		-13	$31 - 13 = 18$
5/13		11	9	$18 + 9 = 27$
	8/13 (6/12 Class)		-18	$27 - 18 = 9$
2/14		14	16	$9 + 16 = 25$
	8/14 (5/13 Class)		-9	$25 - 9 = 16$
9/14		13	13	$16 + 13 = 29$
12/14	3/16	6	6	$29 + 6 = 35$
3/15	6/16	14	11	$35 + 11 = 46$
	5/15 (2/14 Class)		-16	$46 - 16 = 30$
5/15	8/16	10	10	$30 + 10 = 40$
	12/15 (9/14 Class)	15	-13	$40 - 13 = 27$
	3/16 (12/14 Class)		-6	$27 - 6 = 21$
	6/16 (3/15 Class)		-11	$21 - 11 = 10$
	8/16 (5/15 Class)		-10	$10 - 10 = 0$

Licensing Examination Statistics

The following statistics, furnished by the Pearson Vue and published by the National Council of State Boards of Nursing as "Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction," for the period January 2010 through June 2016, specify the pass percentage rates for graduates of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®), and the variance from state average annual pass rates.

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR § 2530 (I)]	Variance From State Average Annual Pass Rate
Jan – Mar 2010	18	7	39%	75%	64%	74%	-10
Apr – Jun 2010	13	6	46%	74%	59%	75%	-16
Jul – Sep 2010	17	7	41%	76%	45%	75%	-30
Oct – Dec 2010	11	2	18%	77%	37%	76%	-39
Jan – Mar 2011	13	7	54%	80%	41%	77%	-36
Apr – Jun 2011	2	0	0%	71%	37%	76%	-39
Jul – Sep 2011	15	7	47%	74%	39%	76%	-37
Oct – Dec 2011	4	3	75%	74%	50%	75%	-25
Jan – Mar 2012	11	5	45%	77%	47%	74%	-27
Apr – Jun 2012	13	7	54%	72%	51%	74%	-23
Jul – Sep 2012	8	5	63%	74%	56%	74%	-18
Oct – Dec 2012	3	1	33%	70%	51%	74%	-23
Jan – Mar 2013	5	1	20%	75%	48%	73%	-25
Apr – Jun 2013	3	0	0%	78%	37%	73%	-36
Jul – Sep 2013	8	6	75%	75%	42%	74%	-32
Oct – Dec 2013	5	4	80%	76%	52%	76%	-24
Jan – Mar 2014	5	4	80%	74%	67%	76%	-9
Apr – Jun 2014	6	4	67%	66%	75%	73%	+2
Jul – Sep 2014	No Candidates Tested			72%	75%	73%	+2
Oct – Dec 2014	5	4	80%	72%	75%	72%	+3
Jan – Mar 2015	3	0	0%	73%	57%	71%	-14
Apr – Jun 2015	1	0	0%	69%	44%	72%	-28
Jul – Sep 2015	5	5	100%	73%	64%	72%	-8
Oct – Dec 2015	7	4	57%	75%	56%	72%	-16

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR § 2530 (I)]	Variance From State Average Annual Pass Rate
Jan – Mar 2016	6	1	17%	73%	53%	72%	-19
Apr – Jun 2016	3	2	67%	75%	57%	74%	-17

*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.”

Based on the most current data available (April through June 2016), the program's average annual pass rate is **57%**. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time is 74%. The average annual pass rate for the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program is **17** percentage points **below** the state average annual pass rate.

Other Considerations

As noted previously, the Board placed the program on provisional approval on November 10, 2011 due to non-compliance with regulatory requirements regarding pass rates on the licensure examination. Published examination statistics substantiate the program's pass rates had been noncompliant for six (6) consecutive quarters. At that time, the program's quarter pass rate was 47%; its average annual rate was 39%.

Provisional approval was extended on November 22, 2013. At that time, the program's quarter pass rate was 75%; its average annual rate was 42%.

On November 21, 2014 the program's provisional approval was again extended. At that time, the program's average annual pass rate was 75%.

On February 5, 2016, noting non-compliant pass rates and violations identified on an unannounced program inspection in September 2015, the Board extended provisional approval through November 30, 2016 and denied the program's request to admit additional students. Reconsideration of the program's status was scheduled for November 2016. At that time, the program's average quarter pass rate was 57%; its average annual pass rate was 56%.

On August 2, 2016, the program forwarded correspondence to the Board advising of its "intention to exercise its non-compulsory right to close its vocational nursing

program as of August 12, 2016." Further, the director requested her letter be forwarded to Board Members prior to the posting of the agenda for the August 26, 2016 Board meeting. (See Attachment B)

On August 11, 2016, the Executive Officer forwarded correspondence to the director, per certified and U.S. mail, advising of the program's placement on the Board's August agenda. Pursuant to California Code of Regulations Section 2526.1(h), the director was informed that should closure be elected, reapplication for establishment of a vocational nursing program would be prohibited for a minimum period of one calendar year.

Recommendations:

1. Accept the voluntary closure of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program.
2. Remove the program from the Board's *List of Approved Vocational Nursing Programs*, effective immediately.

Rationale: Based on previously submitted enrollment data, the program's last class was scheduled to graduate August 2016.

With the program reporting no further students as currently enrolled, no students will be impacted by a decision to accept the closure.

Attachments

Attachment A: History of Prior Board Actions

Attachment B: Program Correspondence Dated August 2, 2016; Received August 2, 2016

Attachment C: Board Correspondence Dated August 11, 2016

Agenda Item #18.D.1., Attachment A

BAY AREA COLLEGE OF NURSING, PALO ALTO VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

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

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

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

- On May 5, 2008, the program submitted documentation and pictures relative to its new Skills Laboratory. The Executive Officer approved the program's revised instructional plan for 1646 hours (Theory – 676 hours; Clinical – 970 hours).
- On May 15, 2008, the program submitted its revised instructional plan and documentation confirming completion of lesson plans for Terms I, II, and III.
- On December 8, 2010, the assigned consultant forwarded correspondence to the director advising that the program's average annual pass rate had fallen more than ten (10) percentage points below the state average annual pass rate for the past four (4) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by December 17, 2010.
- On December 10, 2010, the Board received electronic correspondence from Abigail Ethel A. Valbuena, Assistant Director of Nursing, Bay Area College of Nursing, Palo Alto, Daly City, Milpitas, San Jose, relative to a proposed curriculum revision.
- On December 16, 2010, program representatives delivered correspondence and a computer disk to the Board's Sacramento headquarters, specifying the program's plan to improve program pass rates.
- On December 21, 2010, the Executive Officer approved the program's request to admit 30 students into an evening class commencing January 3, 2011 and graduating February 10, 2012. The Executive Officer required the program to submit a report by **February 1, 2011**, that includes a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis:
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.
 - c. Terminal Objectives.
 - d. Curriculum Objectives.
 - e. Instructional Plan.
 - f. Theory and Clinical Objectives for Each Course.
 - g. Lesson Plans for Each Course.
 - h. Textbooks.
 - i. Attendance Policy.
 - j. Remediation Policy.
 - k. Evaluations of Theory and Clinical Faculty.
 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - n. Evaluation of Student Achievement.
 - o. Current Enrollment Information

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

and, required the program to obtain Board approval prior to the admission of students into day and evening classes.

- On March 22, 2011, the Board received program documents related to its comprehensive analysis.
- On August 24, 2011, the director submitted a comprehensive program analysis dated January 28, 2011.
- On August 26, 2011, the Executive Officer deferred action on the program's request to admit 22 students commencing September 19, 2011, to the full Board; **and**, placed the program on the agenda for the November 10, 2011 Board meeting for consideration of placement on provisional accreditation; **and**, required the program to obtain Board approval prior to the admission of future classes.
- On October 7, 2011, the assigned consultant forwarded correspondence requesting submission of fifteen (15) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.
- On October 31, 2011, the Board received fifteen (15) copies of the requested documents for Board consideration.
- On November 10, 2011 the Board placed the program on provisional accreditation for the two-year period from November 10, 2011, through November 30, 2013, and issued a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations; **and** required the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate; **and** approved the program's request to admit a class of 14 full-time evening students on December 14, 2011, graduating on February 24, 2013, at this time; **and** required the program to admit no additional students unless approved by the full Board; **and** required the program to submit follow-up reports in nine months, but no later than **August 1, 2012**, and 21 months, but no later than **August 1, 2013**. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.
 - c. Terminal Objectives.
 - d. Curriculum Objectives.
 - e. Instructional Plan.
 - f. Theory and Clinical Objectives for Each Course.
 - g. Lesson Plans for Each Course.
 - h. Textbooks.
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 - k. Evaluations of Theory and Clinical Faculty.

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

Required the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526; **and** required the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval; **and** failure to take any of these corrective actions may cause the full Board to revoke the program's approval; **and** placed the program on the **November 2013** Board agenda for reconsideration of provisional approval.

- On November 22, 2011 the Board forwarded to the director the Notice of Change in Approval Status.
- On March 26, 2012, the Board received correspondence from program director requesting approval to admit 20 students plus two (2) alternates into an evening class commencing May 15, 2012 and graduating July 21, 2013 to **replace** students who graduated on February 24, 2012.
- On April 4, 2012, the Executive Officer approved Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request for a major revision of the curriculum to include a change in total curriculum hours to 1588, a change in theory hours to 576, and a change in clinical hours to 1012.5; **and** approved the program's new instructional plan, instructional methods and materials, admission criteria, screening and selection criteria, attendance policies and evaluation of student achievement.
- On April 9, 2012, the Board received school correspondence that they wished the full Board to consider.
- On April 11, 2012, the Board received the program's plan of action to improve the performance of program graduates on the licensure examination.
- On May 11, 2012, the Board approved the program's request to admit 20 students plus two (2) alternates into an evening class commencing May 15, 2012 and graduating July 21, 2013 to **replace** students who graduated on February 24, 2012; and continued to require the program to admit no additional students unless approved by the full Board.
- On August 6, 2012, the Board received the program's follow-up report that was due on August 1, 2012.

- On September 14, 2012, the Board received correspondence from program director requesting approval to admit 20 students plus two (2) alternates into an evening class commencing November 26, 2012 and graduating February 16, 2014.
- On October 3, 2012, the assigned consultant forward correspondence to the director requesting documents for dissemination to Board Members.
- On November 9, 2012 the Board approved the program's request to admit 20 students plus two (2) alternates into an evening class commencing November 26, 2012 and graduating February 16, 2014 **and** continued to require the program to admit no additional students unless approved by the full Board.
- On September 12, 2013, the Board received correspondence from the program director requesting approval to admit 20 students plus two (2) alternates into an evening class commencing February 10, 2014, and graduating May 24, 2015. The requested class would **replace** the class that graduated on March 3, 2013.
- On November 22, 2013, the Board extended the provisional approval of the program for the one (1) year period from December 1, 2013 through to November 30, 2014; **and** approved the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit twenty (20) students plus two (2) alternates into an evening class commencing February 10, 2014 and graduating May 24, 2015; **and** continued to require the program bring its average annual pass rate to no more than ten percentage points below the state average annual pass rates; **and** continued to require the program to admit no additional students unless approved by the full Board; **and** required the program to submit follow-up reports in nine (9) months, but no later than **August 1, 2014**. The report must include a comprehensive analysis of the program, specific actions to improve program pass rates, timeline for implementation, and expected outcomes. The following elements must be addressed in the analysis.
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.
 - c. Terminal Objectives.
 - d. Curriculum Objectives.
 - e. Instructional Plan.
 - f. Theory and Clinical Objectives for Each Course.
 - g. Lesson Plans for Each Course.
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 - i. Attendance Policy.
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 - k. Evaluations of Theory and Clinical Faculty.
 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - n. Evaluation of Student Achievement.
 - o. Current Enrollment

In addition, the Board required the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526; **and** required the program to demonstrate incremental progress in correcting the violations; **and** if the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.

- On September 12, 2014, the Board approved the program's request to admit one (1) part-time evening class of twenty (20) students and two (2) alternates to commence September 29, 2014, graduating December 20, 2015 to **replace** the class that graduated August 2013 **and** one (1) part-time day class of twenty (20) students and two (2) alternates to commence November 10, 2014, graduating February 14, 2016 to **replace** the class that graduated August 2014.
- On September 23, 2014, the assigned consultant phoned the program director to request the required follow-up report that was due on August 1, 2014.
- On September 24, 2014, via electronic correspondence, the Board received the required report from the program director.
- On November 21, 2014, the Board extended provisional approval of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program for the one year period from December 1, 2014 through to November 30, 2015; **and** continued to require the program to maintain its average annual pass rate at no more than ten percentage points below the state average annual pass rates; **and** continued to require the program to admit no additional students unless approved by the full Board; **and** required the program to provide no less than one (1) clinical instructor for every 10 (ten) students in all clinical experiences; **and** required the program to submit a report analyzing the reasons for the decrease in the number of graduates taking the licensing examination since the introduction of the new curriculum, no later than January 15, 2015; **and** required the program to submit a follow-up report in nine (9) months, but no later than **August 1, 2015**. The report must include a **new** comprehensive analysis of the program, specific actions to improve program pass rates, timeline for implementation, and expected outcomes. The following elements must be addressed in the analysis.
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.
 - c. Terminal Objectives.
 - d. Curriculum Objectives.
 - e. Instructional Plan.
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- n. Evaluation of Student Achievement.
- o. Current Enrollment

Continued 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; **and** continued 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. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval. The Board placed the program on the **November 2015** Board agenda for reconsideration of provisional approval.

- On December 12, 2014, the Board received the program's request to admit students.
- On January 15, 2015, the Board received the program's required report regarding the low numbers of graduates taking the licensing examination.
- On February 13, 2015, the Board approved the program's request to admit one (1) evening class of 20 students commencing February 23, 2015 and graduating May 22, 2016, provided the program secures and obtains Board approval for adequate clinical facilities, no later than February 20, 2015, such that Maternity Nursing and Pediatric Nursing clinical objectives can be accomplished; **and required** the program to submit verifiable plans for clinical placements for Maternity Nursing and Pediatric Nursing for currently enrolled students no later than February 20, 2015; **and** continued the program's requirement to obtain approval by the full Board prior to the admission of additional students.
- On March 9, 2015, the Board forwarded, via certified mail, a letter to the program regarding the failure to submit the required documentation related to maternity and pediatric nursing experiences.
- On March 13, 2015, the program director met with Board staff at Board offices.
- On March 18, 2015, the Board forwarded, via certified mail, a letter to the program regarding approval of the submitted placement plans for maternity and pediatric nursing experiences.
- On April 2, 2015, the Board received a request to admit students.
- On April 8, 2015, the Board received the revised clinical placement plans for the proposed students.
- On May 15, 2015, the Board approved the program's request to admit one (1) evening class of 10 students commencing May 26, 2015 and graduating August 8, 2016, only, **and** continued to require the program to provide no less than one (1) instructor for

every ten (10) students in all clinical experiences, **and** continued the program's requirement to obtain approval by the full Board prior to the admission of additional students.

- On August 7, 2015, the program director met with Board staff at Board offices
- On September 10, 2015, the program director met with Board staff at Board offices
- On September 21 and 22, 2015, an unannounced program inspection was conducted by Board staff.
- On September 25, 2015, the Board forwarded, via certified mail, a Notice of Violations to the program.
- On October 30, 2015, the Board received the program's response to violations.
- On November 19, 2015, a representative of the Board conducted an unannounced inspection of the skills lab.
- On November 20, 2015, the Board approved the following:
 1. Extend provisional approval of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program for the three month period from December 1, 2015 through February 29, 2016. (See Attachment H)
 2. Deny the program's request for approval to admit one (1) class of 10 students beginning December 1, 2015, and graduating March 6, 2017.
 3. Require the program to correct violations identified during the onsite inspection and submit a report identifying implemented interventions including, but not limited to, the following no later than **December 15, 2017**.
 - a. Timeline for implementation of the policies and documentation of evaluation of curriculum and clinical facilities, including program administration oversight;
 - b. Plan of correction that describes how the program will follow and/or improve the policies for admission, screening and selection of applicants;
 - c. Detailed plan and timeline for improving resources sufficient to achieve the program's objectives;
 - d. Documentation of high school graduation or the equivalent for each student;
 - e. Revised policy, including timeline for implementation, for evaluation of student progress and remediation.
 - f. Plan of correction, including timeline for implementation, that ensures correlation between theory and clinical in the case of absences.

4. Continue to require the program to maintain its average annual pass rate at no more than ten percentage points below the state average annual pass rates.
 5. Continue to require the program to admit no additional students unless approved by the full Board.
 6. Require the program to provide no less than one (1) clinical instructor for every 10 (ten) students in all clinical experiences.
 7. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation by **December 1, 2015**.
 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 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.
 10. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 11. Place the program on the **February 2016** Board agenda for reconsideration of provisional approval.
- On December 15, 2015, the Board received the program's further response to violations.
 - On February 5, 2016, the Board rendered the following decisions:
 1. Extend provisional approval of the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program for the six month period from March 1, 2016 through August 31, 2016. (See Attachment F)
 2. Place the program on the **August 2016** Board agenda for reconsideration of provisional approval.
 3. **Deny** the program's request for approval to admit one (1) class of 15 students beginning February 23, 2016, and graduating April 30, 2017.
 4. Continue to require the program to maintain its average annual pass rate at no more than ten percentage points below the state average annual pass rates.

5. Continue to require the program to admit no additional students unless approved by the full Board.
 6. Require the program to provide no less than one (1) clinical instructor for every 10 (ten) students in all clinical experiences.
 7. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
 8. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
 9. Failure to take these corrective actions may cause the full Board to revoke the program's approval.
- On August 2, 2016, the Board received program correspondence advising of the intent to close effective August 12, 2016.
 - On August 11, 2016, the Board forwarded correspondence per certified and U.S. mail advising of the program's placement on the Board's August agenda. Additionally, the director was informed that should closure be elected, reapplication for establishment of a vocational nursing program would be prohibited for a minimum period of one calendar year.



BAY AREA COLLEGE
OF NURSING

August 2, 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. Non-Compulsory Closure of Bay Area College of Nursing, Palo Alto,
Vocational Nursing Program 04-082**

Dear Dr. Brown,

Bay Area College of Nursing, Palo Alto, Vocational Nursing Program, is now advising the Board of its intention to exercise its non-compulsory right to close its vocational nursing program as of August 12, 2016, to ensure that all of the required documentation for licensure by examination has been submitted to the Board.

As the director of Bay Area College of Nursing, Palo Alto, VNP, I respectfully request that this letter be provided to the Board prior to the posting of the Board's agenda for the upcoming Board hearing to be held on August 26, 2016.

Rachelle Cagampan, RN, BSN, MSN, MPA
Director, Bay Area College of Nursing
(P) (650) 858-6810 (F) (650) 204-6979
Palo Alto * Daly City * San Jose
www.bayareacollege.edu

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

Agenda Item #18.D.1, Attachment C



BUSINESS CONSUMER SERVICES AND HOMEOWNERS • JANEY RUDOLPH BROWN, R

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



August 11, 2016

Rachelle Cagampan, RN, BSN, MSN, MPA
Director, Vocational Nursing Program
Bay Area College of Nursing, Palo Alto
824 San Antonio Road
Palo Alto, CA 94303

Subject: Program Closure

Dear Ms. Cagampan:

The Board of Vocational Nursing and Psychiatric Technicians (Board) acknowledges receipt of your correspondence dated August 2, 2016. Specifically, you advise of your intention to "...exercise its non-compulsory right to close..." the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program effective August 12, 2016.

The minutes of the February 5, 2016 Board meeting confirm that reconsideration of the program's provisional approval is scheduled for the Board's November 4, 2016 meeting. A copy of the minutes of the meeting is attached for reference. The Board's decisions relative to the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program are addressed on pages 10 and 11.

Given your plan for closure, the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program has been placed on the Board's August 26, 2016 meeting agenda.

Please be advised that pursuant to California Code of Regulations Section 2526.1(h), should you elect to close the program, you may not reapply to commence a vocational nursing program for a minimum of one calendar year.

Please contact the Board should further clarification be needed.

Sincerely,

KAMEKA BROWN, PhD, MBA, NP
Executive Officer

Attachment



BOARD MEETING MINUTES

February 5, 2016

LOS ANGELES, CALIFORNIA

BOARD MEMBERS PRESENT:

Todd D'Braunstein, P.T. Member, President
Samantha James-Perez, P.T. Member, Vice-President
Bernice Bass de Martinez, Public Member
Tammy Endozo, L.V.N. Member
Eric Mah, Public Member
Andrew Moreno, Public Member
Susan Rubin, Public Member
John Vertido, L.V.N. Educator Member
Donna Norton, L.V.N. Member

BOARD MEMBERS ABSENT:

Vivien Avella, Public Member

STAFF PRESENT:

John Brooks, Acting Executive Officer
Cheryl Anderson, Supervising Nursing Education Consultant
Jessica Gomez, Nursing Education Consultant
Lydia Zeigler, Nursing Education Consultant
Donna Johnson, Nursing Education Consultant
Gina Bayless, Enforcement Division Chief
Rocio Llamas, Enforcement Division Manager
Carol Northrup, Licensing & Admin. Division Manager
Jennifer Almanza, Administrative Analyst
Jay Prouty, Enforcement Division Analyst
Rebecca Bon, Legal Counsel, Department of Consumer Affairs

10. CALL TO ORDER.

The meeting was called to order by Todd D'Braunstein, Board President, at 9:00 a.m., February 5, 2016, at the Hilton Los Angeles Airport, 5711 West Century Boulevard, Los Angeles, California 90045.

11. PLEDGE OF ALLEGIANCE.

John Vertido led those assembled in the Pledge of Allegiance.

12. INTRODUCTION OF BOARD MEMBERS AND STAFF.

The Board Members introduced themselves. John Brooks, Acting Executive Officer (EO), introduced board staff present and Rebecca Bon, the Board's Legal Counsel, Department of Consumer Affairs (DCA).

13. INTRODUCTION OF APPROVED SCHOOLS REPRESENTED AT MEETING BASED UPON VOLUNTARY SIGN-IN LIST.

The following programs voluntarily signed in and were recognized by the Board President:

Advanced Medical School of Nursing	High Desert Medical College - Lancaster
American Career College - LA	Lynwood Community Adult School - Lynwood
American Career College - St. Francis	Marian College - Los Angeles
American College of Nursing - Concord	Medical Allied Career Center, Inc.-Santa Fe Springs
Angeles Institute - Artesia	Northwest College - Pasadena
Annenberg School of Nursing - Reseda	Pacific College - Costa Mesa
Brightwood College - San Diego	Palo Verde Community College, Nursing and Allied Health - Blythe
California Career Institute - Garden Grove	Platt College - Alhambra
Career Care Institute - Lancaster	Preferred College of Nursing - Van Nuys
Career Care Institute - Moreno Valley	Premiere Career College - Irwindale
Career Development Institute, Inc. - LA	Professional Medical Careers Institute- Westlake Village
Carrington College - Pomona	Santa Barbara Business College - Bakersfield
Casa Loma College, School of Nursing and Allied Health - Anaheim	Summit Career College - Anaheim
CES College - Burbank	Summit College - Colton
Chaffey College - Chino	Tri-County ROP - Yuba City
Charter College - Canyon Country	Trinity School of Health & Allied Sciences - Gardena
CNI College - Orange County	
College of the Desert - Palm Desert	
Concorde Career College - San Bernardino	
Concorde Career College - North Hollywood	
Curam College of Nursing - Sacramento	
Glendale Career College - Glendale	
Grossmont Health Occupations Center - Santee	

14. MEETING AND PUBLIC COMMENT PROCEDURES.

Mr. D'Braunstein read a special notice addressing the Board's legal mandate and the procedure to have an issue placed on the Board Meeting agenda. He announced that public comment is welcome on any open agenda item prior to the Board's discussion; no action may be taken at this time; and the Board may limit the length of time allowed for comment.

15. REVIEW AND CONSIDERATION TO ADOPT BOARD MEMBER ADMINISTRATIVE PROCEDURE MANUAL.

Agenda item moved to the end of the day.

16. ELECTION OF BOARD OFFICERS.

John Brooks, Acting Executive Officer (EO), opened the table for the 2016 election of a new Board President and Vice President.

Board President Nomination: Samantha James-Perez was nominated by John Vertido and seconded by Bernice Bass de Martinez.

Board Discussion: None

Public Comment: None

Motion to close: John Vertido **Seconded:** Todd D'Braunstein

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

Board Vice President Nomination: Donna Norton was nominated by John Vertido and seconded by Bernice Bass de Martinez. Andrew Moreno was nominated by Eric Mah and seconded by Susan Rubin.

Board Discussion: Donna Norton withdrew her election, stating it would be better for the Board to have a Public Member nominated.

Public Comment: None

Motion to close: Bernice Bass de Martinez **Seconded:** Tammy Endozo

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

30. CLOSED SESSION.

A. The Board will meet in closed session to consider the appointment of an Executive Officer pursuant to Government Code Section 11126 (a) (1).

Eric Mah made note he doesn't support going into closed session out of order because making the programs wait is a disservice to them. Newly elected Board President, Samantha James-Perez explained there is a time schedule with interviewees and personnel from DCA. He motioned to have the Board reconsider keeping the agenda as is, but the motion died due to lack of a second motion.

31. RECONVENE OPEN SESSION

17. EDUCATION DIVISION PROGRAMS REGARDING VN AND PT PROGRAMS.

A.1. American College of Nursing Psychiatric Technician Program. Reconsideration of Provisional Approval; Failure to correct violations identified during Program inspection.

Ms. Jessica Gomez, Nursing Education Consultant (NEC) presented a report relative to reconsideration of provisional approval due to the continued failure to correct violations identified during the October 2014 program inspection. The Board placed the program on provisional approval for a two (2) year period through May 31, 2017, due to noncompliance with regulatory requirements. The program was required to admit no additional students without prior approval by the Board. On September 2, 2015 the Acting Executive Officer, approved the program's request to admit 20 evening students starting November 16, 2015. On November 18 and 19,

2015, an unannounced onsite inspection of the program was conducted. At that time, four (4) of the previously identified violations remained uncorrected.

Currently the program's average annual pass rate is 56%, which is 20 percentage points below the state average annual pass rate. Since the initiation of the program there have been 28 graduates, sixteen (16) or 57% have taken the licensure examination and eleven (11) or 69% passed.

Due to the substantial decrease in the pass rates and the failure to correct outstanding violations, the program is required to obtain approval by the full Board prior to the admission of additional classes and may be reconsidered from provisional approval status to possible revocation.

Program Representative: Felicidad Silva, Program Director

Public Comment:

- Ms. Silva agrees with the recommendations, but would like to make some clarifications. She said the curriculum for the PT program has been revised and upon approval will submit the lesson plans
- Resources for counseling have been posted and an addendum for tutoring services have been added to the student handbook.
- The six (6) enrolled students passed so remediation was not needed

Board Discussion:

- Mr. Moreno confirmed the program is in agreement with the recommendations.

MOTION: To accept the report and recommendations as follows:

1. Place the American College of Nursing Psychiatric Technician Program on provisional through May 31, 2017.
2. Place the program on the May 2016, Board agenda for reconsideration of provisional approval and possible revocation.
3. Require the program to obtain approval by the full Board prior to the admission of additional classes.
4. Require the program to maintain a 1:10 instructor to student ratio in all clinical activities.
5. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation within 15 days of the class start.
6. Require the program to correct all violations identified during the onsite inspections, and submit a report identifying implemented interventions and timelines no later than April 1, 2016. The report must include:
 - a. Development and implementation of a plan to evaluate curriculum.
 - b. Development and implementation of a permanent plan to notify students of available counseling in the area.

- c. Development and implementation of the program lesson plans.
 - d. Evaluation of student performance to determine the need for remediation or removal from the program.
 - e. Implementation of the approved remediation policy to include identification of students who are at risk of failure from either academic or code of conduct issues, identification of deficiencies, remediation plan and follow-up.
7. Require the Director to submit a report to the Board no later than April 1, 2016. The report must include:
- a. A comprehensive analysis of the program.
 - b. Identification of program elements negatively impacting student achievement.
 - c. Specific actions taken to improve program pass rates.
 - d. Timeline for implementation, and the effect of employed interventions.
8. Failure to take these corrective actions may cause the full Board to revoke the program's approval.

Moved: Todd D'Braunstein

Seconded: John Vertido

Further Discussion:

Mr. D'Braunstein recommended if the program has documents to be reviewed, they should submit them in advance to make it easier for the Board members to review.

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

Procedure Question: Ms. Norton questioned at previous Board meetings, members responded "Yea" or "Nay", Ms. Bon responded, per Bagley Keene, roll call votes need to have the Board member's name announced followed by their vote.

A.2. American College of Nursing Vocational Nursing Program. Reconsideration of Provisional Approval; Failure to correct violations identified during Program inspection.

Ms. Jessica Gomez, NEC presented a report relative to the reconsideration of provisional approval and consideration of provisional approval due to the continued failure to correct violations identified during the October 2014 program inspection. The Board placed the program on provisional approval on May 15, 2015 for a two (2) year period through May 31, 2017, due to noncompliance with regulatory requirements. The program was required to admit no additional students without prior approval by the Board. On August 6, 2015, the Acting Executive Officer approved the program's request to admit an evening class of 20 students starting September 23, 2015 and denied the program's request to admit a day class of 30 students starting October 19, 2015. On November 18 and 19, 2015, an unannounced onsite inspection of the program was conducted. At that time, four (4) of the previously identified violations remained uncorrected and three (3) new violations were identified.

Based on examination data for the 4th Quarter of 2015, the program's average annual pass rate is 59%, which is 13 percentage points below the state average annual pass rate and a decrease of 13 percentage points since placement on provisional approval.

Program Representative: Felicidad Silva, Program Director

Public Comment:

- Ms. Silva agrees with the recommendations, but would like to make some clarifications. The violation regarding a student completing the program without documentation of completion of a general education course through the 12th grade or equivalent. The student was studying civil engineer in his own country when circumstances brought him to the United States. He went back to his country to get his diploma and mailed it to the program after he completed the program, and his application for licensure was denied.

Board Discussion:

- Mr. Vertido stated in the report they have, on an unannounced inspection there were four (4) uncorrected violations and on the second inspection there were three (3) more violations. One of the violations being the curriculum doesn't match the lesson plan. How long has that been in place? The other report is regarding no pediatric sites in place and that they admit students that don't meet their own school's criteria.
- Ms. Silva responded the curriculum has been revised and they are waiting for it to be approved before submitting the lesson plan. She stated she has only been with the program for eight months. They have added pediatric sites and at the time Ms. Gomez was reviewing the files, pre-requisites and test scores were missing, this has been corrected.
- Ms. Bass de Martinez asked for clarification since her appointment to Director what the conditions were and what kind of changeovers? She asked Ms. Gomez if there are any procedure or policy practice of notification of changes to a program.
- Ms. Silva stated there were a lot of turnovers and changes over the last year, which caused documentation not getting filed. Ms. Gomez responded they don't require notification of reduction in staff, the only people they are interested in are the Director, Assistant Director and faculty.
- Ms. Silva stated violation number four (4) is the same as the Psychiatric Technicians program, having a lack of counseling and tutoring. It has been corrected. She referenced to the comment there was a lack of maternity and pediatric sites for rotations. They have six (6) sites. Ms. James-Perez asked Ms. Gomez if she saw the clinical applications. Ms. Gomez responded there is no correlation between the clinical educational experiences with the clinical rotation. The students had completed the theory portion of the program in January 2015, and received maternity and pediatric clinical instruction in June and July of 2015.

MOTION: To accept the report and adopt the recommendations as follows:

1. Continue provisional approval of the American College of Nursing Vocational Nursing Program through May 31, 2017.
2. Place program on the **May 2016**, Board agenda for reconsideration of provisional approval and possible revocation.

3. Require the program to obtain approval by the full Board prior to the admission of additional classes.
4. Require the program to maintain a 1:10 instructor to student ratio in all clinical activities.
5. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation within 15 days the class starts.
6. Require the program to correct all violations identified during the onsite inspections, and submit a report identifying implemented interventions and timelines no later than **April 1, 2016**. The report shall include the following.
 - a. Implementation of the approved methodology, including timeline for initial and ongoing evaluation of the curriculum, and provide **evidence** of ongoing evaluation.
 - b. Implementation of the approved methodology for admission and screening students.
 - c. Implementation of a methodology to correctly identify prospective student's requirement of completion of high school or equivalency.
 - d. Evaluation of student performance to determine the need for remediation or removal from the program.
 - e. Implementation of program's remediation policy to include identification of students who are at risk of failure from either academic or code of conduct issues, identification of deficiencies, remediation plan, **and** follow-up.
7. Require the Director to submit a report to the Board no later than **April 1, 2016**. The report must include:
 - a. A comprehensive analysis of the program.
 - b. Specific actions taken to improve program pass rates.
 - c. Timeline for implementation and the effect of employed interventions.
8. Failure to take these corrective actions may cause the full Board to revoke the program's approval.

Moved: Donna Norton

Seconded: John Vertido

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

A.3. Angeles College Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Ms. Jessica Gomez, NEC, presented a report relative to the reconsideration of provisional approval and consideration of request to admit students for Angeles College Vocational Nursing Program. The Board initially placed the program on provisional approval for a two-year period from November 9, 2012 through November 30, 2014, due to the program's noncompliance with

regulatory requirements relative to program pass rates. On June 10 and 11, 2014 the Board conducted an unannounced onsite visit. Eight (8) violations were identified, currently seven (7) of those violations have been corrected. In addition the Board approved the program's request to admit 20 students commencing April 6, 2015, graduating May 20, 2016, only to replace students scheduled to graduate on January 23, 2015.

Program Representative: Mary McHugh, Director

Public Comment:

- Ms. McHugh agrees with the recommendations.

Board Discussion:

- None

MOTION: To accept the report and adopt the recommendations as follows:

1. Extend Angeles College of Nursing Vocational Nursing Program's provisional approval for one year from February 28, 2016 – February 27, 2017 and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 of the California Code of Regulations.
2. Place the program on the agenda of the Board's **February 2017**, meeting for reconsideration of provisional approval.
3. Deny the program's request to admit 20 students into a full-time day class commencing on May 9, 2016, graduating June 12, 2017, only.
4. Continue the director's requirement to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation within 15 days of the commencement of a class.
5. Continue the program's requirement to admit no additional classes without prior approval by the full Board.
6. 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.
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.

Moved: Todd D'Braunstein

Seconded: Andrew Moreno

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

A.4. Bay Area College of Nursing, Daly City, Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Ms. Donna Johnson, NEC, presented a report relative to the reconsideration of provisional approval and consideration of request to admit students for Bay Area College of Nursing. On September 6, 2012, The Board placed the Bay Area College of Nursing, on provisional approval for the two-year period from September 6, 2012, through September 30, 2014, due to the program's noncompliance with regulations relative to licensure pass rates. Since that time the Program has struggled with pass rates before and since placement on provisional approval in 2012. The program's current pass rate of 50%, is 22 percentage points below the state average annual pass rate. The program's average annual pass rate has been non-compliant with regulations 71% of the time since placement on provisional approval. A total of 11 violations were identified in December 2014, while the program presented plans that would correct the violations, a second unannounced inspection in late 2015, identified six (6) more violations. The program has had only one (1) quarter of compliant pass rates in the past two (2) years.

Program Representative: Rachelle Cagampan, Director

Public Comment:

- Ms. Cagampan agrees with the recommendations.

Board Discussion:

- Mr. D'Braunstein queried when the current class would graduate and how many students were in that class. There are 10 students in the class scheduled to graduate by June 2016.
- Mr. Vertido queried the long history of substandard pass rate performance, with an average annual pass rate of 51% and the program being on probation for over 3 years with consistently low passing rates.
- Ms. Cagampan responded since they revised the curriculum in 2013 the pass rate increased 70%, but they are having a hard time sustaining the pass rate. They have a plan of action to resubmit another revised curriculum.
- Ms. Bass de Martinez asked for an explanation of the staff and changes, Ms. Cagampan responded with the consistent change in staff, documents were misfiled and/or misplaced.
- The program is scheduled to be on the August agenda, Ms. Norton has concerns with the class graduating in June stating there won't be enough data to make any decisions.
- Mr. D'Braunstein motioned to accept the report and adjust recommendations # 1 and #2 from August to November 2016.

MOTION: To accept the report and adjust the recommendations as follows:

1. Extend provisional approval of the Bay Area College of Nursing, Vocational Nursing Program for a nine (9) month period from March 1, 2016 through November.

2. Place the program on the **November 2016** Board agenda for reconsideration of provisional approval.
3. **Deny** the program's request for approval to admit one (1) class of 15 students beginning March 8, 2016 and graduating May 21, 2017.
4. Continue to require the program to maintain its average annual pass rate at no more than ten percentage points below the state average annual pass rates.
5. Continue to require the program to admit no additional students unless approved by the full Board.
6. Require the program to provide no less than one (1) clinical instructor for every ten (10) students in all clinical experiences.
7. Continue to require the program comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
8. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
9. Failure to take these corrective actions may cause the full Board to revoke the program's approval.

Moved: Todd D'Braunstein

Seconded: Susan Rubin

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

A.5. Bay Area College of Nursing, Palo Alto, Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Ms. Donna Johnson, NEC, presented a report relative to the reconsideration of provisional approval and consideration of the program's request for approval to admit students for Bay Area College of Nursing. On November 10, 2011, the Board initially placed the program on provisional approval for a two (2) year period from November 10, 2011 through November 30, 2013, due to noncompliant licensure pass rates. The program's current pass rate is **56%**, which is **16** percentage points **below** the state average annual pass rate. The program's average annual pass rate has been **non-compliant** with regulations **71%** of the time since being placed on provisional approval.

Program Representative: Rachelle Cagampan, Director

Public Comment:

- Ms. Cagampan agrees with the recommendations, but would like an extension.

Board Discussion:

- Mr. Vertido commented on the total of OB/Pediatric sites for ten (10) students would leave five (5) extra students. Ms. Cagampan stated they have a satellite class for those five extra students. Mr. Vertido recommended that all the students be rotated to have an equal amount of clinical experience to ensure all the students get the full experience. Ms. Anderson and Ms. Johnson both stated that one of the requirements when evaluating a program is to ensure they have an adequate number, type and variety of clinical experiences for all the students. Mr. Vertido motioned to have the recommendation added to the report, but because it's a requirement for a program, he withdrew his motion.

MOTION: To accept the report and adjust the recommendations as follows:

1. Extend provisional approval of the Bay Area College of Nursing, Vocational Nursing Program for the six month period from March 1, 2016 through November 2016.
2. Place the program on the **November 2016** Board agenda for reconsideration of provisional approval.
3. **Deny** the program's request for approval to admit one (1) class of 15 students beginning February 23, 2016 and graduating April 30, 2017.
4. Continue to require the program to maintain its average annual pass rate at no more than ten percentage points below the state average annual pass rates.
5. Continue to require the program to admit no additional students unless approved by the full Board.
6. Require the program to provide no less than one (1) clinical instructor for every 10 (ten) students in all clinical experiences.
7. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
8. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
9. Failure to take these corrective actions may cause the full Board to revoke the program's approval.

Moved: Todd D'Braunstein

Seconded: Tammy Endozo

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. The motion passed.

A.6. Career Care Institute, Moreno Valley, Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Ms. Jessica Gomez, NEC presented a report relative to the reconsideration of placement on provisional approval and consideration of the program's request for approval to admit students for Career Care Institute, Vocational Nursing Program. On September 6, 2012 the program was placed on provisional approval for the period of September 6, 2012 through September 30, 2014 due to pass rates on the licensure examination that were noncompliant with regulatory requirements regarding program pass rates. At that time the program's average annual pass rate was **52%**, **22 percentage points below** the state average annual pass rate. The Board extended the program's provisional status for a one (1) year period from February 28, 2015 through February 28, 2016. At that time the program's average annual pass rate was **63%**, **9 percentage points below** the state average annual pass rate. Currently the program's average annual pass rate is **74%**, an **increase of 15 percentage points** since placement on provisional approval and **two (2) percentage points above** the state average annual pass rate.

Program Representative: Allan Ocampo, Director

Public Comment:

- Mr. Ocampo agrees with the recommendations

Board Discussion:

- Mr. Vertido congratulated the program on their pass rates
- Ms. Norton acknowledged their approval

MOTION: To accept the report and adopt the recommendations as follows:

1. Approve Career Care Institute, vocational Nursing Program for the four year period from February 5, 2016 through February 4, 2020, and issue a certificate accordingly.
2. Approve the program's request to admit 30 students into a class commencing April 4, 2016 and graduating July 21, 2017; **only**, this is not a replacement class.

Moved: Todd D'Braunstein

Seconded: Bernice Bass de Martinez

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

A.7. High Desert Medical College Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Ms. Jessica Gomez, NEC, presented a report relative to the reconsideration of placement on provisional approval and consideration of the program's request for approval to admit students for High Desert Medical College, Vocational Nursing Program. The Board initially placed the program on provisional approval for the two (2) year period from November 10, 2011, through November 30, 2013 due to pass rates that were noncompliant with requirements regarding

program pass rates. At the time, the program's average annual pass rate was 63%. Examination statistics for the most recent reporting period (Quarter 4 2015) confirm that the program has had no candidates take the licensure examination for five (5) consecutive quarters (October 2014 – December 2015). Currently the program has a class of 14 students enrolled that is scheduled to graduate May 18, 2016. Additionally, the program enrolled a class of 13 students in October 2015, which is projected to graduate in November 2016.

Program Representative: Michelle Welch

Public Comment:

- Ms. Welch agrees with the recommendations

Board Discussion:

- Ms. James-Perez commented on possible typo in the last sentence of the first paragraph and recommendation number 2. She asked Ms. Gomez for clarification on what the correct date should be. Ms. Gomez said it should be February 2017.

MOTION: To accept the report and adopt the recommendations as follows:

1. Extend the High Desert Medical College Vocational Nursing Program's provisional approval for a one – year period from February 28, 2016 through February 28, 2017, and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 € of the California Code of Regulations.
2. Place the program on the agenda of the Board's **February 2017**, meeting for reconsideration of provisional approval.
3. Deny the program's request to admit a full-time class of 19 students to begin on May 23, 2016; graduating July 26, 2017, only.
4. Continue to require the program to admit no additional classes unless approved by the full Board.
5. Continue the program director's requirement to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation, no later than 15 days after class commencement.
6. Continue to require the program to maintain a 1:10 instructor to student ratio in all clinical education.
7. Continue the program's requirement to maintain its average annual pass rate at no more than ten (10) percentage points below the state average annual pass rates.
8. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.

Moved: John Vertido

Seconded: Andrew Moreno

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion, Mr. Mah abstained. Ms. Avella was absent. **The motion passed.**

A.8. Saint Joseph School of Nursing Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Ms. Jessica Gomez, NEC, presented a report relative to the reconsideration of placement on provisional approval and consideration of the program's request for approval to admit students for Saint Joseph School of Nursing, Vocational Nursing Program. The program was initially placed on provisional approval for the two-year period from February 28, 2014 through February 28, 2016, due to noncompliance with regulatory requirements relative to program pass rates. The Board approved the program's request to start a class of 15 students commencing March 3, 2014, and graduating February 3, 2015. The program was required to submit a follow-up report in nine (9) months to include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation and the effect of employed interventions. On March 20, 2014, the Notice of Change in Approval Status was sent to the program via certified mail. The program has failed to submit reports required by the Board in accordance with the established timeline.

Program Representative: Adeniki Joseph-Coker

Public Comment:

- Ms. Joseph-Coker agrees with the provisional to be extended, but disagrees with the reduction of 20 students to 10 students. She proposed 20 students start February 8, 2016 with a graduation date of February 2017. Her rationale is the reason they were placed on provision was due to five students test results, which brought their pass rate down. Review classes have been incorporated.
- Ms. James-Perez commented according to the report the pass rate is not the reason for probation. The reason for the probation was due to reports not being submitted by required due dates. Ms. Joseph-Coker said it has been corrected, she calls weekly to improve communication. Ms. Anderson stated that has nothing to do with turning in reports as required.
- Ms. Norton asked why she is asking for 20 students versus the recommended 10. Ms. Joseph-Coker responded they have always had 20 students and with their pass rates at 100% for a year, she doesn't understand why they are being penalized. Ms. Norton also asked if she's taking accountability for turning in reports late.
- Mr. Mah asked if they have the resources to accommodate 20 students. The director responded yes, they have added more clinics. Is the main factor not allowing 20 students due to the late reports? Ms. Gomez responded that's part of it, the other part is on her onsite visit in October, she saw students that graduated in February still getting remedial training, she felt that was too long.
- Mr. D'Braunstein asked where they are now with enrolling for the February start date. The director responded they are currently waiting for the Board's approval.

Board Discussion:

- Mr. Mah asked if there was anyone sympathetic to the 20 students. Ms. James-Perez said she was, but the fact is the program needs to follow the rules, turning in late reports is not acceptable.
- Ms. Bass de Martinez commented the late reports being part of the problem, but are there any further comments the Board should hear. The director responded in their February 2014 proposal how to improve passing rates, they put together a NCLEX readiness plan, which included tutoring and review. What Ms. Gomez saw were the students in review, preparing to take the NCLEX. To clarify the number of students in review, the director told Mr. Vertido of the 12 students, 9 passed and 3 dropped out.

MOTION: To accept the report and adopt the recommendations as follows:

1. Extend Saint Joseph's School of Nursing, Vocational Nursing Program's provisional approval for the one – year period from February 28, 2016 – February 28, 2017, and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 of the California Code of Regulations.
2. Place the program on the agenda of the Board's **February 2017**, meeting, for reconsideration of provisional approval.
3. Deny the program's request to admit 20 students into a class commencing February 8, 2016, and graduating February 25, 2017; only, to **replace** students that graduated on May 30, 2015.
4. Approve the program's admission of 10 students into a class commencing February 8, 2016, and graduating February 25, 2017; only, to **replace** students that graduated on May 30, 2015.
5. Continue the director's requirement to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduating within 15 days of the commencement of a class.
6. Require the program to admit no additional students unless approved by the Board.
7. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code, section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
8. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.

Moved: Todd D'Braunstein

Seconded: John Vertido

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion, Mr. Mah, Mr. Moreno, and Ms. James-Perez abstained. Ms. Avella was absent. **The motion passed.**

A.9. Santa Barbara Business College, Bakersfield, Vocational Nursing Program. Reconsideration of Provisional Approval.

Ms. Jessica Gomez, NEC, presented a report relative to the reconsideration of placement on provisional approval and consideration of the program's request for approval to admit students for Santa Barbara Business College, Vocational Nursing Program. The program was initially placed on provisional approval for the two – year period from February 22, 2013 to February 28, 2015, due to noncompliance with regulatory requirements relative to program pass rates. At the time, the program's average annual pass rate was 58%. On February 13, 2015, the program's provisional approval was extended through February 28, 2016. Additionally, the Board approved the program's admission of a class of 36 students on May 26, 2015, only, to replace students scheduled to graduate on March 12, 2015, provided the program has no more than ten (10) students per instructor during clinical classes. At that time, the program's average annual pass rate was 68%.

Program Representative: Carolyn Santiago

Public Comment:

- Ms. Santiago agrees with the recommendations

Board Discussion: None

MOTION: To accept the report and adopt the recommendations as follows:

1. Approve Santa Barbara Business College, Bakersfield, and Vocational Nursing Program for the four – year period from February 29, 2016 through February 28, 2020, and issue a certificate accordingly.
2. Approve the program's request to admit a class of 36 students with three (3) alternates on May 23, 2016, only, graduating August 3, 2017, to replace students scheduled to graduate March 10, 2016.
3. Continue the program's requirement to admit no additional students without prior approval by the Board.

Moved: Donna Norton

Seconded: John Vertido

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

A.10. Shepherd University Vocational Nursing Program. Reconsideration of Provisional Approval.

Ms. Jessica Gomez, NEC, presented a report relative to the reconsideration of placement on provisional approval for Shepherd University Vocational Nursing Program. On May 16, 2014, the Board initially placed the program on provisional approval for the two – year period from May 16, 2014 through May 15, 2016, due to noncompliance with regulatory requirements relative to program pass rates. At that time, the program's annual pass rate was 55%, 21 percentage points below the state average annual pass rate. Based on published examination statistics for Quarter 4 – 2015 the program's average annual pass rate has declined to 0%. The program has had sixteen (16) consecutive quarters of noncompliant pass rates. Since placement on provisional approval, the Board has approved the program's admission of four (4) classes. The program has failed to admit four (4) of the last five (5) approved classes, and has had problems keeping a Board – approved director.

Program Representative: None

Public Comment: None

Board Discussion:

- Ms. Bass de Martinez clarified there is currently no director, Ms. Gomez responded that is correct. Ms. Anderson commented the program submitted correspondence accepting the report as is and will be reapplying in a year. Ms. Endozo inquired about the 2 students who were enrolled in the program in February 2015. Ms. Anderson responded they have 2 options; they may apply for admission to other programs, requesting transfer credit for previously completed theory and clinical instruction or if students have prior paid work experience, they may apply for licensure based on equivalent education and experience. Mr. Vertido clarified the school is aware of this.

MOTION: To accept the report and adopt the recommendations as follows:

1. Revoke the provisional approval of Shepherd University Vocational Nursing Program, effective immediately.
2. Remove the program from the Board's List of Approved Programs.

Moved: Todd D'Braunstein

Seconded: Eric Mah

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

B.1. Homestead Schools Vocational Nursing Program. Consideration on Provisional Approval.

Ms. Donna Johnson, NEC, presented a report relative to the consideration of placement on provisional approval for Homestead Schools Vocational College of Nursing. On December 18, 2015, the Acting Executive Officer (EO) considered a report regarding the program for ongoing approval and the program's request for approval to admit three (3) classes of students. Out of a total of six (6) violations identified, four (4) of which remained uncorrected, the Acting EO denied the request for ongoing approval and the request to admit students. The program was referred to the full Board for consideration of placement on provisional approval due to violations of the Vocational Nursing Rules and Regulations. On January 6 and 7, 2016, on an unannounced inspection, additional violations were identified and a Notice of Violations was forwarded to the program.

Program Representative: Adelwisa Blanco, Director and ViJay Fadia, President

Public Comment:

- Ms. Blanco and Mr. Fadia disagree with the recommendations and feel they are being treated unfairly. They spoke about the programs pass rates consistently meeting the Board's requirements, having approved clinical facilities and submitting required documentation by the required due date. They asked the Board to consider allowing them more students and to defer any actions until May 2016 to allow the program to correct any violations.

Board Discussion:

- Ms. James-Perez commented the program is being considered for provisional due to uncorrected violations. She asked legal if a program could be placed on provisional for reasons other than pass rate. Ms. Bonn responded yes. Mr. Mah made a motion to extend approval to the next meeting in May to give the program time to make corrections. Mr. Vertido had concerns extending approval due to the onsite visit in January 2016 identifying new violations. He commented on the program not teaching to standards in preparing the students for the workplace. Ms. Johnson commented the program isn't teaching according to the Board approved outline, the program instructional schedule doesn't meet the requirements, and the program's approval technically expired in November 2015.
- The motion was amended to place the program on provisional approval until the May 2016 Board meeting to re-evaluate what to do.

MOTION: To accept the report and adjust the recommendations as follows:

1. Place the Homestead Schools Vocational Nursing Program on provisional approval for the three (3) month period from February 5, 2016 through May 31, 2016, and issue a notice to the program to identify specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 € of the California Code of Regulations.
2. Place the program on the Board's **May 13, 2016** agenda for reconsideration of provisional approval.
3. Require the program to admit no additional classes without prior approval by the full Board.

4. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation by **February 15, 2016**.
5. Require the program to submit for Board approval the following:
 - a. Curriculum objectives no later than **February 15, 2016**.
 - b. A revised policy for the evaluation of student performance to determine the need for remediation or removal from the program no later than **March 1, 2016**.
 - c. A revised attendance policy that identifies criteria for attendance, the specific course objectives for which make-up time is required, and acceptable methods for make-up that are specific for theory and clinical time missed, and timely make-up of missed hours that maintains theory to clinical correlation no later than **March 1, 2016**.
 - d. A revised policy for the admission, screening, and selectin of applicants to the program that defines the number and frequency of allowable retakes on an admission test and steps to be taken to ensure that the policy is followed, including appropriate interview of applicants no later than **March 1, 2016**.
 - e. Evidence of training of all involved personnel regarding the transfer credit policy that was submitted to the Board on December 1, 2015, including credit to be given for certified nurse assistant courses, and how this new policy is to be implemented no later than **March 1, 2016**.
6. Require the program to submit documentation of implementation of the Board approved Instructional Plans for both the full-time and the part-time programs **no later than March 1, 2016**.
7. Require the program to submit documentation of placements consistent with the Board-approved Instructional Plans and with adequate faculty for all currently enrolled students **no later than March 1, 2016**.
8. Require the program to submit follow up reports in nine (9) months, but no later than **October 1, 2016**, and 21 months, but no later than **October 1, 2017**. The reports must include a comprehensive analysis of the program, specific actions taken to improve pass rates and to correct all violations, a timeline for implementation and the effect of employed interventions. The analysis must include, but should not be limited, to the following elements:
 - a. Admission Criteria
 - b. Screening and Selectin 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

9. Require the program to maintain its average annual pass rate no more than ten (10) percentage points below the State average annual pass rate.
10. 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.
11. Failure to take these corrective actions may cause the full Board to revoke the program's approval.

Moved: Donna Norton

Seconded: Eric Mah

Ms. Bass de Martinez, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion, Mr. D'Braunstein abstained. Ms. Avella was absent. **The motion passed.**

C.1. Preferred College of Nursing, Van Nuys, Vocational Nursing Program. Consideration of Request to Admit Students.

Ms. Donna Johnson, NEC, presented a report relative to the consideration of request for approval to admit students to the Preferred College of Nursing, Vocational Nursing Program. On May 16, 2014, the program was initially placed on provisional approval and required to obtain full Board approval, prior to admitting students. On November 20, 2015 the Board approved admission of 10 students, rather than the 20 students requested by the program.

Program Representative: Elizabeth Estrada, Program Director and Stan Gersh, Consultant

Public Comment:

- Ms. Estrada withdrew the program's request to admit more students. She wanted to clarify the report by Ms. Johnson the program not having approved facilities. She has submitted documentation showing the list of facilities they have available. She would like to see whether the directors could have access to information regarding the NCLEX takers so they could reach out to them and offer NCLEX reviews, which would help with their pass rates. She also thinks it would be helpful if the Board acknowledged their positive accomplishments.

Board Discussion: None

MOTION: To accept the report and adopt the recommendations as follows:

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.

Moved: Todd D'Braunstein

Seconded: Donna Norton

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Moreno, Ms. Norton, voted in favor of the motion, Mr. Mah, Ms. Rubin, and Mr. Vertido abstained. Ms. Avella was absent. **The motion passed.**

C.2. Sierra Pacific College Vocational Nursing Program. Consideration of Request to Admit Students.

Ms. Jessica Gomez, NEC, presented a report relative to the consideration of a request to admit students for Sierra Pacific College Vocational Nursing Program. The Board initially placed the program on provisional approval for the two-year period from May 11, 2012 through May 31, 2014 due to the program's noncompliance with regulatory requirements relative to program pass rates. At the time, the program's average annual pass rate was 29%. On May 16, 2014, the Board extended the program's provisional approval through May 30, 2015 and declined the request to admit students. On May 15, 2015, the Board extended provisional approval for a period of two (2) years from May 30, 2015 through May 29, 2017 and approved the program's request to admit a class of 15 students.

Program Representative: None

Public Comment: Ms. Gomez commented an announced site visit was made on January 27, 2016 with additional violations. Her recommendations remain the same.

Board Discussion: None

MOTION: To accept the report and adopt the recommendations as follows:

1. Require the Sierra Pacific College Vocational Nursing Program to submit a detailed report that includes an analysis of the curriculum including the instructional plan, identification of areas requiring revision, and timeline for completion to ensure inclusion of all areas of the current NCLEX/PN no later than **March 1, 2016**.
2. Place the program on the **May 2016** Board agenda.
3. Deny the program's request to admit a class of 15 students commencing April 4, 2015 and graduating on April 28, 2017, only.

4. Continue the program's requirement to maintain an instructor-to-student ratio that does not exceed ten (10) students for each instructor in during clinical experience.
5. Continue the program director's requirement to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation within 15 days of the commencement of a class.
6. Continue the program's requirement to obtain approval by the full Board prior to the admission of future classes.
7. Continue the program's requirement to submit follow-up reports no later than **February 1, 2016**, and **February 1, 2017**. 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 Selectin Criteria
 - c. Terminal Objectives
 - d. Curriculum Objectives
 - e. Instructional Plan
 - f. Theory and Clinical Objectives for Each Course
 - g. Lesson Plans for Each Course
 - h. Textbooks
 - i. Attendance Policy
 - j. Remediation Policy
 - k. Evaluations of Theory and Clinical Faculty
 - l. Evaluations of Theory Presentations
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations
 - n. Evaluation of Student Achievement
 - o. Current Enrollment; and,
8. Require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professional Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
9. 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.

Moved: Eric Mah

Seconded: Samantha James-Perez

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. The motion passed.

18. Adoption of November 20, 2015 Board Meeting Minutes.
 Tabled to May 2016 Board Meeting

Public Comment:
Minutes not ready

Board Discussion: None

19. Adoption of Executive Officer's Report on Decisions for Vocational Nursing and Psychiatric Technician Programs.

Public Comment: None

Board Discussion: None

MOTION: To adopt the EO's Report on Decisions for NV & PT Programs.

Moved: Susan Rubin

Seconded: Donna Norton

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Avella was absent. **The motion passed.**

Mr. Vertido excused himself to leave to catch a flight back home.

20. Executive Officer's Report. John Brooks, Acting Executive Officer
The EO Report consisted of the following items:

Board Members

BreEZe

Budget

Fund Condition

Personnel Update

Fee Audit

Public Comment: None

Board Discussion:

Ms. James-Perez wanted clarification on the 2 NEC positions posted as home-based, Mr. Brooks responded the positions are available anywhere in California.

Ms. Norton wanted to know the Board of Nursing implemented application fee and curriculum revisions, which didn't slow down the number of incoming applications, but it may be a way to show justification for additional positions. Mr. Brooks is looking into conducting a fee audit utilizing a third party vendor to do an analysis of our entire fee schedule.

Mr. Moreno inquired whether BreEZe is fully up and in operation, and if there is any feedback from the public. Mr. Brooks responded it is currently conducting data clean up and is fully operational. He has not received any negative feedback from staff.

MOTION: No Motion Required on the Report.

21. Regulatory Report. Jennifer Almanza, Administrative Analyst, Administration Unit

A. Proposed Regulatory Action to Amend California Code of Regulations 2503 (VN) and 2563 (PT), Delegation of Certain Functions.

B. Proposed Regulatory Action to Amend California Code of Regulations Sections 2537 (VN) and 2590 (PT), Military Requirements.

C. Proposed Regulatory Action to Amend California Code of Regulations Sections 2526.1 (VN) and 258.1 (PT), Provisional Approval, and Sections 2530 (VN) and 2585 (PT) General Requirements.

Public Comment: None

Board Discussion: None

MOTION: No Motion Required On the Report

22. Legislative Report. Carol Northrup, Licensing and Administrative Services Division Manager.

- A. AB12 (Cooley) State Government: Administrative Regulations: Review
- B. AB611 (Dahle) Controlled Substances: Prescriptions: Reporting
- C. AB750 (Low) Business and Professions: Licenses.
- D. AB840 (Ridley-Thomas S) Nurses and Certified Nurse Assistants: Overtime
- E. AB923 (Steinorth) Respiratory Care Practitioners.
- F. AB1165 (Ridley-Thomas S) Vocational Nursing: Post-Secondary Education.
- G. SB390 (Bates) Home-Health Agencies: Skilled Nursing Services.
- H. SB779 (Hall) Skilled Nursing Facilities: Staffing
- I. SB780 (Mendoza) Psychiatric Technicians and Assistants: Overtime
- J. Other Legislation Impacting the Board's Jurisdiction or Board Operations

Public Comment: None

Board Discussion:

Ms. James-Perez inquired about AB750 bill, which authorizes boards to establish a system of a retired category of license, is it the same as inactive and how would you differentiate the two? Would it affect the forms and how we code? Ms. Northrup responded your status would be at the time you apply, it would affect the forms, but not sure how it would affect BreEZe. Ms. Bon stated this is authorizing the Board to create regulations, not mandating the Board.

MOTION: No Motion Required on the Report

23. Licensing Division Report. Carol Northrup, Licensing and Administrative Services Division Manager

Public Comment:

Ms. Nicole Everidge the NCLEX coordinator for the American Career College has concerns about the processing times. She understands BreEZe is new, but is wondering what the timeline will be and when improvements will be seen. Ms. Northrup responded once staff gets used to

using the system the processing time will improve. Mr. Brooks added the online process eventually will save time omitting the mailing and waiting time.

Board Discussion:

Ms. James-Perez inquired why the pass rate percentage for the PT program is lower than previous reports and why the average processing time increased. Ms. Northrup responded she can't address the lower passing rate without reviewing the prior reports. The longer processing time has to do with seven of her staff being redirected to BreEZe and having to use other staff to cover other areas. She anticipates the processing time will eventually be reduced with a full staff.

MOTION: No Motion Required on the Report

24. Enforcement Division Report. Gina Bayless, Enforcement Division Chief

Public Comment: None

Board Discussion:

Ms. James-Perez glad to see the investigation unit is utilizing the recommendations that were made by the task force and can see a lot of progress being made. She thought the average time to complete a discipline case would be better, but it appears to be about the same, is there a reason why? Ms. Bayless responded they're still moving a backlog of older cases through, which is affecting the number of days.

MOTION: No Motion Required on the Report

25. Review and Possible Action on Petition for Reinstatement of License Application Form. Gina Bayless, Enforcement Division Chief

Public Comment: None

Board Discussion:

Ms. Rubin commented at the last Board meeting she volunteered to look over the test form, but the Board doesn't have the resources to make the form interactive. Mr. Mah wanted to change question #13 currently attending alcohol/drugs and add other and to make it unspecific. Ms. Bon recommended to have check one as an option, omitting the other choices. Ms. James-Perez commented on the requirement of a translator or interpreter was removed, but thought it was a legal requirement. Ms. Bon recommended to remove the requirement after reading the government code, which lists the agencies that require an interpreter. If the Board chooses to adopt it, it would go case by case through the ALJ. Ms. James-Perez wanted to make sure they were being fair and doing their duty for people who speak another language.

MOTION: Motion to Accept the New Application with the Recommended Changes

Moved: Eric Mah

Seconded: Todd D'Braunstein

Ms. Bass de Martinez, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, and Ms. Rubin voted in favor of the motion. Mr. Vertido, Ms. Norton and Ms. Avella were absent. The motion passed.

26. Education Division Report. Cheryl Anderson, Supervising Nursing Education Consultant

Public Comment: None

Board Discussion:

Mr. D'Braunstein asked whether Ms. Anderson had anything highlighted she wanted to point out to the Board. Ms. Anderson responded the statistics speak for themselves, they're there to show the impact of the scores of provisional programs overall. She is currently doing an analysis on the statistics and the regulations we currently have and will bring options to the May meeting. There is a comparison showing our average to the national. At the November meeting the Board extended the proposed moratorium to February 28, there are currently still originals with ten (10) new ones added. Ms. James-Perez welcomed Ms. Ziegler the new NEC based in the southern region and inquired how things were going. Ms. Ziegler responded there have been technical problems with her laptop and cell phone, but otherwise it's going well.

MOTION: No Motion Required on the Report

27. Parameters of Closed Session. Rebecca Bon, DCA Legal Counsel

Public Comment: None

Board Discussion:

Ms. Bon addressed what goes in closed session, there are very specific times the legislature outlined when the Board can go into closed session. She gave two guides online: Handy Guide to Bagley-Keene Open Meeting Act from the AG office and DCA – Guide to Open Meeting-Bagley-Keene Act. Mr. Mah asked to have the links sent to the Board members.

MOTION: No Motion Required.

15. Review and Consideration to Adopt Board Member Administrative Procedure Manual. John Brooks, Acting Executive Officer

Questions regarding the Boards role, there was never any outline available as a resource so staff put something together for the Boards review.

Public Comment: None

Board Discussion:

Mr. D'Braunstein would like to change the wording under Board member participation from fullest extent of knowledge to express enough information to make a decision. Mr. Mah likes the idea of having government codes listed, but he would like to see more specifics. He volunteered to look it over to try and make it more useful and practical. Ms. James-Perez had comments regarding the enforcement overview describing disciplinary action against incompetent or unsafe licensees, she would add negligent. She would like more clarification on reimbursement of expenses for meals, when election of officers are held, and committees (which will be discussed at the May 2016 meeting). Ms. Bass de Martinez questioned how committees function, how appointments are made and whether there are any current appointees. Since a draft is being revised, Ms. Bon made suggestions on the way it should be organized.

MOTION: No Action taken at This Time

28. Public Comment on Items Not on the Agenda. The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7 (a)).

Public Comment:

Kimberly Martin, Director of CNI College and the President of the Southern California Directors Vocational Nursing Programs (SCDVNP) had concerns with the NCLEX report the directors receive. There is a negative impact on schools pass rate when students who aren't prepared to take the NCLEX fail. They would like to receive a confidential list of NCLEX test takers to help prepare them to pass and when students wait more than six (6) months after they graduate to take the NCLEX, they recommend a second approval be put in place. Ms. Marie Cordero the Director of Annenberg School of Nursing and secretary of SCDVNP wanted to generate a discussion with the Board and was very disappointed when they weren't placed on the agenda. Ms. Cordero sent three letters and received communication from staff saying they were received so she was very disappointed this was the first the Board was hearing of this.

The director from Advance School of Nursing gave the NEC staff a round of applause for all the hard work they do helping the programs.

Judy Corliss recommended at previous Board meetings they should form a NEC committee to talk specifically about colleges. She believes that would help bring down the number of programs on provisional approval.

Board Discussion:

Mr. Mah and Ms. James-Perez suggested Ms. Cordero submit a statement of problems and proposals in a summary.

MOTION: No Motion Required.

29. Agenda Items for Future Meetings. The Board may not discuss or take action on any matter that is not included on this agenda except to decide whether to place the matter on the agenda of a future meeting. (Government Code Section 11125 and 11125.7 (a)).

Public Comment: None

Board Discussion:

Ms. James-Perez would like to add the issue of committees to the May 2016 agenda and place the SCDVNP on the August 2016 agenda so they could present their report.

Mr. Mah acknowledged and thanked Mr. D'Braunstein for his service as Board President. Ms. James-Perez seconded that.

MOTION: No Motion Required

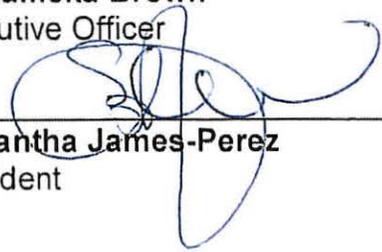
32.ADJOURNMENT.

The meeting was adjourned at 5:06 p.m.

Prepared by:  _____

Dr. Kameka Brown
Executive Officer

Date: 5/13/2016

Approved by:  _____

Samantha James-Perez
President

Date: 5/13/2016