



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
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DATE	June 13, 2023
TO	Education and Practice Committee
REVIEWED BY	Beth DeYoung, MPH, RN Supervising Nursing Education Consultant (SNEC)
PREPARED BY	Jessica Gomez MBA/HCM, MSN, RN Nursing Education Consultant (NEC)
SUBJECT	Consideration of Recommendation to Rescind the Program's Pattern of Admission
PROGRAM	Unitek College, Hayward, Vocational Nursing Program (Program) (Program Director: Sophia Brown, Hayward, Alameda County, Private)

Please note: The NECs make recommendations. The recommendations are forwarded to the Executive Officer for review, and/or the Education and Practice Committee for review and recommendation, or the full Board for action.

BACKGROUND:

From October 15, 2020, through July 19, 2022, the Program has had four Program Directors approved.

On September 7, 2022, the Program Director submitted a Continuing Approval Survey with supporting documents for review. A site visit was conducted on October 24 and 25, 2022. The Program was reviewed to determine compliance with Article 5 of California Code of Regulations, Title 16. Six violations were identified. Violation number two identified the lack of resources, specifically instructors (see attachment B).

During the October 24 and 25, 2022 program site visit, the students and faculty were interviewed. Both students and faculty complained about the lack of instructors. The instructors stated they were unhappy with the Program, there are not enough instructors, and they are forced to work extra shifts. Ten students stated they would not recommend the Program because it was disorganized. Students noted that because there were not enough instructors, their maternity clinical rotation was delayed due to a lack of a maternity instructor to teach the class. All term three students stated they have only passed medications one time during their clinical experience. The students stated they are concerned they will not be proficient in passing medications upon completion of the Program.

On October 28, 2022, the Notice of Violation letter was sent to the Program Director via email (see Attachment B).

On November 4, 2022, the Provost and Chief Academic Officer identified five new faculty that were approved between October 28, 2022, and November 3, 2022. Of the

five new faculty, three have resigned and two additional faculty members have also resigned.

On November 17, 2022, the Program submitted an in-depth response to the violations. All six identified violations were considered corrected (see Attachment C).

On February 28, 2023, the assigned NEC received notice that the Program would be holding “in-house clinical” (skills lab) due to the instructor being ill. The Program was unable to find an instructor to attend the in-person clinical experience.

On March 10, 2023, the Program Director submitted notification to the assigned NEC that she was unable to find a clinical instructor to cover in-person clinical; however, she could offer the students “in-house clinical” (skills lab).

On May 12, 2023, emails from the Program Director identified a continued lack of instructors to provide the cohort, Hayward Six, in-person clinical experiences due to the resignation of an instructor. Two per-diem substitute instructors were identified who were unable to go to the in-person clinical site in Pittsburg but who would teach students in the skills lab. The Program Director notified the Board’s assigned NEC that she had a plan to rotate the students, so each student would be scheduled for additional skills lab time, and they would have a loss of in-person clinical experiences. The assigned NEC “highly suggested” to the Program Director in an email to hold the projected May starts until all Hayward cohorts had adequate faculty. No response was received from the Program Director.

On May 25, 2023, two part time instructors were approved in accordance with California Code of Regulations, Title 16, Section 2529.

On May 26, 2023, the Unitek College Program Administration met with the NEC via a Teams meeting. The Program Administration presented a PowerPoint presentation which identified their plan to hire instructors. The plan identified the same goals and strategies as the PowerPoint presented in November 2022 to the assigned NEC. Positive results regarding hiring available and Board approved faculty were identified for a different Unitek campus. No improvement or changes were identified for the Hayward campus. The issue that per-diem faculty covering clinical will not go to the clinical site was discussed. During the meeting the Program Director and Program Administration were notified that a report would be written and submitted to the Board requesting consideration of removal of the Program’s pattern of admission.

STAFF ANALYSIS:

The NEC reviewed and analyzed the documents and emails provided by the Program Director and maintained in the BVNPT’s program file to verify resources. It was noted, specifically, that there is inadequate faculty to accommodate the students’ learning needs and the inability to meet the Program’s approved objectives, which is a violation of California Code of Regulation, Title 16, sections 2530(a) provide:

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

Evaluation of the Program’s instructor turnover rate as identified at the time of this report:

- 1- Thirty-three instructors have been hired since January 2020. As of this report, 14 of these instructors are still teaching, two are currently identified as per diem and 17 were hired as part-time.
- 2- Due to the identified violation number two, during the Program site inspection, on October 24 and 25, 2022, seven instructors were approved between October and November 2022. Of the seven instructors, three were terminated by February 2023.
- 3- Seven instructors have been approved in 2023, two of which were approved on May 12, 2023, and of these seven, two have been terminated.
- 4- Four instructors identified in the total number of instructors have not taught within the last 24 months.

STAFF RECOMMENDATIONS:

1. Rescind Unitek College, Hayward’s current Board-approved pattern of admission which includes:
 - a. Three 46-week full-time day classes of 36 students per year to replace graduating students.
 - b. One 62-week full-time evening class of 36 students per year.
 - c. Two 75-week part-time evening weekend classes of 36 students to replace graduating students, only.
2. Place the Program on the August 2023 Board meeting agenda for Consideration to Rescind the Program’s Pattern of Admission.

PROGRAM REQUIREMENTS

1. Notify the NEC in the event a current class is displaced from clinical sites.
2. Obtain BVNPT approval prior to the admission of each class in accordance with 16 CCR 2530.
3. Require the Program, when requesting approval to admit students, to:

- a. Submit completed documentation in final form, using forms provided by the BVNPT, no later than two months prior to the requested start date for the proposed class.
 - b. Provide documentation that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students as required by California Code of Regulations, Title 16, Section 2530(k).
 - c. Maintain an average annual pass rate that is compliant with California Code of Regulations, Title 16, Section 2530(l).
4. Comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at California Business and Professions Code Section 2880, and Article 5 of the California Code of Regulations, Title 16.

RELEVANT PROGRAM ELEMENTS

Enrollment

California Code of Regulations, Title 16, Section 2530(k) states:

“The program shall have prior Board approval to increase the number of students per class and/or increase the frequency of admission of classes. Criteria to evaluate a school's request to increase the number of students per class and/or increase the frequency of class admissions include but are not limited to: (1) Sufficient program resources as specified in Section 2530(a). (2) Adequacy of clinical experience as specified in Section 2534. (3) Licensure examination pass rates as specified in Section 2530(l).”

The Program is approved to offer a pattern of admission which includes:

- Three 46-week full-time day classes of 36 students per year to replace graduating students
- One 62-week full-time evening class of 36 students per year.
- Two 75-week part-time evening weekend classes of 36 students to replace graduating students, only.

The following table represents current student enrollment based on current class starts and completion dates. The table indicates a maximum enrollment of 187 students for the period November 2021 through May 2023.

ENROLLMENT DATA TABLE

Class Start Dates	Class Completion Dates	Number of Students Admitted	Number of Students Current	Number of Graduated	Total Enrolled
11/21 PT Eve *(5/23)		36	25		25
5/22 FT Day *(5/23)		36	16		25+ 16 = 41
5/22 PT Eve *(12/23)		26	25		41 + 25 = 66
Eve *(11/23)		23	22		66 + 22 = 88
9/22 FT Day *(9/23)		36	32		88 + 32 = 120
2/23 FT Day *(2/24)		36			120 + 36 = 156
	5/23 (11/21)			-25	156 – 25 = 131
	5/23 (5/22)			-16	131 – 16 = 115
5/23 FT Day *(5/24)		36			115 + 36 = 151
5/23 PT Eve *(12/24)		36			151 + 36 = 187

*Indicates projected graduation date

Licensing Examination Statistics

California Code of Regulations, Title 16, 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.”

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 April 2021 through March 2023, specify the pass percentage rate for graduates of the Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®) and the variance from the state average annual pass rates.

NCLEX-PN® LICENSURE EXAMINATION DATA

Quarterly Statistics					Annual Statistics		
Quarter	# Candidates in Quarter	# Passed in Quarter	% Passed in Quarter	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate CCR §2530(l)	Variance from State Average Annual Pass Rate
Apr – Jun 2021	33	23	70%	72%	74%	74%	0
Jul – Sep 2021	24	21	88%	70%	74%	72%	+2
Oct – Dec 2021	23	17	74%	73%	74%	72%	+2
Jan – Mar 2022	19	17	89%	76%	79%	73%	+6
Apr- -Jun 2022	33	20	61%	70%	76%	72%	+4
Jul – Sep 2022	54	38	70%	71%	71%	72%	-1
Oct – Dec 2022	35	30	86%	75%	74%	73%	+1
Jan – Mar 2023	8	6	75%	73%	72%	72%	0

*The Annual Pass Rate changes every quarter. It is calculated by dividing the number of candidates who passed during the current and previous three quarters by the number of candidates who tested during the same period. If no data is available for the relevant period, the statistic is carried over from the last quarter for which data is available.

Based on the most current data available (January– March 2023), the Program’s average annual pass rate is 72 percent. 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 72 percent. The average annual pass rate for the Program is equal to the state average annual pass rate.

Faculty and Facilities

California Code of Regulations, Title 16, Section 2534(d) states:

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

The current number of approved faculty totals 22, including the Program Director. The Program Director has 100 percent administrative duties. Of the total faculty, 19 are designated to teach clinical. All the Program’s verified clinical facilities are approved for 12 students or less. Based upon a maximum proposed enrollment of 187 students, 16 instructors are required for clinical supervision. The utilization of faculty at clinical facilities appears that clinical instruction is covered adequately.

The identified issue of inadequate instructors is recurrent from October 2022 through May 2023. Where violation number two from the Program’s continued approval in October 2022 was identified in the Notice of Violation, (see Attachment B), as

corrected due to the hiring of five instructors in October and November of 2022, evidence of the lack of adequate instructors to meet in-person clinical experiences for students continues through May 2023, identified by emails provided by the Program Director.

California Code of Regulations, Title 16, Section 2534(b) 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.”

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

ATTACHMENTS:

Attachment A: Program History

Attachment B: Notice of Violations 10.28.22

Attachment C: Unitek Hayward Response 11.17.22

**UNITEK COLLEGE HAYWARD
VOCATIONAL NURSING PROGRAM**

Program History

- On February 8, 2002, the Board approved commencement of the Nursing Care Providers, Hayward, Vocational Nursing Program with 1,558 hours (586 theory and 972 clinical) on February 25, 2002. An initial class of 30 students was authorized.
- On November 8, 2002, the Board granted full accreditation for Nursing Care Providers, Hayward, Vocational Nursing Program for a four-year period from February 25, 2002, through November 7, 2006, and issued a certificate accordingly.

Additionally, the Program was approved to admit a full-time class of 30 students starting January 27, 2003, to replace students graduating February 8, 2003, only.

- On June 20, 2003, the Board approved the Program's request to increase frequency of admissions by admitting an additional full-time class with 30 students commencing July 19, 2003, only.
- On November 19, 2003, the Board approved the Program's request to admit a full-time class of 30 students starting January 12, 2004, only, to replace students who graduated on December 19, 2003.
- On February 20, 2004, the Board approved the Program's request to begin a part-time class of 30 students starting April 27, 2004, only, and graduating August 25, 2005.
- On May 14, 2006, the Board approved the Program's request to admit 30 students into the full-time class starting June 28, 2004, to replace students graduating June 4, 2004.

Additionally, the Board approved a pattern of admission to replace graduating classes only, for the Nursing Care Providers, Hayward, Vocational Nursing Program with the stipulation that no additional classes are added to the Program's current pattern of admission without prior Board approval. The Program's current pattern of admission includes two full-time classes and two part-time classes per calendar year with 30 students per class.

- On September 8, 2006, the Board approved continued full accreditation of the Nursing Care Providers, Hayward, Vocational Nursing Program for a four-year period, from November 6, 2006, through November 5, 2010, and issued a certificate accordingly.

- On August 23, 2007, a new Program Director was approved.
- On January 15, 2008, the Program Director notified the Board that the Program name had formally been changed to NCP College of Nursing, Hayward Vocational Nursing Program. On July 2, 2008, the Executive Officer approved the Program's request to admit 45 students into the full-time class commencing July 21, 2008, thereby increasing the class size from 30 to 45 students per class.
- On December 8, 2008, the Executive Officer approved the Program's request to increase the maximum enrollment per full – time class from 30 to 45 students to replace graduating students only. Additionally, the Program's request to increase the maximum enrollment per part – time class from 30 to 45 students to replace graduating students only, was approved.
- On August 18, 2009, the Executive Officer approved NCP College of Nursing, Hayward, Vocational Nursing Program's request to commence a part–time evening class of 45 students on October 6, 2009, with a projected graduation of May 31, 2011.
- On May 26, 2010, a new Program Director was approved.
- On September 16, 2010, the Program submitted the Program Records Survey for continued approval.
- On October 14, 2010, the Board approved continued full accreditation for the Nursing Care Providers, Hayward, College Vocational Nursing Program for the period November 6, 2010, through November 5, 2014, and issued a certificate accordingly, and, continued to approve the Program's current pattern of admission which includes:
 1. Pattern of admission of 45 students into the two full-time classes each year to replace graduating students, only.
 2. Pattern of admission of 45 students into the two part-time classes each year to replace graduating students, only.
- On May 12, 2012, the Executive Officer approved the Program's major revision of its full - time curriculum to include 1564 hours (Theory - 604; Clinical – 960). approved the Program's revised full–time instructional plan, approved the Program's major revision of its part - time curriculum to include 1564 hours (Theory - 604; Clinical – 960) and approved the Program's revised part-time instructional plan.
- On December 6, 2012, the Executive Officer rendered the following decisions.
 1. Deny the NCP College of Nursing, Hayward, Vocational Nursing Program's request to admit 30 full-time students on May 20, 2013.
 2. Approve the Program's request to modify its pattern of admission pattern by phasing out all part-time classes.

3. Deny increasing the number of full-time classes from two to three full-time classes per year to replace graduating students.
 4. Rescind all previous approvals for a pattern of admission of full-time and part-time classes.
 5. Approve the pattern of admission of two full-time classes per year to replace graduating students with the following stipulations:
 - a. No additional classes are added to the Program's approved pattern of admission without prior Board approval. The Program's pattern of admission includes admission of two full-time classes per year with 45 students per class.
 - b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - c. The Program's average annual pass rates remain compliant with regulatory requirements.
- On February 22, 2013, the Board:
 1. Denied the NCP College of Nursing, Hayward, Vocational Nursing Program's request to admit 30 full-time students on May 20, 2013.
 2. Approved the Program's request to modify its pattern of admission by phasing out all part-time classes.
 3. Denied the Program's request to increase the number of full-time classes from two to three full-time classes per year to replace graduating students.
 4. The pattern of admission listed in Recommendation #5 below supersedes all previous approvals for a pattern of admission of full-time and part-time classes.
 5. Approved a pattern of admission of full-time classes to replace graduating students with the following stipulations:
 - a. No additional classes are added to the Program's approved pattern of admission without prior Board approval. The Program's pattern of admission includes admission of full-time classes not to exceed admission of 90 students per year. The Board delegates approval of the configuration of those classes to the Executive Officer after receiving additional supporting information from the Program Director.
 - b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - c. The Program's average annual pass rates remain compliant with regulatory requirements.
 - On March 26, 2013, the Executive Officer approved the following recommendations for the Program
 1. Approved pattern of admission of three full-time classes per year to replace graduating students with the following stipulations:
 - a. No additional classes are added to the Program's approved pattern of admission without prior Board approval. The Program's pattern of admission includes admission of three full-time classes per year with 30 students per class.

- b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - c. The Program's average annual pass rates remain compliant with regulatory requirements.
- 2- Notice to NCP College of Nursing Vocational Nursing Program for the violation of California Code of Regulations, Title 16, Section 2534(a) and Section 2534(b).
- On May 22, 2014, the Executive Officer approved the following:
 1. Approved the Program's request to increase the Program's approved class size from 30 to 36 students per class effective with the class beginning on May 26, 2014.
 2. Modified the Program's pattern of admission of three (3) full-time classes per year to replace graduating students with the following stipulations:
 - a. No additional classes are added to the Program's approved pattern of admission without prior Board approval. The Program's pattern of admission includes admission of three full-time classes per year with 36 students per class.
 - b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - c. The Program's average annual pass rates remain compliant with regulatory requirements.
- On November 28, 2014, the Board received final submissions for the Program Record Survey, including revised
 1. Conceptual Framework
 2. Methodology for Evaluation of Clinical Facilities
 3. Credit-Granting Policy
- On December 15, 2014, the Executive Officer approved the following recommendations:
 1. Continued approval of the NCP College of Nursing, Hayward, Vocational Nursing Program for the period November 6, 2014, through November 5, 2018, and directed staff to issue a certificate accordingly.
 2. Continued approval of the Program's pattern of admission to replace graduating students, with the following stipulations:
 - a. No additional classes are added to the Program's pattern of admission without prior Board approval. The Program's pattern of admission includes admission of three (3) full-time classes per year with 36 students per class.
 - b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - c. The Program maintains an average annual pass rate that is compliant with regulatory requirements.
- On December 26, 2014, the NCP, Hayward, Vocational Nursing Program was acquired by Unitek College.

- On January 14, 2015, the Board was notified by Unitek College of the intent to implement the Board – approved Unitek Vocational Nursing curriculum at NCP, Hayward.
- On January 21, 2015, the Unitek College Vocational Nursing Program Director was approved as the Program Director of the NCP, Hayward, Vocational Nursing Program.
- On February 25, 2015, The Executive Officer approved the NCP College of Nursing, Hayward, Vocational Nursing Program’s major revision of its curriculum to include 1569 hours (Theory – 603; Clinical – 960); and approved the Program’s revised instructional plan.
- On May 19, 2016, the Executive officer approved:
 - 1- Approved Unitek College Vocational Nursing Program’s request to admit 36 part-time evening students to commence on July 25, 2016 and expected to graduate on December 01, 2017. This is not a replacement class.
 - 2- Approved the Program’s request to add to the current pattern of admission an evening class to replace graduating classes only, with the following stipulations.
 - a. No additional classes are added to the Program’s approved pattern of admission without prior Board approval. The Program’s approved pattern of admission includes three (3) full-time classes of 36 students per year to replace graduating students; and one part – time evening class of 36 students to replace graduating students only.
 - b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - c. The Program’s average annual pass rates remain compliant with regulatory requirements.
- On November 2, 2017, the Interim Executive Officer rendered the following decisions:
 1. Denied Unitek College, Hayward, Vocational Nursing Program’s request to admit 36 part-time evening students to commence on October 31, 2017 and expected to graduate on July 13, 2019. This is not a replacement class.
 2. Continued the Program’s approval for a pattern of admission to replace graduating classes only, with the following stipulations.
 - a. No additional classes are added to the Program’s approved pattern of admission without prior Board approval.
 - b. The Program’s approved pattern of admission includes three (3) full-time classes of 36 students per year to replace graduating students; and one part – time, 64-week evening class of 36 students to replace graduating students.

- The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
- The Program's average annual pass rates remain compliant with regulatory requirements.
- Required the Program Director to submit a report to the Board no later than December 1, 2017. 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. 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 Plan for Each Course.
 - h. Textbooks.
 - i. Attendance Policy.
 - j. Remediation Policy.
 - k. Evaluation of Theory and Clinical Faculty.
 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - n. Evaluation of Students Achievements.
 - o. Current Enrollment.
- On November 22, 2016, a new Program Director was approved.
- On April 9, 2018, the Executive Officer rendered the following decisions:
 1. Approved the Program Director's request for a major curriculum revision with 1620 total Program hours, to include 660 theory and 960 clinical hours. The clinical hours include 88 simulation hours.
 2. Rescinded the Program's approval for a pattern of admission to replace graduating classes and required the Program to obtain Board approval prior to the admission of each class.
 3. Approved the Program's projected FT-day class of 36 students to commence June 25, 2018, with an expected graduation date of July 25, 2019. The class will replace the class that graduates June 1, 2018.
 4. Denied the Program's projected FT-day class of 36 students to commence on September 24, 2018, with an expected graduation date of October 4, 2019. The class will replace the class that graduates on August 31, 2018.
 5. Required to Program to obtain Board approval prior to the admission of each class.
- On November 2, 2017, a new Program Director was approved.

- On September 4, 2018, the Executive Officer rendered the following decisions:
 1. Approved the Program request to admit a class of 36 full-time day students, to commence September 24, 2018, with a graduation date of September 11, 2018, only; the students will replace the class graduating on August 31, 2018.
 2. Continued to require the Program to obtain Board approval prior to the admission of each class.

- On November 6, 2018, the Executive Officer rendered the following decisions:
 1. Granted full approval for the Unitek College Hayward, Vocational Nursing Program for a period for the four-year period beginning on November 5, 2018 and issued a certificate accordingly.
 2. Approved the Program's request to admit a class of 36 full-time day students, to commence February 18, 2019, only, with a graduation date of February 14, 2020, the students will replace the class that graduates on February 15, 2019.
 3. Approved the Program's request to admit a class of 36 full-time students to commence on June 20, 2019, only, with a graduation date of May 15, 2020, to replace the class of students that graduate on May 15, 2019.
 4. Continued to require the Program to obtain approval prior to the admission of each class.
 5. Required 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 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. Ensure that the Program maintains an average annual pass rate that is compliant with California Code of Regulations, Title 16, Section 2530(l).
 7. Continued to require the Program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the California Code of Regulations, Title 16.

- On June 14, 2019, the Executive Officer rendered the following decisions:
 1. Approved the Program's request to admit a class of 36 full-time day students, to commence August 26, 2019, only, with a graduation date of December 4, 2020. The students will replace the class that graduates in August 2019.
 2. Approved the Program's request for a pattern of admission to replace graduating classes only, with the following stipulations.
 - a. No additional classes are added to the Program's approved pattern of admission without prior Board approval. The Program's approved pattern of admission includes three, 46-week full-time day classes of 36 students per year to replace graduating students; and one 46-week full-time evening class of 36 students per year, to replace graduating students, only.
 - b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.

- c. The Program's average annual pass rates remain compliant with regulatory requirements.
 - 3. 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 California Code of Regulations, Title 16.
- On February 6, 2020, the Executive officer rendered the following decisions:
 - 1. Approved the Program's request to admit a class of 36 part-time evening students, to commence April 27, 2020, with a graduation date of October 30, 2021.
 - 2. Approved the addition of a requested class to the Program's pattern of admission to replace graduating students only, with the following stipulations.
 - a. No additional classes are added to the Program's approved pattern of admission without prior Board approval. The Program's approved pattern of admission includes three, 46-week full-time day classes of 36 students per year to replace graduating students; one 62-week full-time evening class of 36 students per year, and two 75-week part-time evening weekend classes of 36 students to replace graduating students, only.
 - b. The Program is not to exceed five actively enrolled classes at one time.
 - c. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - d. The Program's average annual pass rates remain compliant with regulatory requirements
 - 3. 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 California Code of Regulations, Title 16.
- On October 15, 2020, a new Program Director was approved.
- On May 4, 2021, a new Program Director was approved.
- On June 30, 2021, a new Program Director was approved.
- On July 19, 2022, a new Program Director was approved.
- On November 29, 2022, the Executive Officer rendered the following decisions:
 - 1. Granted continued full approval for the Unitek College, Hayward, Vocational Nursing Program for a four-year period beginning November 5, 2022, and issue a certificate accordingly.
 - 2. Required the Program to comply with all requirements listed below.

PROGRAM REQUIREMENTS

1. Notify the NEC in the event a current class is displaced from clinical sites.
 2. Continue a pattern of admission to replace graduating students only, with the following stipulations.
 - a. No additional classes are added to the Program's approved pattern of admission without prior Board approval. The Program's approved pattern of admission includes three 46-week full-time day classes of 36 students per year to replace graduating students; one 62-week full-time evening class of 36 students per year, and two 75-week part-time evening weekend classes of 36 students to replace graduating students, only.
 - b. The Program is not to exceed six actively enrolled classes at one time.
 - c. The Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - d. The Program's average annual pass rates remain compliant with regulatory requirements.
 3. Comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at California Business and Professions Code Section 2880, and Article 5 of the California Code of Regulations, Title 16.
- On May 30, 2023, the Executive Officer rendered the following decisions.
 1. Placed the Program on the Education and Practice Committee Meeting agenda for June 26, 2023, for consideration to rescind the Program's pattern of admission which includes:
 - a. Three 46-week full-time day classes of 36 students per year to replace graduating students,
 - b. one 62-week full-time evening class of 36 students per year, and
 - c. Two 75-week part-time evening weekend classes of 36 students to replace graduating students, only.
 2. Required the Program to comply with all requirements listed below.

PROGRAM REQUIREMENTS

1. Notify the NEC in the event a current class is displaced from clinical sites.
2. Obtain BVNPT approval prior to the admission of each class.
3. Require the Program, when requesting approval to admit students, to:
 - a. Submit all documentation in final form, using forms provided by the BVNPT, no later than two 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.
 - c. Maintain an average annual pass rate that is compliant with California Code of Regulations, Title 16, Section 2530(I).
4. Comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at California Business and Professions Code Section 2880, and Article 5 of the California Code of Regulations, Title 16.
 5. Board staff will continue to monitor the Program's effectiveness by tracking class admissions, the effectiveness of employed interventions, and the Program's licensure examination pass rates each quarter.



October 28, 2022

Sophia Brown
Director, Vocational Nursing Program
Unitek College Hayward
21915 Hesperian Blvd Ste. D.
Hayward CA 94541

Subject: Notice of Violations

Dear Sophia Brown:

On October 20, 2021, a representative of the Board of Vocational Nursing and Psychiatric Technicians (Board) reviewed the submitted documentation by the Program Director. On October 24 and 25, 2022, three Nursing Education Consultants (NEC) conducted an onsite inspection of the Program for continued approval to determine compliance with Article 5 of the California Code of Regulations, Title 16.. Following are the violations identified during the program inspection.

Section 2526(a)(8) of the California Code of Regulations Title 16, states:

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

Violation #1:

The Program Director provided a methodology that indicates “Curriculum is discussed at monthly faculty meetings chaired by Director of Program or designee.”

During instructor interviews and discussions with the Program Director it was identified that the faculty are not part of the curriculum review or development.

During review of the faculty meeting minutes, there was no evidence of a discussion or evaluation of the curriculum.

Status:

The violation is not corrected.

Required Action:

Evaluate, update, and submit the Program’s methodology for curriculum review.

Provide evidence of curriculum review and following the updated curriculum review methodology.

Section 2530(a) of the California Code of Regulations Title 16, states:

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

Violation #2:

During student interviews, the students complained that the maternity nursing class was rescheduled due to lack of OB instructor.

During faculty interviews the faculty discussed lack of instructors for all cohorts.

During the evaluation of the skills lab, it was identified that there were limited medication samples. The majority of the labeled medication drawers were empty in the medication cart for the pharmacology medication administration skills course.

Status:

The violation is not corrected.

Required Action:

Provide a detailed plan to identify the Program’s plan to hire and maintain adequate number of instructors to meet the 1:12 instructor to student ratio required as specified by the Programs facility approval applications.

Provide invoices and photos of adequate resources in the skills lab to meet the Pharmacology medication administration skills lab objectives.

Section 2530(b) of the California Code of Regulations Title 16, states:

“Regular faculty meetings shall be held. Minutes shall be available to the Board’s representatives.”

Violation #3:

Per the Program’s submitted policy, the required sequencing of faculty meetings is monthly.

Documents provided verifies that no faculty meetings were held between May 2022 and October 2022.

Status:

The violation is not corrected.

Required Action:

Develop and submit a plan as to who will attend, and when and where monthly faculty meetings will be held per the Program's approved policy.

Submit meeting minutes and attendance roster for October and November 2022.

Section 2530(h) of the California Code of Regulations, Title 16, states:

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

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

Violation #4:

During student and instructor interviews it was identified that students are assigned written assignments to make up missed clinical hours.

Make-up assignment forms identified students made up missed clinical hours with written assignments.

During student interviews and document review, it was identified that the Program does not correct/return remediation forms to student for review.

Status:

The violation is not corrected

Required Action:

Develop and submit a plan to provide make up hours for clinical and theory per regulation.

Develop attendance record for make-up hours that identify specific type missed hours, number of hours and date missed, objectives missed, date made up.

If written assignment is required by instructor and submitted by the student the assignment should be reviewed by the instructor and returned to student identifying all errors.

Section 2532(c)(d)(e) of the California Code of Regulations, Title 16, states:

- “(c) The school week shall not exceed 40 hours per week.
- (d) School days that consist of class attendance only or a combination of class attendance and clinical experience shall not exceed eight hours in length.
- (e) Students may be assigned to shifts of up to and including 12-hour length for clinical experience, only.”

Violation #5:

Student files identified that students were making up 12 hours in one day which include both theory and clinical.

The specific number of theory or clinical hours missed and the day absent was not identified.

Status:

The violation has not been corrected.

Required Action:

Develop and submit a plan to identify clinical and theory hours to be made up.

The plan is to include:

- 1- Identification of missed theory and/or clinical hours separated.
- 2- Do not have make-up hour greater than eight hours total unless at a clinical site.
- 3- Provide examples of the newly developed clinical and theory make-up sheets.

Section 2534(c) of the California Code of Regulations, Title 16, 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 #6

The evaluation plan submitted in the Program documents for the Program Record Survey did not include facility evaluations.

The Program provided clinical site evaluation that were conducted by other Unitek campuses.

During the student interviews students stated that the clinical sites did not allow them to do anything. They just answer patient call lights and study and look at patient charts.

Students stated that their experience on the evening shift does not provide them opportunities to learn. The day shift experiences are much better.

Status:

The violations are not corrected.

Required Action:

Develop a policy and plan to evaluate all currently approved clinical sites. The evaluation process should include student, instructor, and Program Director input.

Develop and submit documents the Program will use for the evaluation process.

Provide a minimum of evaluation of two facilities by November 17, 2022.

Submit the required action items no later than **November 17, 2022**.

Should further information be needed, please feel free to contact the Board.

Sincerely,

Jessica Gomez

Jessica Gomez MBA/HCM, MSN, RN
Nursing Education Consultant



November 17, 2022

Board of Vocational Nursing and Psychiatric Technicians | Education Division
Jessica Gomez, MBA/HCM, MSN, RN
Nursing Education Consultant

Subject: Notice of Violations Notice for Unitek Hayward Campus Dated October 28, 2022

Dear Ms. Gomez,

Please see the following responses pertaining to the October 28, 2022 BVNPT notice for the Unitek College, Hayward campus, that is due on November 17, 2022. The required evidence is provided as requested for continued approval, in compliance with Article 5 of the Vocational Nursing Rules and Regulations.

Violation #1

Section 2526(a)(8) of the California Code of Regulations Title 16, states:

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

Violation #1

The Program Director provided a methodology that indicates “Curriculum is discussed at monthly faculty meetings chaired by Director of Program or designee.”

During instructor interviews and discussions with the Program Director it was identified that the faculty are not part of the curriculum review or development.

During review of the faculty meeting minutes, there was no evidence of a discussion or evaluation of the curriculum.

Status: The violation is not corrected.

Required Action:

Evaluate, update, and submit the Program’s methodology for curriculum review.

Provide evidence of curriculum review and following the updated curriculum review methodology.

Unitek's Response for Violation #1

Unitek College has a National VN/PN Curriculum Committee that meets every two weeks on Fridays, effective on October 21, 2022. The committee currently includes 24 members from all the Unitek Learning campuses, including but not limited to Program Directors, VN/PN Instructors, Senior Corporate Licensure Success Director, and the Instructional Designer. The curriculum committee considers, develops, and recommends policies related to the curriculum and instructional resources. It considers proposals submitted by program directors, students, departments, or individual faculty members.

To ensure that information, decisions, and outcomes from the curriculum committee is brought forward to the faculty at the Hayward campus (and every individual campus), so that all faculty contributes to the review or development of the curriculum, Unitek College has taken the following actions:

- Cessani Smith, VN instructor at Hayward campus, has been added as a member of the National VN/PN Curriculum Committee. Sophia Brown, VN Program Director at Hayward campus, was a member of the Curriculum Committee prior to the addition of Cessani Smith.
- The faculty meeting minutes template includes mandatory updates from the National VN/PN Curriculum Committee as a standing agenda item.
- There are currently the VN/PN Leadership Meetings, which occur every two weeks, and the VN Monthly Faculty Meetings, which occur on the first Tuesday of every month. In order to ensure that information, decisions, and outcomes from both the faculty meetings and curriculum committee meetings the same minutes template containing the mandatory agenda items are also used at these meetings.

Related exhibits for Violation #1

- 1a) Screen Capture of the Meeting Invitation/Members for the National VN/PN Curriculum Committee
- 1b) October and November 2022 VN/PN National Curriculum Committee Meeting Minutes

Violation #2

Section 2530(a) of the California Code of Regulations Title 16, states:

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

Violation #2:

During student interviews, the students complained that the maternity nursing class was rescheduled due to lack of OB instructor.

During faculty interviews the faculty discussed lack of instructors for all cohorts.

During the evaluation of the skills lab, it was identified that there were limited medication samples. The majority of the labeled medication drawers were empty in the medication cart for the pharmacology medication administration skills course.

Status: The violation is not corrected.

Required Action:

Provide a detailed plan to identify the Program’s plan to hire and maintain adequate number of instructors to meet the 1:12 instructor to student ratio required as specified by the Programs facility approval applications.

Provide invoices and photos of adequate resources in the skills lab to meet the Pharmacology medication administration skills lab objectives.

Unitek’s Response for Violation #2

- 1) In order to ensure the maternity nursing class will not be rescheduled due to lack of OB instructor. Nequitha Busby will be teaching the OB course starting November 21, 2022.
- 2) A plan to hire and maintain the required faculty to student ratio of 1:12 students was implemented (all the approved program clinical facilities require a 1:12 faculty to student ratio at the site).

Unitek has a standard faculty staffing model for its Full-Time Day, Part-Time Evening, and Full-Time Evening Cohorts, all maintaining the faculty-to-student ratio of 1:12. Part-time faculty are typically allocated to multiple cohorts.

Full Time Day – Unitek’s Budget Per Cohort: 2.5 FTE Per Cohort

For a cohort of 36 students:

- Clinical Term 1 and 2: Three groups of clinicals (12 students each), 16 hours per week
- Clinical Term 3: Three groups of clinicals (12 students each), 24 hours per week
- Theory Term 1-3: One group of 36 students, 2 days per week, 16 hours per week

Full Time Day Cohort	Groups	Instructional Hours Per Week	Total # of Instructional Hours Per Week
Clinical: Term 1 and Term 2	3	16	48 Hours
Clinical: Term 3	3	24	72 Hours
Theory: Term 1-3	1	16	16 Hours

Total Term 1: 48 Hours Clinical + 16 Hours Theory + 8 Hours Preparation = 72 Hours

Total Term 2: 48 Hours Clinical + 16 Hours Theory + 8 Hours Preparation = 72 Hours

Total Term 3: 72 Hours Clinical + 16 Hours Theory + 8 Hours Preparation = 96 Hours

2.5 FTE Per Cohort = 100 Hours Per Week Budgeted

Consists of 1 Full Time (1 FTE), 2-3 (1.5 FTE) Part Time Instructors

Part Time Evening – Unitek’s Budget Per Cohort: 1.6 FTE Per Cohort

Students complete 10 Hours of Theory per week and 12 Hours Clinical = 24 Hours Per Week

Part Time Evening Cohort	Groups	Instructional Hours Per Week	Total # of Instructional Hours Per Week
Clinical: Term 1-3	3	12	36 Hours
Theory: Term 1-3	1	10	10 Hours

Total Term 1-3: 36 Hours Clinical + 10 Hours Theory + 4 Hours Preparation = 50 Hours

1.6 FTE Per Cohort = 60 Hours Per Week Budgeted

Consists of 3 Faculty Members:

(a) 1 Full Time (1 FTE each)

(b) 2 Part Time Instructors (0.3 FTE each)

Full Time Evening – Unitek’s Budget Per Cohort: 2.0 FTE Per Cohort

Full Time Evening Cohort	Groups	Instructional Hours Per Week	Total # of Instructional Hours Per Week
Clinical: Term 1 and Term 2	3	14	42 Hours
Clinical: Term 3	3	21	63 Hours
Theory: Term 1-2=3	1	12	12 Hours

Total Term 1-2: 42 Hours Clinical + 12 Hours Theory + 4 Hours Preparation = 58 Hours

Total Term 3: 63 Hours Clinical + 12 Hours Theory + 4 Hours Preparation = 79 Hours

2 FTE Per Cohort = 80 Hours Per Week Budgeted

Consists of 1 Full Time (1 FTE), 2 Part Time (1 FTE) Instructors

Summary

Hayward Campus Cohorts	Total Number of Cohorts	FTE Budgeted Per Cohort	Total FTE Budgeted
Full Time Day	3	2.5	7.5
Part Time Evening	2	1.6	3.2
Full Time Evening	1	2.0	2.0
		Total FTE Budgeted	12.7

Total Number of FTE		
On Staff	Full Time Faculty On Staff – BVNPT Approved	11.0 FTE
On Staff	Part Time Faculty On Staff – BVNPT Approved	1.8 FTE
	Currently On Staff – Subtotal:	12.8 FTE
Pending BVNPT	Pending BVNPT Approval	0.3 FTE
	Total FTE Allocated for Hayward Campus	13.1 FTE

Since October 21, 2022, we hired 7 new faculty – 6 have been approved by BVNPT and 1 is pending BVNPT approval.

The faculty approved by BVNPT, pending BVNPT approval, and start date are outlined in the table below:

	Name	Status	BVNPT Approval Date
1	Ping Johnson	Hired – Full Time	10/28/2022
2	Cindi Forni	Hired – Per Diem	10/21/2022
3	Christensen Navales	Hired – Full Time	11/4/22
4	Nequitha Busby	Hired – Full Time	11/3/2022
5	Lisa Henderson	Hired – Part Time	Will be submitted
6	Nwe Win	Hired – Part Time	11/16/2022
7	Sheila Labata	Hired – Part-Time (Float Pool)	11/6/2022

Strategies to Recruit and Retain Quality VN Faculty

- Faculty Apprentices Program (See Exhibit 2(a))**
 This department was designed to provide structure to the Faculty Apprentices Program (FAP), reporting lines, and the activities necessary to obtain the certificate of clearance, preliminary and clear credential certifications as outlined by the Board of Vocational Nursing and Psychiatric Technicians (BVNPT) and the California Commission on Teacher Credentialing (CTC).
- Faculty Mentorship Program (See Exhibit 2(b))**
 The VN Mentorship Program currently supports new VN faculty for the first six months of employment. Mentors are paired with new VN faculty during the faculty onboarding process. They are selected by VN Academic Leadership and are put through a rigorous training program to prepare them for their mentorship role. Mentors and new faculty meet regularly, and mentor faculty provide support on the technical aspects of teaching at Unitek Learning as well as best practices and approaches to successful classroom instruction.
- Faculty Preceptors (See Exhibit 2(c))**
 This new role was recently created to facilitate and coordinate training and education programming for nursing instructors within the first three days of hire.
- Joint Appointment Program**
 Unitek has created a Joint Appointment Program with the focus on educating the nurses of tomorrow while elevating workforce retention of experienced bedside nursing staff within the healthcare industry as they transition into teaching roles. Unitek has identified several healthcare organizations who have expressed interest in the Joint Appointment initiative and feel it is a tangible solution for an intangible problem for the retention of bedside nursing staff through teaching, by instilling passion back into their own facilities caring culture and at the forefront by meeting the educational objectives and needs of our students.

The Joint Appointment Program will allow our healthcare partners’ bedside nursing staff a respite, will begin to address burnout in the profession passionately rejuvenating their own internal healthcare workers while promoting a culture of caring and the quality of care within our

communities. The Joint Appointment supports an increase in Unitek's VN adjunct faculty through partnership, and the transitioning of experience clinical nurses into teaching and education. The program creates cooperation and elevates a passion for nursing to be shared from the facility designated and approved experienced clinical nurses as adjunct faculty to Unitek's nurses of tomorrow.

- **Leadership Academy (See Exhibit 2(d))**

We are excited to offer this Leadership Academy Training, developed through our partnership with Dr. Jean Watson. The Jean-Watson Caring Science Institute's Caritas Leadership Program focuses on self-awareness as the foundation of enhancing leadership skills. In this six-month guided learning experience, faculty will learn and proactive creative strategies that focus on care and culture as core elements of Leadership.

- 3) **Provide invoices and photos of adequate resources in the skills lab to meet the Pharmacology medication administration skills lab objectives.**

As evidence of the adequate resources in the skills lab to meet the Pharmacology medication administration skills lab objectives, please see 2 out of 9 photos below. The remaining photos are in exhibit 2(e).



Related Exhibits for Violation #2

- 2a) Faculty Apprentice Program Summary
- 2b) VN Mentorship Evaluation Report
- 2c) Faculty Preceptor Job Description
- 2d) Leadership Academy ALA Caritas Application
- 2e) Photos of Adequate Resources for Skills Lab/Pharmacology Medication Administration
- 2f) Pocket Nurse Invoice

Violation #3

Section 2530(b) of the California Code of Regulations Title 16, states:

“Regular faculty meetings shall be held. Minutes shall be available to the Board’s representatives.”

Violation #3:

Per the Program’s submitted policy, the required sequencing of faculty meetings is monthly.

Documents provided verifies that no faculty meetings were held between May 2022 and October 2022.

Status: The violation is not corrected.

Required Action:

Develop and submit a plan as to who will attend, and when and where monthly faculty meetings will be held per the Program’s approved policy.

Submit meeting minutes and attendance roster for October and November 2022.

Unitek’s Response for Violation #3

Unitek College has a faculty meeting policy instituted on August 24, 2021, see exhibit 3(a). In order to ensure the policy is being followed, the National and Regional Deans reviewed the policy again with the Program Director. Please see exhibit 3(b).

Unitek College will hold regularly planned on campus faculty meetings, the first Tuesday of every month, for all VN instructors, program coordinator(s), and academic administrative assistant(s). Minutes from the meeting will be sent out to faculty and staff after the completion of the meeting. Those who were unable to attend will receive the minutes via DocuSign for review and must acknowledge receipt of the minutes, see exhibit 3(c). Acknowledgment requires initialing each topic covered in the minutes.

Please refer to exhibit 3(d) for faculty meeting minutes and attendance roster for October and November 2022.

Related Exhibits for Violation #3

- 3a) Faculty Meeting Policy
- 3b) Program Director Training Acknowledgement Form
- 3c) Screen Capture of Faculty Minutes Acknowledgment via DocuSign
- 3d) Faculty Meeting Minutes and Attendance Roster for October and November 2022

Violation #4

Section 2530(h) of the California Code of Regulations, Title 16, states:

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

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

Violation #4:

During student and instructor interviews it was identified that students are assigned written assignments to make up missed clinical hours.

Make-up assignment forms identified students made up missed clinical hours with written assignments.

During student interviews and document review, it was identified that the Program does not correct/return remediation forms to student for review.

Status: The violation is not corrected.

Required Action:

Develop and submit a plan to provide make up hours for clinical and theory per regulation.

Develop attendance record for make-up hours that identify specific type missed hours, number of hours and date missed, objectives missed, date made up.

If written assignment is required by instructor and submitted by the student the assignment should be reviewed by the instructor and returned to student identifying all errors.

Unitek’s Response for Violation #4

In order to ensure faculty understand the acceptable methods for make-up for theory versus clinical, per the BVNPT regulations:

1. Training on make-up forms was provided at the November 1, 2022 faculty meeting and will be repeated in the December 2022 faculty meeting.
2. Individualized training was provided to faculty members who needed to complete make-up forms and had questions regarding the forms.
3. All faculty will be asked to sign a training acknowledgment form regarding the acceptable methods for makeup.

Unitek College will continue to emphasize the acceptable methods for make-up for Theory vs. Clinical.

- Missed clinical time will be made up at a clinical site or in the simulation lab, where clinical objectives missed will be covered.
- Missed theory time will be made up with written assignments which will be reviewed as a group in class with instructors to ensure feedback is given to students and course objectives are met.

Unitek College's policy regarding absences for Theory/Clinical/Skills/Simulations is that no excused absences are allowed, all absences must be made up (see exhibit 4(a)).

- Theory – Absences are made up through a theoretical project commensurate to the minutes/hours missed.
- Clinical/Simulation/Skills – Absences must be made up hour for hour; minute for minute, within the same term or during term break but not in the next term.
- Makeup of the absences does not erase the absences, but provides the hours required for the program; not meeting required hours will result in dismissal from the program.

In order to clearly indicate the type of hours missed, Unitek College separated the existing make-up form into 2 individual forms: one for clinical and one for theory. Both forms were revised to clearly indicate the type of hours missed, the number of hours and the date missed, objectives that will be covered, and the date it will be made up.

Additional revisions to the makeup forms will be made to include Section 2532(c)(d)(e) of the California Code of Regulations, Title 16 (it is currently going through Unitek's internal approval process). Printing the regulations on the forms will further ensure the regulations are being followed by the person completing the form.

Related Exhibits for Violation #4

4a) Unitek College – Vocational Nursing Student Handbook – Page 28

4b) Revised Clinical and Theory Make-Up Forms

Violation #5

Section 2532(c)(d)(e) of the California Code of Regulations, Title 16, states:

- “(c) The school week shall not exceed 40 hours per week.
- (d) School days that consist of class attendance only or a combination of class attendance and clinical experience shall not exceed eight hours in length.
- (e) Students may be assigned to shifts of up to and including 12-hour length for clinical experience, only.”

Violation #5:

Student files identified that students were making up 12 hours in one day which include both theory and clinical.

The specific number of theory or clinical hours missed and the day absent was not identified.

Status: The violation has not been corrected.

Required Action:

Develop and submit a plan to identify clinical and theory hours to be made up. The plan is to include:

1. Identification of missed theory and/or clinical hours separated.
2. Do not have make-up hours greater than eight hours total unless at a clinical site.
3. Provide examples of the newly developed clinical and theory make-up sheets.

Unitek's Response for Violation #5

In order to clearly indicate the type of hours missed, Unitek College separated the existing make-up form into 2 individual forms: one for clinical and one for theory.

- Both forms were revised to clearly indicate the type of hours missed, the number of hours and the date missed, objectives that will be covered, and the date it will be made up.
- The make-up forms will be used to track the make-up progress for the missed time for both clinical and theory.

Additional revisions to the makeup forms to include Section 2532(c)(d)(e) of the California Code of Regulations, Title 16 has been proposed and will be submitted to compliance and the academic leadership for approval.

- Printing the regulations on the forms will further ensure the regulations are being followed by the person completing the form.
- Faculty will be made aware of revisions to the makeup forms at the December 2022 faculty meeting. To ensure all faculty received the most current version and are aware of the utilization of the forms, a training acknowledgment will be sent out for all faculty to sign.

A VN Attendance Make Up Summary Report, also known as an absence report, can be generated from our student information system. The registrar for Hayward will be asked to send weekly VN Attendance MakeUp Summary Reports, every Thursday afternoon, to the Program Director starting December 1, 2022. The Program Director received training on November 17, 2022 on how to generate the report as well.

The Hayward VN Program Director was trained on November 17, 2022 on the utilization of a clinical hour tracker to ensure all missed clinical and theory are made up in a timely manner.

The program director will train the faculty at the December faculty meeting on the utilization of the master clinical hour tracker, for the purpose of ensuring students make up all missed hours and the school week does not exceed 40 hours for each student.

- To ensure all faculty are trained on the utilization of the clinical hour tracker, a training acknowledgment will be sent out for all faculty to sign.

Related Exhibits for Violation #5

5a) Sample of VN Attendance Make Up Summary Report

Violation #6

Section 2534(c) of the California Code of Regulations, Title 16, 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 #6:

The evaluation plan submitted in the Program documents for the Program Record Survey did not include facility evaluations.

The Program provided clinical site evaluation that were conducted by other Unitek campuses.

During the student interviews students stated that the clinical sites did not allow them to do anything. They just answer patient call lights and study and look at patient charts.

Students stated that their experience on the evening shift does not provide them opportunities to learn. The day shift experiences are much better.

Status: The violations are not corrected.

Required Action:

Develop a policy and plan to evaluate all currently approved clinical sites. The evaluation process should include student, instructor, and Program Director input.

Develop and submit documents the Program will use for the evaluation process. Provide a minimum of evaluation of two facilities by November 17, 2022.

Unitek’s Response for Violation #6

Clinical evaluations are a part of the overall evaluation plan for the VN program.

- Students and instructors complete an evaluation of the clinical facility at the end of each rotation. The evaluations allow Unitek College to ascertain the ability of the facility to meet the clinical needs of the students.
- The program director/assistant program director are required to conduct a preliminary review of the proposed clinical site(s) to determine its viability to support clinical objectives and mastery of skills by students.



- The program director/assistant program director must visit clinical sites annually, and as needed. The visit is to ensure all objectives are being met and allows a collaborative opportunity to resolve any issues or concerns regarding the students' rotation.
- All feedback from the student and instructor evaluations is reviewed and considered by the program director. Action plans are developed at the college's discretion, based on the type of feedback received.
- The clinical facilities are also given an opportunity to evaluate the students and instructors. An electronic survey is sent by the clinical partnership development team for each facility to complete an evaluation. The survey form has been revised to clearly indicate the campus location.

Related Exhibits for Violation #6

6a) Samples of Student Evaluation of the Clinical Facility Form

6b) Samples of Instructor Evaluation of the Clinical Facility Form

6c) Samples of Vocational Nursing Program Site Evaluation Information Form

6d) Samples of Unitek College – Hayward Campus – Survey on Students and Clinical Instructor