

Agenda Item #16.D.1.



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

Board of Vocational Nursing and Psychiatric Technicians
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DATE: August 24, 2018

TO: Board Members

FROM: Beth DeYoung, RN, MPH
Nursing Education Consultant

SUBJECT: Palo Verde Community College Vocational Nursing Program – Request to Admit Students (Director: Theresa Cicci, Blythe, Riverside County, Community College)

STAFF SUMMARY:

The Palo Verde Community College Vocational Nursing Program is presented for consideration of a request to admit one full-time class of 15 students commencing on January 28, 2019, graduating on May 30, 2020, to replace the class that graduates on December 13, 2018.

On February 13, 2015, the Palo Verde Community College Vocational Nursing Program was placed on provisional approval for a two-year period from February 13, 2015, through February 28, 2017, after 12 violations were identified during an unannounced site visit in December 2014.

On February 10, 2017, the Board extended provisional approval for a period of one year from February 28, 2017, through February 27, 2018, due to outstanding uncorrected violations.

During an unannounced school visit on November 6-7, 2017, three violations were identified, including the absence of a Board-approved program director to actively administer the program since July 2017. On January 16, 2018, a new program director was approved, however, two violations remain uncorrected. On February 9, 2018, the Board continued provisional approval for the period of February 27, 2018, through February 28, 2019.

STAFF RECOMMENDATIONS:

1. Approve the Palo Verde Community College Vocational Nursing Program's request to admit one full-time class of 15 students commencing on January 28, 2019, graduating on May 30, 2020, to replace the class that graduates on December 13, 2018.
2. Continue to require the program to admit no additional classes without prior approval by the Board.
3. Require the director to document that adequate resources, i.e. faculty and facilities, are available to support each requested class of students.

4. Require the program to submit a comprehensive analysis of the program in three months, but no later than November 30, 2018. 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
5. Require the program to comply with all statutes in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and regulations in Article 5 of the California Code of Regulations, Title 16, Section 2526.
6. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
7. Place the program on the Board's February 2019 agenda for reconsideration of provisional approval.

History of Prior Board Actions

(See Attachment A, for History of Prior Board Actions)

Enrollment

Palo Verde Community College offers a full-time traditional (TR) course of instruction that is three semesters (54 weeks) in length and has curriculum for a fast-track (FT) class that is 42 weeks in length. The fast-track (FT) class has not been offered since 2010. The program must obtain Board approval prior to the admission of all classes.

The following table represents **current and proposed** student enrollment based on the current and proposed class starts and completions. The table indicates a **maximum enrollment of 15 students** for the period **August 2017 through January 2019**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
8/17 FT *[12/18]		9	7	7
	12/18 (8/17 FT Class)		-7	7 - 7 = 0
1/19 FT *[5/20] Proposed		15		0 + 15 = 15

* [] Indicates projected completion date.

Licensing Examination Statistics

The following statistics, furnished by Pearson VUE and published by the National Council of State Boards of Nursing as “Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction” for the period July 2016 through June 2018 specify the pass percentage rates for graduates of the Palo Verde Community 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			
Annual Statistics*			
Quarter	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR § 2530(l)]	Variance from State Average Annual Pass Rate
July – September 2016	80%	75%	+5
October – December 2016	100%	74%	+26
January – March 2017	100%	73%	+27
April – June 2017	100%	74%	+26
July – September 2017	N/A	71%	N/A
October – December 2017	100%	71%	+29
January – March 2018	100%	73%	+27
April – June 2018	100%	76%	+24

*The Annual Pass Rate changes every quarter. It is calculated by dividing the number of candidates who passed during the current and previous three (3) 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(l) 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 (April through June 2018), the program’s average annual pass rate is 100%. The California average annual pass rate for graduates from approved

vocational nursing programs who took the NCLEX-PN® licensure examination for the first time during the same period is 76%. The average annual pass rate for the Palo Verde Community College Vocational Nursing Program is **24 percentage points above** the state average annual pass rate.

Faculty and Facilities

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

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

The number of Board-approved faculty totals four, including the director. Of these faculty, four are designated to teach clinical. The director has 75% administrative and 25% teaching duties. Submitted information confirms the stability of program faculty.

Based on a maximum proposed enrollment of 15 students, one instructor is required for clinical supervision. Submitted documentation indicates the number of current faculty is adequate for the current and proposed enrollment.

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

“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.”

Submitted documentation indicates that the program has sufficient clinical facilities to afford the number, type and variety of patients that will provide clinical experience consistent with Board-approved competency-based objectives and theory being taught for current and proposed students.

Other Considerations

As reported to the Board on February 13, 2015, an unannounced program inspection was conducted on December 3, 2014. A total of 12 violations were identified. When the program was placed on provisional approval, three violations had been corrected, eight violations had plans of correction that, if implemented, would prevent future occurrence of those violations, and one violation, regarding an unapproved instructional plan, remained uncorrected.

On February 5, 2016, the Board approved the program’s major revision of the instructional plan, to include 1668 hours (Theory-684; Clinical -984).

On October 5, 2016, the program submitted a follow-up report on the remaining eight violations. Three violations were corrected.

On November 28, 2016, the program director submitted a follow-up report on the remaining five violations. Four violations were corrected and one violation remained uncorrected regarding the program director actively administering the program.

On February 10, 2017, the Board extended provisional approval for the period of one year from February 28, 2017 through February 27, 2018 due to noncompliance with regulatory requirements.

On June 28, 2017, the program director informed the Board that ten students who graduated on June 3, 2017, had not completed their program hours. The program director submitted a student list of the missed hours to the Vice President of Instruction, Sean Hancock.

On July 1, 2017, the program director resigned from the program.

On July 20, 2017, a phone discussion was held with the Vice President of Instruction, Sean Hancock, regarding the Board requirement of a program director and the concern of the ten students who were missing program hours. Dr. Hancock stated the school is actively looking for a new program director. He also mentioned he was in contact with the 10 students who are missing program hours and they would be returning to the campus within one week to schedule the make-up hours. In addition, he verbalized understanding of the Board requirements for the completion of faculty and facility evaluations as per the program's methodology for evaluating faculty and facility sites.

On September 11, 2017, the Vice President of Instruction, submitted a spreadsheet with the completed make-up hours for the ten students who were missing hours. The applications for the NCLEX-PN® licensure exam was submitted to the Board once the program hours were completed.

On October 13, 2017, Dr. Hancock notified the Board of a potential program director candidate. The candidate is awaiting licensure by endorsement from the California Board of Registered Nursing.

On November 6-7, 2017, an unannounced school visit was conducted by the NEC, three violations were identified.

On November 14, 2017, the *Notice of Violations* letter was sent certified mail.

On December 1, 2017, Dr. Hancock submitted the required program analysis report.

On December 7, 2017, Dr. Hancock notified the Board, during a telephone conversation, the initial candidate for the director position had withdrawn the application for the position. Dr. Hancock was encouraged not to continue the upcoming semester, beginning on January 22, 2018, without a program director.

On January 16, 2018, a new program director was approved.

On April 24, 2018, the director submitted documentation which corrected two violations identified during the unannounced visit in November 2017.

Based on the foregoing, the following three violations are corrected:

Section 2529(b) of the California Code of Regulations states:

“Each vocational nursing program shall have one faculty member, designated as director who meets the requirements of subsection (c) (1) herein, who shall actively administer the program. The director is responsible for compliance with all regulations in Chapter 1, Article 5 (commencing with Section 2525 et seq).”

Violation #1: The program does not have a Board approved program director to actively administer the program.

Status: The violation **is corrected**.

A program director was approved on January 16, 2018.

Section 2530(e) of the California Code of Regulations states:

“Each instructor shall have a daily lesson plan which correlates the theory and practice offered to the student. A copy of this plan shall be available to the director.”

Violation #2: The program failed to provide lesson plans for the first semester of the program. A binder was presented with lesson plans for semester two and three only.

Status: This violation **is corrected**.

On April 24, 2018, the program director submitted lessons plans for semester one.

Section 2534(c) of the California Code of Regulations states:

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

Violation #3: The program failed to provide clinical facility evaluations to determine if the clinical objectives can be achieved, as prescribed by regulation. The programs current methodology for evaluating clinical facilities is to evaluate all clinical facilities at the end of each semester.

Status: This violation **is corrected**.

On April 24, 2018, the program director submitted clinical evaluations for all approved clinical sites utilized within the program.

Recommendations:

1. Approve the Palo Verde Community College Vocational Nursing Program's request to admit one full-time class of 15 students commencing on January 28, 2019, graduating on May 30, 2020, to replace the class that graduates on December 13, 2018.
2. Continue to require the program to admit no additional classes without prior approval by the Board.
3. Require the director to document that adequate resources, i.e. faculty and facilities, are available to support each requested class of students.
4. Require the program to submit a comprehensive analysis of the program in three months, but no later than November 30, 2018. 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
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 - 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
5. Require the program to comply with all statutes in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and regulations in Article 5 of the California Code of Regulations, Title 16, Section 2526.
6. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
7. Continue to place the program on the Board's February 2019 agenda for reconsideration of provisional approval.

Rationale: The program has demonstrated full compliance with Article 5 of the Vocational Nursing Rules and Regulations after correction of the three violations identified during the unannounced school visit on November 6-7, 2017.

Based on published examination statistics, the program's average annual pass rate has been compliant with regulatory requirements for the last eight quarters (July 2016 – June 2018).

The program has provided documentation of adequate faculty and clinical facilities to meet the program's clinical objectives and student learning needs.

Board staff will continue to closely monitor the program's progress by monitoring faculty, average annual pass rates, resources when requesting students, Annual Reports, and the comprehensive analysis report.

Attachment A: History of Prior Board Actions

Agenda Item #16.D.1., Attachment A

Palo Verde College Vocational Nursing Program

History of Prior Board Actions

- On September 22, 1995, the Board approved commencement of 15 students in the Palo Verde Community College Vocational Nursing Program effective October 1995. The program is 54 weeks long.
- On November 17, 1995, the Board approved a revised start date of the initial class for January 1996, contingent upon Board approval of one full-time instructor and one part-time instructor by December 15, 1995.
- On June 27, 1997, the Board accredited the Palo Verde College Vocational Nursing Program, retroactive to the initial class which began January 23, 1996. Additionally, the Board approved admission of a second class of 15 students beginning on August 19, 1997. The Board required the program to obtain prior approval to start a third class after August 19, 1997.
- On April 25, 2000, a notification of violation was sent to the Palo Verde College Vocational Nursing Program. The director was asked to amend the admission date of the fourth class in order to have prior Board approval in place.
- On November 16, 2001, the Board approved the program's request to replace students who graduate on December 20, 2001, with 15 students commencing on January 22, 2002, only.
- On June 28, 2002, the Board approved continued full accreditation for the Palo Verde Community College Vocational Nursing Program for the four-year period from June 28, 2002, to June 28, 2006, and issued a certificate accordingly.
- On June 20, 2003, the Board approved the program's request to admit a full-time class of 15 students starting August 18, 2003, to replace the class that graduated June 7, 2003.

The Board also approved the program's request to admit 15 students on an ongoing basis every third semester, excluding summer session starting on August 18, 2003.

- On May 14, 2004, the Board approved the Palo Verde Community College Vocational Nursing Program's request to admit a Fast-track class of 15 students on August 23, 2004, only, with a projected graduation date of July 20, 2005. On September 16, 2005, the Board approved the program's request to admit 15 students into the Fast-track class on August 23, 2005, only, to replace the students that graduate July 22, 2005.

- On April 12, 2006, the Board approved continued full accreditation for the Palo Verde Community College Vocational Nursing Program for the four-year period from June 28, 2006, to June 27, 2010, and issued a certificate accordingly.

The Board also approved the program's request to admit 15 students into the fast track class starting August 22, 2006, to replace students graduating on July 20, 2006.

Lastly, the Board approved ongoing admissions in the Fast-track class to replace graduating classes, only, for the Palo Verde Community College Vocational Nursing Program with the following stipulations:

- a. No additional classes are added to the program's current pattern of admissions without prior Board approval. The program's current pattern of admissions includes one part-time class of 15 students admitted every three semesters and one full-time fast track class of 15 students admitted every year.
 - b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
- On July 2, 2008, the Executive Officer approved the program's request to increase class size to 22 students for the fast track class beginning on August 19, 2008, and approved 22 students for the traditional class beginning on August 18, 2009, thereby increasing the class size from 15 to 22 students per class.
 - **On September 10, 2009, a new program director was approved.**
 - On May 26, 2010, the Board received the Program Records Survey and supporting documents.
 - On July 10, 2010, the Executive Officer approved continued full accreditation for the Palo Verde Community College Vocational Nursing Program for the period June 28, 2010 through June 27, 2014 and issue a certificate accordingly; and, approved the program's current pattern of admissions to include:
 - a. Ongoing admission of 22 students every three (3) semesters, excluding summer session in the traditional class.
 - b. Ongoing admission of 22 students into the fast-track class every year.
 - On July 18, 2014, the Executive Officer approved continued full approval for the Palo Verde Community College Vocational Nursing Program for the period June 28, 2014 through June 27, 2018 and issued a certificate accordingly; **and**, revoked the program's ongoing admissions; **and**, required the program to obtain Board approval prior to the admission of future classes; **and**, required the program to investigate the root cause(s) of the low licensure pass rates and submit a written report identifying the cause(s) and plan to correct the identified problem(s) by August 15, 2014.

- On October 14, 2014, the director submitted the “root cause analysis” as designated above. Note: the due date was extended to allow the director time to return from sick leave and investigate the issue(s).
- On December 3, 2014, Board consultants made an unannounced site visit. Twelve (12) violations were identified.
- On December 11, 2014, the Board sent a notice of violations to the program. The program was advised to submit a plan to correct the violations by January 9, 2015 (2 violations) and January 16, 2015 (remaining 10 violations).
- On January 9, 2015, the director submitted her response to correct identified violations.
- On January 20, 2015, the director submitted her response to correct the remaining violations.
- On February 13, 2015, the Board approved the following:
 1. Place Palo Verde Community College, Vocational Nursing Program on provisional approval for two (2) year period from February 13, 2015, through February 28, 2017 and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in section 2526.1 (e) of the California Code of Regulations.
 2. Approve the program’s request to admit 15 students on August 17, 2015; graduating December 15, 2016 replacing the class that is scheduled to graduate June 5, 2015, **contingent** on the following:
 - a. The program uses the Board approved curriculum **or** submits for Board approval a revised curriculum by **May 30, 2015**.
 - b. The program submits lesson plans consistent with the curriculum to be used for Board approval by **May 30, 2015**.
 3. Require the program director to submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by **September 1, 2015**.
 4. Require the program to admit no additional classes without prior approval by the 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 submit a follow-up report in eight (8) months but no later than **November 1, 2015** and in 22 months but no later than **November 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.
 - i. Evaluations of Theory and Clinical Faculty.
 - ii. Evaluations of Theory Presentations.
 - iii. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - iv. Evaluation of Student Achievement.
7. Require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2525.
 8. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
 9. Failure to take any of these corrective actions may cause the Board to revoke the program's approval.
 10. Place the program on the **February 2017** Board agenda for reconsideration of provisional approval.

- **On July 6, 2015, the Board approved a new director.**
- On July 16, 2015, the program submitted a request to delay the August 17, 2015 admission until January 2016.
- On December 7, 2015, the program submitted the required comprehensive analysis.
- On December 23, 2015, the program submitted the final draft of the new curriculum.
- On January 16, 2018, a new program director was approved.
- On February 5, 2016, the Board **approved** the Palo Verde Community College Vocational Nursing Program's major revision of its curriculum, including its revised Instructional Plan, to include 1668 hours (Theory – 684; Clinical – 984); **and**, **approved** the program's request for approval to admit one (1) class of **15** students beginning January 25, 2016, graduating June 3, 2017, **only**; **and**, required the program director to submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by **February 15, 2016**; **and, required** the program to admit no additional classes without prior approval by the Board.

- On February 10, 2017, the Board continued provisional approval for the Palo Verde Community College Vocational Nursing Program for the period of February 28, 2017 through February 27, 2018, and issued a certificate accordingly, **and**; approved the program's request to admit one (1) class of 15 students beginning August 14, 2017, graduating December 14, 2018, to replace the class that graduates June 3, 2017, **and**; required the program director to submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by September 1, 2017, **and**; continued to require the program to admit no additional classes without prior approval by the Board, **and**; required the program to submit a follow-up report in nine (9) months, but no later than November 1, 2017 and in 21 months, but no later than November 1, 2018, **and**; placed the program on the Board's February 2018 agenda for reconsideration of provisional approval, **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 California Code of Regulations, Title 16, Section 2526, **and**; required the program to demonstrate sustained progress in correcting the remaining violation. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
- On February 9, 2018, the Board continued provisional approval for the Palo Verde Community College Vocational Nursing Program for the period of February 27, 2018, through February 28, 2019, and issued a certificate accordingly, **and**; continued to require the program to admit no additional classes without prior approval by the Board, **and**; required the director to document that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students, **and**; required the program to maintain an average annual pass rate that is no more than ten (10) percentage points below state average annual pass rates, **and**; required the program to submit a comprehensive analysis program report in eight (8) months, but no later than November 1, 2018, **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 California Code of Regulations, Title 16, Section 2526, **and**; required the program to demonstrate sustained progress in correcting the remaining violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval, **and**; continued to place the program on the Board's February 2019 agenda for reconsideration of provisional approval.