

Agenda Item #19.A.1.



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

Board of Vocational Nursing and Psychiatric Technicians
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DATE: February 9, 2018

TO: Board Members

FROM: Beth DeYoung, RN, MPH
Nursing Education Consultant

SUBJECT: CNI College Vocational Nursing Program – Reconsideration of Provisional Approval; Request to Admit Students. (Director: Sasha Rarang, Orange, Orange County, Private)

STAFF SUMMARY AND RECOMMENDATIONS:

CNI College Vocational Nursing Program is presented for reconsideration of provisional approval. In addition, the program requests to admit one full-time class of 40 students on June 4, 2018, graduating on May 29, 2019.

On May 13, 2016, the Board initially placed the program on provisional approval for a three (3) month period from May 13, 2016, through August 31, 2016, due to the following events:

- Receipt of a series of complaints from anonymous sources, current students and faculty.
- Four (4) quarters of licensure examination pass rates that were non-compliant with regulatory requirements.
- Findings from an unannounced program inspection in August 2015.
- Identification of a total of 14 violations, including material misrepresentation of fact.

On August 26, 2016, the Board placed the program on provisional approval for an additional three (3) month period from September 1, 2016, through February 28, 2017, because not all violations had been corrected.

On February 10, 2017, the Board extended provisional approval for a one (1) year period from February 28, 2017, through February 28, 2018, due to noncompliance with regulatory requirements. Since that time, the program has come into compliance, correcting all 14 violations.

RECOMMEND:

1. **Full approval of the CNI College Vocational Nursing Program.**
2. **Approval of one (1) full-time class of 40 students commencing on June 4, 2018.**
3. **Require the program to obtain Board approval prior to each class.**
4. **Continue to require one (1) instructor for every ten (10) students for clinical.**

History of Prior Board Actions

(See Attachment A, History of Prior Board Actions)

Enrollment

The program offered full-time classes that are 52 weeks in length. The program also offered part-time classes that are 82 weeks in length. Since September 2015, the program has been required to obtain Board approval prior to admitting students. **There are currently no students enrolled in the program.** The program's most recent graduated class completed the program on January 30, 2017.

The following table represents **prior** student enrollment based on start and completion dates from September 2014 through January 2017.

ENROLLMENT DATA			
CLASS DATES		#Students Admitted	#Students Completed
Start	Completed		
9/8/14 PT	4/14/16	24	20
1/5/15 FT	1/23/16	23	12
2/2/15 PT	9/15/16	30	14
4/6/15 FT	4/18/16	20	12
6/29/15 FT	7/15/16	9	4
6/29/15 PT	1/30/17	22	14

The following table represents **projected** student enrollment based on proposed class starts and completions. The table indicates a **maximum enrollment of 40 students** for the period from June 2018 through May 2019.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
6/18 FT *[5/19] Proposed		40		40

* [] Indicates projected completion date.

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 October 2015 through December 2017, specify the pass percentage rates for graduates of the CNI College Vocational Nursing Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®) and the variance from state average annual pass rates.

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR § 2530 (I)]	Variance from State Average Annual Pass Rate
Oct-Dec 2015	28	13	46%	75%	55%	72%	-17
Jan-Mar 2016	16	11	69%	73%	57%	72%	-15
Apr-Jun 2016	13	10	77%	75%	60%	74%	-14
Jul-Sep 2016	13	11	85%	76%	64%	75%	-11
Oct-Dec 2016	20	16	80%	70%	77%	74%	+3
Jan-Mar 2017	10	7	70%	72%	79%	73%	+6
Apr-Jun 2017	13	8	62%	68%	75%	74%	+1
Jul-Sep 2017	9	6	67%	74%	71%	71%	0
Oct-Dec 2017	3	1	33%	69%	63%	71%	-8

*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 recent data available (October – December 2017), the program's average annual pass rate is **63%**. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time during the same period is **71%**. The average annual pass rate for the CNI College Vocational Nursing Program is **eight percentage points below** the state average annual pass rate.

Faculty and Facilities

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

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

However, based on the decision of the Board on May 13, 2016, the program is required to provide no less than one **(1) instructor for every 10 students** in clinical experiences.

The number of Board-approved faculty totals 11, including the program director and one (1) teaching assistant. Of these instructors, nine (9) are designated to teach clinical. The director has 100% administrative duties. Submitted information confirms the stability of program faculty. Based on submitted documents, eleven (11) faculty have been employed for periods of one (1) to eleven (11) years.

Based on a maximum proposed enrollment of **40** students, four (4) instructors are required for clinical supervision. Therefore, the number of faculty is **adequate** for the current and proposed enrollment.

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

“Schools shall have clinical facilities adequate as to number, type, and variety of patients treated, to provide clinical experience for all students in the areas specified by Section 2533. There must be available for student assignment, an adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught.”

The program has **sufficient clinical facilities** to afford the number, type and variety of patients that will provide clinical experience consistent with competency-based objectives and theory being taught for current and projected students.

Other Considerations

On August 18 and 19, 2015, with falling average annual NCLEX-PN® pass rates and student complaints regarding the program, two (2) Board representatives conducted an unannounced program inspection. A total of 11 violations were identified. Among the violations was the failure to provide clinical experience in the care of sick children. With additional consumer complaints and subsequent investigation, three (3) additional violations have been identified, including material misrepresentation of fact.

A material misrepresentation of fact was identified after the program was required to respond to a complaint that was submitted to the Board in January 2016. The complainant alleged that the program was not providing clinical experience in the care of sick children. Additionally, when required to respond to the January 2016 complaint, the program director reported 36 of 46 individuals from graduating classes of November 2015 and January 2016 had not completed the required pediatric clinical experience and were informed of the need to return to school to complete the required hours.

On February 22, 2016, the program director admitted that official Board documents had been signed by the program director indicating that 12 recent graduates had completed all required hours in the program. In fact, the 12 students had not completed the required pediatric clinical hours.

On July 6, 2016, a new program director was approved.

As of August 15, 2016, all required clinical hours were completed and submitted to the Board.

In February 2017, the program director submitted documentation of completed program hours for all students who graduated in January 2017 and then submitted the Record of Nursing forms to the Board.

Recommendations:

1. Grant full approval of the CNI College Vocational Nursing Program for a four (4) year period from February 23, 2018, through February 22, 2022, and issue a certificate accordingly.
2. Approve the program's request to admit one (1) full-time class of 40 students commencing on June 4, 2018, graduating on May 29, 2019.
3. Continue to 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 Board.
5. Require the program, when requesting approval to admit students, to:
 - a. Submit all documentation in final form, using the forms provided by the Board, no later than two (2) months prior to the requested start date for the class.
 - b. Provide documentation that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
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.

Rationale: The program has demonstrated full compliance with Article 5 of the Vocational Nursing Rules and Regulations after correction of the 14 violations identified.

The program has provided documentation and evidence of sufficient resources for students to adequately complete program requirements and learning objectives.

Given the foregoing, approval of the program's request for full approval and admission of one class is supported. However, due to the number and nature of the violations identified in the past, the recommendation for the program to obtain Board approval for each class will allow for close monitoring of the program.

Board staff will continue to monitor closely the program's effectiveness by tracking class admissions, the program's follow-up reports, the effectiveness of employed interventions, and the program's licensure examination pass rates each quarter.

AGENDA ITEM #19.A.1., Attachment A

CNI COLLEGE VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On May 14, 2004, the Board approved Career Networks Institute's request to commence a vocational nursing program with a full-time class of 45 students beginning May 17, 2004, in Orange, California with a projected graduation date of May 10, 2005. The Board also approved the program's curriculum for 1560 hours, including 580 theory and 980 clinical hours.
- On February 4, 2005, the Board approved initial full accreditation for the Career Networks Institute Vocational Nursing Program for the period February 4, 2005, through February 3, 2009, and issued a certificate accordingly.

Additionally, the Board approved the program's request to admit a second full-time class of 45 students beginning February 14, 2005 only, graduating on February 7, 2006, and admit a third full-time class of 45 students beginning May 16, 2005 only, **replacing** students that graduate May 10, 2005.

- On May 13, 2005, the Board approved the program's request to admit a fourth full-time class of 45 students beginning August 15, 2005 only, with a projected graduation date of August 8, 2006.

The Board also approved the program's request to admit a fifth full-time class of 45 students beginning November 14, 2005 only, graduating on November 7, 2006.

- On September 16, 2005, the Board took the following actions.
 1. The Board approved the program's request to admit 45 students into a full-time Class A beginning February 13, 2006, to **replace** students graduating February 7, 2006.
 2. The Board approved the program's request to admit 45 students into a full-time Class B beginning May 15, 2006, to **replace** students graduating May 9, 2006.
 3. The Board approved the program's request for ongoing admissions to **replace** graduating classes only, with the following stipulations:
 - a. No additional classes are added to the program's current pattern of admissions without prior Board approval. The program's current pattern of admissions includes four full-time classes of 45 students admitted each calendar year.
 - b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
- **On May 3, 2006, a new program director was approved.**

- On September 15, 2006, the director was notified that the pass rates for Career Networks Institute Vocational Nursing Program had fallen below 10 percentage points of the state average pass rate for four (4) consecutive quarters.
- On December 4, 2006, the program submitted correspondence setting forth its plans to increase NCLEX-PN® pass rates.
- On December 13, 2006, the director was notified that program pass rates had fallen below 10 percentage points of the state average pass rate for five (5) consecutive quarters.
- On April 13, 2007, the director was notified that program pass rates had fallen below 10 percentage points of the state average pass rate for six (6) consecutive quarters.
- On April 30, 2007, the director confirmed implementation of a plan of correction and defined specific employed interventions.
- **On May 22, 2007, a new program director was approved.**
- On June 27, 2007, the director was notified that program pass rates had fallen below 10 percentage points of the state average pass rate for seven (7) consecutive quarters. Additionally, the director was requested to submit the following information: 1) Current enrollment; 2) Current faculty and facility information; 3) Clinical rotation schedules for all current classes; 4) Analysis of programs previously submitted corrective plan identifying those elements that have been successful and those unsuccessful and planned alterations to address the program analysis.
- On June 29, 2007, Board staff met with the program director and Career Networks Institute Vice President to discuss the program's status and strategies for improvement of NCLEX-PN pass rates.
- On July 13, 2007, the Board received the program's analysis of its corrective plan and corresponding actions.
- On August 20, 2007, the program was notified that its pass rates had fallen below 10 percentage points of the state average pass rate for eight (8) consecutive quarters.
- On December 19, 2007, the program director advised that a revision of the curriculum is in progress with completion projected by January 11, 2008.
- On February 1, 2008, the Board placed the program on Provisional Accreditation for the two – year period from February 1, 2008 through January 31, 2010, and issued a notice to the program identifying specific areas of non – compliance and requirements for correction referenced in Section 2526.1 (e) of the California Code of Regulations. The program was placed on the agenda for the September 2009 Board meeting for reconsideration of the program's accreditation status.
- On March 28, 2008, the Board issued the program a notice identifying areas of non – compliance and requirements for corrections.

- On June 24, 2009, the Board forwarded correspondence to the program advising that the Board would reconsider its accreditation status at the September 11, 2009 meeting. A comprehensive report was requested by July 17, 2009.
- On July 20, 2009, the Board received the program's comprehensive report.
- On October 7, 2009, the Board approved full accreditation of Career Networks Institute Vocational Nursing Program for the four-year period from September 17, 2009 through September 16, 2013, and issued a certificate accordingly.
- On November 4, 2009, the Executive Officer denied Career Networks Institute Vocational Nursing Program's request to offer a part – time course of instruction with an initial class of 50 students and five (5) alternates in March, July, and November of each year, commencing November 30, 2009. The program's request to offer a part – time course of instruction with an initial class of 50 students and five (5) alternates commencing November 30, 2009 only, at this time was approved. The program must request Board approval for additional commencement of part – time classes.
- On July 20, 2010, the Executive Officer approved the following recommendations:
 1. Approve Career Networks Institute Vocational Nursing Program's request to admit a part – time class of 50 students and five (5) on July 26, 2010. The proposed class is projected to complete program requirements January 30, 2012.
 2. Approve the program's request to admit a part – time class of 50 students and five (5) alternates November 29, 2010, with a projected completion date of May 30, 2012.
 3. Approve the program's request to admit a part – time class of 50 students and five (5) alternates each March, July, and November to **replace** graduating students only. Classes would be offered on evening and weekends.
 4. Continue the program's approval to admit a full-time class of 45 students four (4) times each calendar year to **replace** graduating classes only.
- On December 8, 2011, a new director was approved by the Board.
- On June 22, 2012, a new director was approved by the Board.
- On May 30, 2013, the Board was notified that the school changed its name to CNI College.
- On October 22, 2013, the Board approved the following:

Continue full approval for the CNI College Vocational Nursing Program for the four-year period from September 17, 2013 through September 16, 2017, and issue a certificate accordingly **and** continue approval of the program's ongoing admissions to **replace** graduating classes, only, with the following stipulations:

 1. No additional classes are added to the program's pattern of admissions without prior Board approval. The program's pattern of admissions will include admission of:

- A full-time class of 45 students four (4) times each calendar year to **replace** graduating classes only.
 - A part-time class of 50 students each March, July, and November to **replace** graduating students only.
2. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
 3. The program maintains an average annual pass rate that is compliant with Section 2530 (l) of the Code.
- On March 14, 2014, a new director was approved.
 - On October 14, 2014, the Board was notified by the program director of his resignation, effective immediately.
 - On December 5, 2014, the Board forwarded correspondence to the program regarding the need for active administration of the program by an approved director.
 - On January 8, 2015, the Board approved an assistant director for the program.
 - On January 27, 2015, the Board approved a new director who would assume active administration of the program on April 1, 2015.
 - On March 17, 2015, the Board forwarded correspondence to the program regarding a student/consumer complaint.
 - On May 8, 2015, the Board forwarded correspondence to the program regarding a student/consumer complaint.
 - On August 18 and 19, 2015, Board representatives conducted an unannounced program inspection.
 - On September 2, 2015, the Acting Executive Officer approved the following: Effective immediately, rescind approval for ongoing admissions and require the CNI College Vocational Nursing Program to obtain Board approval prior to the admission of any students. The program must document adequacy of faculty and facilities to support the objectives of the program prior to the admission of students; **and** require the CNI College Vocational Nursing Program to submit verifiable plans for clinical placements for Pediatric Nursing for students who were to have completed program requirements on September 25, 2015 prior to graduation of those students and no later than September 15, 2015; **and** require the CNI College Vocational Nursing Program to submit verifiable plans for clinical placements for Pediatric Nursing for currently enrolled students, no later than September 30, 2015; **and** require the program to correct violations identified during the onsite inspection and submit a report identifying implemented interventions to include the following no later than November 1, 2015:
 - a. Plan, including implementation timeline, for evaluation of the curriculum.

- b. Proposed policies and implementation plan for admission, screening, and selection criteria.
- c. Proposed policy and implementation plan for attendance, including make-up for missed theory and clinical time.
- d. Proposed policy and implementation plan for remediation and determination of the need for removal from the program.
- e. Timeline by which the evaluation of all clinical facilities will be accomplished.
- f. Documentation of verifiable placements for all enrolled students, in a manner consistent with the Board-approved Instructional plan, for clinical experience in the care of sick children; **and**

Submit a written plan for improvement of the program's NCLEX-PN® pass rates no later than November 1, 2015.

- On September 14, 2015, the program director submitted the required verifiable placement plans for Pediatric clinical experience for graduating students.
- On September 15, 2015, the program director submitted the response to violations and placement plans for pediatric nursing for currently enrolled students.
- On September 22, 2015, the Board was notified the program director was no longer employed by the school.
- On September 28, 2015, the Board forwarded correspondence to the program regarding additional complaints received.
- On October 1, 2015, the Board approved a new program director.
- On October 15, 2015, the Board received the program's response to complaints. The Board also received two new complaints on this date.
- On October 19, 2015, the Board notified the program of missing documentation in support of the request to admit students.
- On October 29, 2015, the assigned consultant conducted a phone consultation with the program director regarding missing documentation in support of the request to admit students.
- On November 4, 2015, the assigned consultant again conducted a phone consultation with the program director regarding missing documentation in support of the request to admit students.
- On November 5, 2015, the assigned consultant notified the current director of the requirement to submit a written plan regarding improving program pass rates on the licensure examination, as per the September 2, 2015. A plan was submitted later that day.
- On November 6, 2015, the program submitted final documentation regarding placements for the proposed students.
- On November 10, 2015, the Acting Executive Officer rendered the following decisions:

Require the CNI College Vocational Nursing Program to submit for Board approval the following policies and a timeline for implementation of each policy, no later than **December 1, 2015**

- a. Evaluation methodology for curriculum.
- b. Evaluation methodology for clinical facilities.
- c. Admission policy, including all screening, and selection criteria.
- d. Evaluation of student progress, including determination of the need for remediation or removal from the program.
- e. Attendance policy, including criteria for attendance and acceptable methods for make-up, **and**

Require the program to submit a written plan for notification to the Board for faculty termination in accord with the regulation no later than **December 1, 2015, and** require the program to submit, no later than **January 15, 2016**, documentation that all violations are corrected. This documentation is to be signed, under penalty of perjury, and to include the following:

- a. Attendance records, by class admission date, indicating that all missed hours are made-up by end of term and indicating appropriate make-up for missed hours;
- b. Correlation of theory and clinical experience for make-up hours and specialty rotations, including provision of specialty rotations in accordance with the Board-approved Instructional Plan; and
- c. Adequate clinical facilities to support the enrolled student population in a manner that is consistent with the Board-approved Instructional Plan, **and** require the program to submit, no later than **January 15, 2016**, a licensure pass rate improvement plan that provides for support of all currently enrolled students, including those approaching graduation, **and**

Deny the program's request to admit one (1) part-time class of 40 students beginning November 30, 2015, graduating June 18, 2017, **and** deny the program's request to admit one (1) full-time class of 45 students beginning January 11, 2016, graduating January 13, 2017, **and** continue the program's requirement to obtain Board approval prior to the admission of each class, **and** continue to require the director to document that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.

- On March 1, 2016, the Acting Executive Officer approved the following:

Deny the CNI College Vocational Nursing Program's request to admit one (1) full-time class of 35 students beginning March 21, 2016 and graduating April 16, 2017, **and** deny the program's request to admit one (1) part-time class of 35 students beginning March 21, 2016 and graduating November 20, 2017, **and** continue the program's requirement to obtain Board approval prior to the admission of each class, **and** require the program to provide documentation of completion of all required pediatric clinical experience using the Pediatric Faculty/Student Clinical Assignment form, including date, location, instructor and total hours. Due as each graduate completes the required experience, **and** place the CNI College Vocational Nursing Program on the Board's May 2016 agenda for consideration of placement on provisional approval.

- On May 13, 2016, the Board rendered the following decisions:
 1. Place the CNI College Vocational Nursing Program on provisional approval for the three (3) month period from May 13, 2016 through August 31, 2016, 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 O)
 2. Place the program on the Board's **August 2016** agenda for reconsideration of provisional approval.
 3. Deny the program's request to admit one (1) full-time class of 24 students beginning May 23, 2016, graduating May 23, 2017, only.
 4. Deny the program's request to admit one (1) part-time class of 32 students beginning May 23, 2016, graduating May 23, 2017, only.
 5. Require the program to provide no less than one (1) instructor for every ten (10) students in clinical experiences.
 6. Require the program to admit no additional classes without prior approval by the full Board.
 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 **June 15, 2016**.
 8. Require the program to submit a follow up a report no later than **June 15, 2016**. The reports must include a comprehensive analysis of the program, specific actions taken to correct identified violations, 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

9. 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.
 10. Require the program to demonstrate progress in correcting the violations.
 11. 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.
 12. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
- On July 6, 2016, the Board approved a new program director.
 - On August 26, 2016, the Board denied the program's request to admit one (1) part-time class of 40 students beginning October 17, 2016, graduating April 19, 2018, **and**; denied the program's request to admit one (1) full-time class of 40 students beginning October 24, 2016, graduating January 15, 2017, **and**; placed CNI College Vocational Nursing Program on provisional approval from September 1, 2016 through February 28, 2017, **and**; continued to require the program to provide no less than one (1) instructor for every ten (10) students in clinical experiences, **and**; continued to require the program to admit no additional classes without prior approval by the Board, **and**; required 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 September 15, 2016, **and**; continued to require the program to bring its average annual pass rate to no more than ten (10) percentage points below the state average annual pass rate, **and**; continued to require the program to demonstrate progress in correcting the violations and to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code. If the program fails to satisfactorily demonstrate progress the full Board may revoke the program's approval.
 - On February 10, 2017, the Board extended provisional approval of the CNI College Vocational Nursing Program for a one (1) year period from February 28, 2017, through February 28, 2018, and issued a notice identifying specific areas of non-compliance, **and**; placed the program on the February 2018 Board agenda for reconsideration of provisional approval, **and**; continued to require the program to provide no less than one (1) instructor for every ten (10) students in clinical experiences, **and**; continued to require the program to admit no additional classes without prior approval by the Board, **and**; continued to 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, **and**; continued to require the program to demonstrate sustained incremental progress in correcting the violation and 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. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.