



BOARD MEETING MINUTES

SEPTEMBER 12, 2014

ONTARIO, CALIFORNIA

BOARD MEMBERS

PRESENT:

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

STAFF PRESENT:

Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer
Cheryl Anderson, M.S.N., R.N., Supervising Nursing Education
Consultant
Pam Hinckley, M.S.N., R.N., Nursing Education Consultant
Marilyn Kimble, Enforcement Division Chief
Rocio Llamas, Enforcement Program Manager
Carol Northrup, Licensing Division Manager
Jay Prouty, Enforcement Analyst
Jennifer Almanza, Administrative Analyst
Laura Freedman, Legal Counsel, Department of Consumer Affairs

1. CALL TO ORDER.

The meeting was called to order by the President, Todd D'Braunstein, at 9:02 a.m., September 12, 2014, at the Ontario Convention Center, 2000 East Convention Center Way, Room 104B, Ontario, California 91764.

2. PLEDGE OF ALLEGIANCE.

John Vertido led those assembled in the Pledge of Allegiance.

3. INTRODUCTION OF BOARD MEMBERS AND STAFF.

The Board Members introduced themselves. Teresa Bello-Jones, Executive Officer (EO), introduced the staff present.

4. 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:

American Career College at St. Francis	Glendale Career College
American Career College – Los Angeles	High Desert Medical College
Annenberg School of Nursing	Imperial Valley College
Bethesda Christian University of California	InterCoast College, Fairfield
California Career Institute, Garden Grove	LAUSD: Maxine Waters Emp. Prep.
California Career Institute, Hawthorne	Medical Allied Career Center, Inc.
Career Care Institute, Lancaster	Mt. San Antonio College - PT
Career Care Institute, Moreno Valley	North-West College, Pasadena
Casa Loma College, School of Nursing & Allied Health	North-West College, Pomona
Central Nursing College	North-West College, West Covina
Chaffey College, Chino Campus	Palo Verde Community College
Charter College, Canyon Country	Platt College, Alhambra
Concorde College, Garden Grove	Premiere Career College
Concord College, San Diego	Santa Barbara Business College
Curam College	Summit Career College Colton
Four D College - Colton	
Four D College - Victorville	

5. 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; however, no action may be taken at this time; and the Board may limit the length of time allowed for comment.

6. EXECUTIVE OFFICER'S REPORT.

Ms. Bello-Jones provided an update on Board activities relative to:

- Board Members
- BreEZe
- Budget
 1. Fund Conditions
 2. Budget Change Proposals (BCPs)
- Legislation
- Risk Assessment
- Sunset Review

Public Comment: None received.

Board Discussion: None received.

7. CONSENT CALENDAR.

- A. Adoption of February 27, 2014 Disciplinary Board Meeting Minutes.
- B. Adoption of May 15-16, 2014 Board Meeting Minutes.
- C. Executive Officer's Report on Decisions for Vocational Nursing and Psychiatric Technician Programs.

Public Comment: None.

Board Discussion:

- Susan Rubin requested the 3-day meeting in February 2015 be streamlined to a 2-day meeting.
- Todd D'Braunstein suggested removing 7.D. from the Consent Calendar for further discussion.
- Eric Mah agreed with removing 7.D from the Consent Calendar.

MOTION: To accept Consent Calendar items A., B. and C.

Moved/Seconded: Eric Mah/Jessica Leavitt

Support: 10 **Oppose:** 0 **Abstain:** 0

- D. Adoption of 2015 Board Meeting Dates and Locations.

Public Comment: None received.

Board Discussion:

- Eric Mah suggested spacing Board Meetings evenly throughout the year, and holding an evening workshop plus a 2-day meeting in February.
- Ms. Avella supported a 2-day meeting in February, and asked Laura Freedman if 3-day meetings are typical with other Boards.
- Laura Freedman responded that most Boards have at least 2-day meetings, but some will have more days. It is recommended that the Board have a place holder of 100 days to act on discipline cases.
- Andrew Moreno stated he was in favor of the 2-day meeting, and asked what the importance of the 3-day meeting is.
- Ms. Bello-Jones responded in the past, the workshop was provided based on the requests of Board Members.

MOTION: To modify Consent Calendar D.

1. Change the February 2015 Board Meeting to a 2-day meeting instead of a 3-day (February 12-13, 2015).

Moved/Seconded: Susan Rubin/Eric Mah

Support: 7 **Oppose:** 3 **Abstain:** 0

2. Space Board Meeting dates evenly throughout the year due to the 100-day rule.

Public Comment: None received.

Board Discussion:

- Ms. James-Perez stated it was important to spread meetings more consistently because something wasn't heard in this meeting's closed session because of the 100-days.
- Ms. Rubin suggested if the Board can't meet during the summer, consider closed session by teleconference. She is not opposed to meetings close to every 3 months, to ensure the Board's ability to address issues timely.

Moved/Seconded: Susan Rubin/Eric Mah

Support: 9 **Oppose:** 0 **Abstain:** 1

8. DRAFT STRATEGIC PLAN.

Ms. Bello-Jones provided an update on the Draft 2015 Strategic Plan.

Public Comment: None received.

Board Discussion:

- Ms. Rubin stated the tasks in the plan need to be more long term, and the Strategic Plan should only consist of what is required by the EO for DCA reporting and for the Sunset Report.
- Mr. D'Braunstein stated the Board is working toward streamlining the process, and that the report is still in draft.

MOTION: To accept the Strategic Plan.

Moved/Seconded: Susan Rubin/Eric Mah

Support: 10 **Oppose:** 0 **Abstain:** 0

9. LEGISLATIVE REPORT.

Carol Northrup, Licensing Division Manager, reported on AB 2102; AB 2155; and AB 2396 that pertain to the Board. There are 23 bills currently being tracked.

Public Comment: None received.

Board Discussion:

- Ms. James-Perez asked the specific number of days AB 2165 is proposing, and does the bill include our Board.
- Ms. Northrup responded she is not aware, but will verify and continue to watch the status of the bill. She asked Ms. Freedman if she knew the status.
- Ms. Freedman responded that she did not think the bill was moving forward and that the deadline was in August.

10. REGULATORY REPORT.

Carol Northrup, Licensing Division Manager, provided an update on the proposed regulatory action to amend California Code Regulations Section(s) 2517.5 (VN) and 2575.5 (PT), Fingerprint and Disclosure Requirements for Renewal of License. The proposed amendments will increase the reportable traffic infraction fine amount from \$300 to \$1,000.

A. PROPOSED REGULATORY ACTION TO AMEND CALIFORNIA CODE OF REGULATIONS SECTIONS 2517.5 (VN) AND 2575.5 (PT), FINGERPRINT AND DISCLOSURE REQUIREMENTS FOR RENEWAL OF LICENSE.

Public Comment: None received.

Board Discussion: None received.

B. PROPOSED REGULATORY ACTION TO AMEND CALIFORNIA CODE OF REGULATIONS SECTIONS 2526.1 (VN) AND 2581.1 (PT), PROVISIONAL APPROVAL AND 2530 (VN) AND 2585 (PT), GENERAL REQUIREMENTS.

Public Comment: None received.

Board Discussion: None received.

C. PROPOSED REGULATORY ACTION TO IMPLEMENT SB 539, PERMISSIVE SITE VISITS.

Public Comment: None received.

Board Discussion: None Received.

11. ENFORCEMENT DIVISION REPORT.

Marilyn Kimble, Enforcement Division Chief, provided an update relative to:

- Enforcement Performance Measures (PM)
- Enforcement Delays
- Expert Witness Training (scheduled on October 30, 2014 in Sacramento)

Public Comment: None received.

Board Discussion:

- Ms. Avella talked about the problem with Enforcement delays, and the time it takes to process informal discipline cases.
- Mr. Mah asked Ms. Avella if she thinks that Board staff are not adequately appropriating their resources.
- Ms. Avella responded that there is a discrepancy how the Board's staff is resourced.
- Tammy Endozo asked Mr. D'Braunstein to assign a committee or sub-committee for further discussion of the enforcement processes.
- Ms. Freedman recommended composition of the sub-committee of two or more Board Members.
- Mr. D'Braunstein clarified the purpose of the committee is to discuss goals to reduce the Enforcement case aging. The committee will meet and report to the Board at the November Board meeting.

MOTION: To form a two-person sub-committee to review Enforcement processes.

Moved/Seconded: Vivien Avella/Eric Mah

Support: 10 **Oppose:** 0 **Abstain:** 0

12. LICENSING DIVISION REPORT.

Carol Northrup, Licensing and Administrative Services Division Manager, provided an update on the Licensing Division.

Public Comment:

- Bernard Thomas, R.N., from TLC's Institute of Nursing Education, Salinas. Mr. Thomas said he has individuals who waited over 8 months to get an approval letter from the Board stating the students were not eligible to use the Method 3 option.
- Ms. Freedman asked if these individuals have pending applications, and suggested the Board take a break so she can view the documents presented by Mr. Thomas to the Board. Ms. Freedman clarified proper public comment subject matter.
- Angel Garibaldo, TLC. Mr. Garibaldo expressed his concerns with the delays in the Board's application process, and requested a meeting with the Board President and the Executive Officer to further discuss the issues.

Board Discussion:

- Before Public Comment, Ms. James-Perez asked Ms. Northrup how long after a student takes the Board exam will it take for the results to show on the Board's website.
- Ms. Northrup said within 4 weeks, however she will let the Board know if it is different.

13. EDUCATION DIVISION REPORT.

Cheryl Anderson, Supervising Nursing Education Consultant, provided an update on Education Division.

Public Comment: None received.

Board Discussion: None received.

14.A.1. Bay Area College of Nursing, Daly City, Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Cheryl Anderson, Supervising Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval; consideration of request to admit students for Bay Area College of Nursing, VN Program. On September 6, 2012, the Board placed the program on provisional approval for the two-year period from September 6, 2012, through September 30, 2014, due to non-compliance relative to program pass rates. At that time, the program's average annual pass rate was 45%.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 40%, 23 percentage points below the State average annual pass rate. The program's average annual pass rate has increased 27 percentage points since placement on provisional approval

Program Representative: Rachelle Cagampan, Director.

Public Comment: Ms. Cagampan stated she agrees with the recommendations, and requested an extension of the provisional approval to 12 months instead of 5 months and reconsideration of her request for approval to admit a class with a reduction from 20 students to 15 students.

Board Discussion:

- Mr. Vertido moved to extend the program's provisional approval to 12 months, but then withdrew the motion.

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

1. Extend Provisional Approval for the Bay Area College of Nursing, Daly City, Vocational Nursing Program for a five-month period from October 1, 2014 through February 28, 2015 and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Deny Bay Area College of Nursing, Daly City, Vocational Nursing Program's request to admit an evening class of twenty (20) students plus two (2) alternates commencing October 27, 2014, and graduating January 24, 2016 only, to replace the class that graduated March 2014.
3. Continue to require the program to obtain approval by the full Board prior to the admission of additional students.
4. Require the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences.
5. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
6. Require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professionals Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
7. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
8. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
9. Place the program on the February 2015 Board agenda for reconsideration of provisional approval.

Moved/Seconded: Donna Norton/Jessica Leavitt

Support: 9 **Oppose:** 1 **Abstain:** 0

14.A.2. Bethesda University of California Vocational Nursing Program – Reconsideration of Provisional Approval Based on Report of Unannounced Survey Visit.

Pam Hinckley, Nursing Education Consultant, Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval for Bethesda University of California Vocational

Nursing Program. On May 11, 2012, the Board placed the program on provisional approval for the two-year period from May 11, 2012, through May 30, 2014, due to non-compliance relative to program pass rates. On May 16, 2014, the Board extended provisional approval for a one-year period from May 16, 2014 through May 30, 2015.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 48%, 25 percentage points below the State average annual pass rate.

Program Representative: Delores Terriquez, Director and Lucy Kim, Chief Academic Officer.

Public Comment: Ms. Terriquez requested the provisional approval be continued. She was approved as the Director in July 2014, and said she knows she is revamping the program, and can turn the school around to bring the pass rates up.

Board Discussion:

- Ms. Avella asked Ms. Hinckley if the provisional approval or approval of a class, was based on the severity of the violations of the unannounced visit. Ms. Hinckley responded yes.
- Ms. James-Perez asked Ms. Terriquez if the program currently has students. Ms. Terriquez responded no.
- Ms. Freedman recommended for the Board's clarification, that the Board review the content of the program's response to the violations in order to make an informed decision.
- Mr. Mah recommended the Board table the recommendation and allow the NECs time to review the program's response.

MOTION: To modify and adopt the recommendations as follows:

1. Place the program on the November 2014 agenda for reconsideration of provisional approval.

Moved/Seconded: Eric Mah/Donna Norton

Support: 10 **Oppose:** 0 **Abstain:** 0

14.A.3. Career Care Institute, Moreno Valley, Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Cheryl Anderson, Supervising Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval and consideration of request to admit students for Career Care Institute, Moreno Valley, Vocational Nursing Program. The Board placed the program on provisional approval for a two-year period from September 6, 2012 through September 30, 2014, due to non-compliance relative to program pass rates. At that time, the program's average annual pass rate was 52%.

Currently, the program's average annual pass rate is 56%, an increase of four (4) percentage points since placement on provisional approval, and 17 percentage points below the State average annual pass rate.

Program Representative: Allan Ocampo, Director and Corrine Stevens.

Public Comment Mr. Ocampo stated he agrees the recommendations. Ms. Stevens wanted to confirm the program is on the February 2015 agenda and the program is not to admit students.

Board Discussion:

- Ms. James-Perez asked why the school was decreasing the examination passing score standards when the school is in trouble. Ms. Stevens responded the decision was made by the owners based on 2-year colleges that have a 70% pass score. School administration was restructured and there are no students on academic probation.
- Ms. James-Perez asked why the school would admit students who have a substance or alcohol abuse problem. Ms. Stevens said a drug screen came as part of the school policy, and rather than terminate a student on the spot if they tested positive, the student was put on probation. She said now individuals are tested as part of the admission process.

MOTION: To accept the report and adopt the NEC's recommendations as follows:

1. Extend Provisional Approval for the Career Care Institute, Inc., Moreno Valley Vocational Nursing Program for five (5) month period from September 12, 2014 through February 28, 2015 and issue a certificate, and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Deny Career Care Institute, Moreno Valley, Vocational Nursing Program's request to admit a day class of 50 full-time students on October 27, 2014, graduating on February 26, 2016, to replace a class that graduated February 13, 2014 only.
3. Require the program to admit no additional classes without prior approval by the full Board.
4. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
5. Require the program to comply with all approval standards in Article of the Vocational Nursing Practice Act, commencing at Business Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
6. 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.
7. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
8. Place the program on the February 2015 Board agenda for reconsideration of provisional approval.

Moved/Seconded: John Vertido/Andrew Moreno

Support: 9 **Oppose:** 0 **Abstain:** 1

14.A.4. Central Nursing College Vocational Nursing Program – Reconsideration of Provisional Approval Based on Report of Unannounced Survey Visit and Unauthorized Admissions. Cheryl Anderson, Supervising Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval for Central Nursing College Vocational Nursing Program. On February 22, 2013, the Board placed the program on provisional approval for a two-year period ending February 28, 2015, due to non-compliance relative to program pass rates.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 28%, 45 percentage points below the State average annual pass rate.

Program Representative: George Evans, Director.

Public Comment: Mr. Evans stated he disagrees with the recommendations and requested the program be placed on the February 2015 agenda to allow the Board to base their decision on the program's third (3) quarter results.

Board Discussion:

- Mr. Mah asked if the additional information distributed at the Board Meeting changes the NEC's recommendations. Ms. Anderson responded no.
- Ms. Freedman asked Ms. Anderson if the September 4th update was provided to the school and if she had the September 3, 2014, document from the program. Ms. Anderson responded she did not. Ms. Freedman recommended as a matter of procedure, to defer this item to the February 2015 agenda to allow the Board Members to receive and review the September 3, 2014, document from the program. Ms. Freedman asked Mr. Evans if he had a copy of the September 3, 2014, document. Mr. Evans responded yes and provided copies to the Board.
- Mr. Mah stated the table provided suggests unauthorized class admissions and asked Mr. Evans why classes were admitted without Board approval after he became director. Mr. Evans responded it was his fault. He said he did not clarify that the 60 students were to be in two cohorts, it was not intentional.

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

1. Revoke Central Nursing College Vocational Nursing Program's provisional approval, effective December 31, 2014.
2. Remove the program from the Board's *List of Approved Programs*.

Moved/Seconded: Eric Mah/John Vertido

Support: 9 **Oppose:** 0 **Abstain:** 1

14.A.5. High Desert Medical College Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Report of Unannounced Survey Visit.

Pam Hinckley, Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval for High Desert Medical College Vocational Nursing Program. On November 10, 2011, the Board placed the program on provisional approval for a two-year period from November 10, 2013 through November 30, 2013, due to non-compliance relative to program pass rates. At that time, the program's average annual pass rate 63%

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 38%, 35 percentage points below the State average annual pass rate.

Program Representative: Michelle Welch, Director and Leann Rumin, Campus President.

Public Comment: Ms. Welch stated she agrees with the recommendations to give time for the third quarter results, and asked the Board to consider a class start. Ms. Welch stated the four students remaining successfully took and passed the exam.

Board Discussion:

- Ms. Avella asked Ms. Welch to speak to the new violations and the program's plan to correct them. Ms. Welch said she submitted a plan to the NEC on August 28, 2014. Ms. Hinckley stated she received the plan, but has not reviewed it.
- Ms. Norton asked Ms. Hinckley recommendation for the requested new class since the four remaining students took the exam. Ms. Hinckley responded her recommendation stands because the official NCLEX data for the program is not yet official.
- Ms. Rubin verbalized concern about the program's long history of poor licensure pass rates.

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

1. Extend High Desert Medical College's Vocational Nursing Program provisional approval for a five (5) month period from September 12, 2014, through February 28, 2015, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations. (See Attachment D)
2. Deny the program's request to admit a full-time class of 20 students on January 19, 2015; graduating March 6, 2016 **replacing** students that graduated March 8, 2012.
3. Require the program to obtain clinical facilities adequate as to number, type, and variety of patients treated to provide clinical experiences consistent with the approved curriculum for all students.
4. Require the program to admit no additional students unless approved by the full Board.
5. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
6. 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. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.

8. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
9. Place the program on the **February 2015** Board agenda for reconsideration of provisional approval.

Moved/Seconded: Eric Mah/Susan Rubin
Support: 6 **Oppose:** 4 **Abstain:** 0

14.A.6. Medical Allied Career Center Vocational Nursing Program – Reconsideration of Provisional Approval. Cheryl Anderson, Supervising Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval for Medical Allied Career Center Vocational Nursing Program. On September 16, 2010, the Board placed the program on provisional approval for a two-year period from September 16, 2010 through September 30, 2012, due to non-compliance relative to program pass rates. At that time, the program's average annual pass rate was 44%, 31 percentage points below the State average annual pass rate.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 79%, 6 percentage points above the State average annual pass rate.

Program Representative: Liz Gerber in place of Alfie Ignacio, Director.

Public Comment: Ms. Gerber stated she accepts the Board's recommendations.

Board Discussion: None received.

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

1. Approve the Medical Allied Career Center Vocational Nursing Program for the four - year period from September 12, 2014 through September 30, 2018, and send certificate accordingly.
2. Rescind the prior approval of the full -time class of 30 students approved to commence May 19, 2014, which was not started.
3. Approve the program's request to admit 30 part - time students commencing November 3, 2014 only, graduating August 14, 2016, to **replace** the class scheduled to graduate October 19, 2014.
4. Defer approval of the program's request to admit 30 part-time students commencing March 3, 2015 only, graduating on December 8, 2016, to the Executive Officer.
5. Require the program to admit no additional classes without prior approval by the Board.

Moved/Seconded: Samantha James-Perez/John Vertido
Support: 10 **Oppose:** 0 **Abstain:** 0

14.A.7. North West College, Long Beach, Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Report of Unannounced Survey Visit.

Pam Hinckley, Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval for North West College, Long Beach, Vocational Nursing Program. On September 9, 2011, the Board placed the program on provisional approval for a two-year period from September 9, 2011 through September 30, 2013, due to non-compliance relative to program pass rates. The Board directed that the program admit no additional students unless approved by the Board. At that time, the program's average annual pass rate was 53%.

On September 13, 2013, the Board extended the program's provisional approval for the one-year period through September 30, 2014.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 89%, which exceeds the State average annual pass rate.

Program Representative: Ann Garrett, Director.

Public Comment: Ms. Garrett said their program is running nicely, thanks to the NECs for their help and consideration. She pointed out that Recommendation #4 was a request for a day class, not an evening class.

Board Discussion: None received.

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

1. Extend the North West College, Long Beach, Vocational Nursing Program's provisional approval from September 30, 2014 to November 30, 2014, and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Defer to the Executive Officer consideration of the program's continued approval provided the program submits the required lesson plans by October 1, 2014, satisfactory to the Board.
3. Deny the North West College, Long Beach, Vocational Nursing Program's request to admit 30 full-time students to a day class commencing January 7, 2015, and graduating March 31, 2016 **only**, this is not a replacement class.
4. Defer to the Executive Officer consideration of the program's request to admit 30 full-time students to a day class commencing January 7, 2015, and graduating March 31, 2016, contingent on the program's submission of lesson plans satisfactory to the Board.
5. Require the program to admit no additional classes unless approved by the full Board.
6. 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. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
8. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

Moved/Seconded: John Vertido/Jessica Leavitt

Support: 10 **Oppose:** 0 **Abstain:** 0

14.A.8. Premiere Career College Vocational Nursing Program – Reconsideration of Provisional Approval Based on Report of Unannounced Survey Visit; Consideration of Request to Admit Students. Pam Hinckley, Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval for Premier Career College Vocational Nursing Program. On February 28, 2014, the Board placed the program on provisional approval for a two-year period from February 28, 2014 through February 28, 2016, due to non-compliance relative to program pass rates.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 60%, 13 percentage points below the State average annual pass rate.

Program Representative: Marcelino Guzman; Faye Aragon, Executive Director; and Rowena Gabriel, Director of Student Services.

Public Comment: Mr. Guzman stated the program accepts the recommendations with corrections and requests. They would like to start a day class on December 1, 2014, if approved. The second request is for a March class and consideration of the current pass rate.

Board Discussion:

- Ms. Avella said she would not be opposed to approving a March class.

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

1. Approve Premiere Career College's request to admit a class of 30 day students on December 1, 2014; that will graduate February 26, 2016 to **replace** students that graduated on June 6, 2014.
2. Deny the program's request to admit a class of 30 evening students on March 16, 2015; that will graduate May 20, 2016 to **replace** students that are scheduled to graduate on December 5, 2014.
3. Deny the program's request to admit a class of 30 day students on June 8, 2015; that will graduate August 12, 2016.
4. Deny the program's request to admit a class of 30 day students on August 31, 2015; that will graduate November 4, 2016 to **replace** students that are scheduled to graduate on August 24, 2015.
5. Deny the program's request to admit a class of 30 evening students on November 9,

2015; that will graduate January 27, 2017 to **replace** students that are scheduled to graduate on November 6, 2015.

6. Continue the program's terms of provisional approval as designated on February 28, 2014.
7. Continue the program's requirement to obtain approval of the full Board prior to the admission of additional students.

Moved/Seconded: John Vertido/Samantha James-Perez

Support: 6 **Oppose:** 3 **Abstain:** 1

14.A.9. Shepherd University Vocational Nursing Program – Reconsideration of Provisional Approval Based on Report of Unannounced Survey Visit; Consideration of Request to Admit Students. Cheryl Anderson, Supervising Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval for Shepherd University Vocational Nursing Program. On May 16, 2014, the Board placed the program on provisional approval for a two-year period from May 16, 2014 through May 30, 2016, due to non-compliance relative to program pass rates. At that time, the program's average annual pass rate was 55%, which is 21 percentage points below the State average annual pass rate. Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 0%; its average annual pass rate declined to 50%.

Program Representative: None.

Public Comment: None received.

Board Discussion:

- Mr. Mah stated he was not in favor of the motion. He stated because of the schools low numbers, he would consider allowing ten (10) students.

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

1. Require the Shepherd University Vocational Nursing Program to submit written evaluations for each clinical facility to which assignment of students is proposed by September 30, 2014.
2. Approve the program's request to admit a class of 20 students commencing November 3, 2014, and graduating February 19, 2016 only, to **replace** students who graduated September 2013, **provided:**
 - a. The program submits a Board – approved clinical rotation calendar specifying proposed placements for each student; and
 - b. The program has no more than ten (10) students per instructor during clinical experience.
3. Continue the program's requirement to admit no additional classes without prior approval by the full Board.

Moved/Seconded: Donna Norton/John Vertido

Support: 7 **Oppose:** 3 **Abstain:** 0

14.A10. Valley School of Allied Health Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Report of Unannounced Survey Visit. Pam Hinckley, Nursing Education Consultant, presented a report relevant to reconsideration of provisional approval for Valley School of Allied Health Vocational Nursing Program. On September 16, 2010, the Board placed the program on provisional approval for a two-year period from September 16, 2010 through September 16, 2012, due to non-compliance relative to program pass rates. On September 6, 2012, the Board extended the program's provisional approval for the two-year period from September 6, 2012 through September 30, 2014.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is %, which is 19 percentage points below the State average annual pass rate.

Program Representative: Norma Jones, Director.

Public Comment:

- Ms. Jones introduced students from the program and thanked the NECs for their help. She stated there are some recommendations she disagrees with.
- Gino (inaudible) stated he agrees with recommendations 1 and 3, but does not agree with recommendation 2. He said the school just wants the opportunity for the next class to graduate.
- Nassar Castillo, student. Mr. Castillo clarified that the program did not ask the students to speak.
- Lance Fabry, student. Mr. Fabry asked the Board to consider the amount of time and money the students have spent, and asked for the opportunity to finish their course.
- Adrien (inaudible), student. Mr. (inaudible) asked the Board to reconsider. They have given all of their time and money they put into the course.

Board Discussion:

- Mr. Mah stated he supports the school to remain open, and although the Board cannot mandate, urged the program to do the right thing and reimburse the students tuition.
- Ms. Avella stated the issue with the tuition is not in the Board's mandate. The Board's mandate is to protect the public. The issue regarding tuition should be between the school and the students.

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

1. Deny Valley School of Allied Health Vocational Nursing Program's request to admit a full-time class of 20 students on October 13, 2014, graduating November 15, 2015, to **replace** students who graduated June 13, 2014.
2. Revoke Valley School of Allied Health Vocational Nursing Program's provisional approval effective April 30, 2015.
3. Remove the program from the *List of Approved Schools*.

Moved/Seconded: Samantha James-Perez/Eric Mah

Support: 8 **Oppose:** 1 **Abstain:** 0 (Ms. Norton left meeting)

14.B.1. InterCoast College, Fairfield, Vocational Nursing Program – Consideration of Placement of Provisional Approval. Cheryl Anderson, Supervising Nursing Education Consultant, presented a report relevant to consideration of provisional approval for InterCoast College, Fairfield, Vocational Nursing Program. On January 24, 2014, the Board denied the program's request to admit 30 students due to non-compliance relative to program pass rates.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 52%, 21 percentage points below the State annual average pass rate.

Program Representative: Carla Carter, Director.

Public Comment:

- Ms. Carter stated she is the newly appointed director of the program. She said since she started with the program, she has corrected 15 violations.

Board Discussion:

- Ms. Rubin asked Ms. Carter if she agreed with the recommendations of the NEC. Ms. Carter said she is still in the analysis phase and agrees with the recommendations.
- Ms. Bello-Jones clarified the graduation date for #3 in the report should be September 22, 2014.

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

1. Place the InterCoast College, Fairfield, Vocational Nursing Program on provisional approval for a two (2) year period from September 12, 2014, through September 30, 2016 and issue a notice identifying specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Require the program to admit no additional classes without prior approval by the full Board.
3. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
4. Require the program to provide no less than one (1) clinical instructor for every ten (10) students in all clinical experiences.
5. Require the program to submit a **follow-up** report in three (3) months, but no later than **December 31, 2014**, nine (9) months, but no later than **June 1, 2015**, and 21 months, but no later than **June 1, 2016**. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.

- e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.
 - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - o. Evaluation of Student Achievement.
6. 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 2525.
 7. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
 8. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 9. Place the program on the **September 2016** Board agenda for reconsideration of provisional approval.

Moved/Seconded: Andrew Moreno/Vivien Avella

Support: 6 **Oppose:** 0 **Abstain:** 0 **Recuse:** 1

(Mr. Mah and Ms. Leavitt left meeting; Mr. Vertido not present)

14.B.2. Preferred College of Nursing, Los Angeles, Vocational Nursing Program – Consideration of Placement on Provisional Approval. Pam Hinckley, Nursing Education Consultant, presented a report relevant to consideration of provisional approval for Preferred College of Nursing, Los Angeles, Vocational Nursing Program, relative to non-compliance with program pass rates.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 62%, 11 percentage points below the State annual average pass rate.

Program Representative: Bernard Sanchez, Director.

Public Comment: Mr. Sanchez stated he agrees with the recommendations with the exception of three things. Mr. Sanchez asked the Board reconsider recommendation number 2 because he doesn't know if the program will have additional classes; 2) the Board consider allowing a class in September instead of November 2014, and 3).changing the date on recommendation number 5 to January 2015.

Board Discussion:

- Ms. James-Perez asked Mr. Sanchez if the program was asking the Board to reconsider allowing students in September instead of November. Mr. Sanchez responded yes, to start a new class in September.

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

1. Place Preferred College of Nursing, Los Angeles, Vocational Nursing Program on provisional approval for the two year period from September 12, 2014 through September 30, 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 (e) of the California Code of Regulations.
2. Defer a decision regarding the request to admit one full-time class of twenty (20) students to the September 2014 Board meeting.
3. Require the program to provide no less than one (1) instructor for every ten (10) students in clinical experiences.
4. Require the program to admit no additional classes without prior approval by the full Board.
5. Require the director to submit a complete curriculum revision no later than **December 30, 2014.**
6. Require the program to submit follow up reports in nine (9) months, but no later than **June 1, 2015**, and 21 months, but no later than **June 1, 2016.** The reports must include a comprehensive analysis of the program, specific actions taken to improve 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

7. Require the program to bring its average annual pass rate to no more than (10) ten percentage points below the State average annual pass rate.
8. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress the full may revoke the program's approval.
9. 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 2626.
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 Board's September 2016 agenda for reconsideration of provisional approval.

Moved/Seconded: Todd D'Braunstein/Vivien Avella

Support: 7 **Oppose:** 0 **Abstain:** 0

14.C.1. Bay Area College of Nursing, Palo Alto, Vocational Nursing Program – Consideration of Request to Admit Students. Cheryl Anderson, Supervising Nursing Education Consultant, presented a report relevant to consideration of request to admit students for Bay Area College Nursing, Palo Alto, Vocational Nursing Program. On November 10, 2011, the Board placed the program on provisional approval for a two-year period from November 10, 2011 through November 30, 2013, relative to non-compliance with program pass rates. On November 22, 2013, the Board extended the program's provisional approval for the one-year period from December 1, 2013 through November 30, 2014.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 75%, percentage points above the State annual average pass rate.

Program Representative: Rachelle Cagampan, Director.

Public Comment: Ms. Cagampan stated she agrees with the recommendations.

Board Discussion: None received.

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

1. Approve the program's request to admit twenty (20) students plus two (2) alternates into an evening class commencing September 29, 2014, only, graduating December 20, 2015, to **replace** the class that graduated August 2013.
2. Approve the program's request to admit twenty (20) students plus two (2) alternates into a day class commencing November 10, 2014, only, graduating February 14, 2016 to **replace** the class that graduated August 2014.

3. Continue to require the program to admit no additional students unless approved by the full Board.

Moved/Seconded: John Vertido/Vivien Avella

Support: 7 **Oppose:** 0 **Abstain:** 0

14.C.2. Preferred College of Nursing, Van Nuys, Vocational Nursing Program – Consideration of Request to Admit Students. Pam Hinckley, Nursing Education Consultant, presented a report relevant to consideration of request to admit students for Preferred College of Nursing, Van Nuys, Vocational Nursing Program. On May 16, 2014, the Board placed the program on provisional approval for the four-month period from May 16, 2014 through September 30, 2014. The program's provisional approval was to be extended until May 31, 2016, pending the director's submission of a comprehensive analysis of the program no later than June 1, 2014. On May 30, 2014, the Board received the required comprehensive analysis from the program director.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 47%, 26 percentage points below the State annual average pass rate.

Program Representative: Freddie Rodriguez, Vice President of Operations.

Public Comment: Mr. Rodriguez stated he agrees with recommendations 2 and 3, and disagrees with recommendation 1. He stated he has new documentation for the Board to reconsider allowing 20 additional students. He stated he had an email from NEC Denise Rodriguez

Board Discussion:

- Ms. James-Perez asked Ms. Freedman if the Board should investigate the correspondence from NEC Rodriguez with the program. Ms. Freedman responded yes, it would be in the Board's interest.
- Mr. Vertido asked Mr. Rodriguez if the program had clinical sites in place. Mr. Rodriguez responded the program has clinical sites lined up.

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

1. Deny the program's request to admit a part-time day class of 20 students to commence on September 26, 2014, graduating May 13, 2016.
2. Continue to require the program to admit no additional classes without prior approval by the full Board.
3. Require the program to submit documentation of approved clinical experience for Obstetrical and Pediatric Nursing.

Moved/Seconded: John Vertido/Vivien Avella

Support: 6 **Oppose:** 0 **Abstain:** 1

14.D.1. Summit College, Colton, Vocational Nursing Program – Consideration of Request to Admit Students. Cheryl Anderson, Supervising Nursing Education Consultant, presented a report relevant to consideration of request to admit students for Summit College, Colton, Vocational Nursing Program. On May 16, 2014, the Board approved the following classes for the program: 1)

A part-time class of sixty (60) students to start May 27, 2014, ending December 2015 to **replace** the class graduating March 23, 2014, and 2) A full-time class of sixty (6) students to start June 9, 2014, ending June 2015 to replace the class graduating May 2, 2014.

Based on the data from the 2nd quarter of 2014, the program's average annual pass rate is 80%, 7 percentage points above the State annual average pass rate.

Program Representative: Renee Sheehan, Director.

Public Comment:

- Ms. Sheehan stated she is in agreement with some of the Board's recommendations, however, the date in recommendation 4 is incorrect and should be October 2014. She stated their original request was October 2014.

Board Discussion:

- Ms. James-Perez suggested the Board approve the October class, and in reference to the March class, change the word "Defer" in the recommendations to "approve upon the condition," so there is no interference with ASSET requirements.

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

1. Approve Summit Career College, Colton, Vocational Nursing Program's request to admit a full-time class of sixty (60) students beginning September 15, 2014, graduating September 11, 2015, **only**, to **replace** the class graduating September 12, 2014.
2. Deferred to the Executive Officer consideration of Summit Career College, Colton, Vocational Nursing Program's request to admit a full-time class of sixty (60) students beginning December 15, 2014, graduating December 11, 2015, **only**, to replace the class graduating January 13, 2014.
3. Defer to the Executive Officer consideration of Summit Career College, Colton, Vocational Nursing Program's request to admit a full-time class of sixty (60) students to start March 16, 2015, ending March 11, 2016 to replace the class graduating March 6, 2015.
4. Approve Summit Career College, Colton, Vocational Nursing Program's request to admit a part-time class of sixty (60) students to start October 27, 2014, ending June 5, 2016, to replace the class graduating August 17, 2014.
5. Defer to the Executive Officer consideration of Summit Career College, Colton, Vocational Nursing Program's request to admit a part-time class of sixty (6) students to March 23, 2015, ending October 30, 2016 to replace the class graduating January 11, 2015.
6. Continue to require the program to obtain full Board approval prior to the admission of each class.

Moved/Seconded: Samantha James-Perez/Vivien Avella

Support: 7 **Oppose:** 0 **Abstain:** 0

15. PUBLIC COMMENT PERIOD.

- Dr. Sybil Damon, Southern California Directors of Vocational Nursing Program. Ms Damon requested clarification from the NECs regarding clinical objectives for each facility, and will the information regarding objectives be communicated to the Directors. Ms. Hinckley responded yes, the objectives are specific to that clinical site, and the information is on the actual form, which can be found on the Board's website.
- Marie Cordero, stated there is no consistency with the information. One NEC accepts things different from another. She is happy to do what the Board asks, but asked the NECs be consistent.
- Dr. Muonekwu, Advanced Medical School of Nursing. Dr. Muonekwu shared his experience with his communications with the NECs. He also stated that the Executive Director and her staff have been extremely helpful and he wanted to thank them.

16. AGENDA ITEMS FOR FUTURE MEETINGS.

Public Comment: None received.

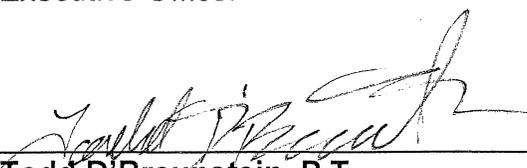
Board Discussion: None received.

17. ADJOURNMENT.

The meeting was adjourned at 7:22 p.m.

Prepared by: 
Teresa Bello-Jones, J.D., M.S.N., R.N.
Executive Officer

Date: 9/12/14

Approved by: 
Todd D'Braunstein, P.T.
President

Date: 9/12/14