

AGENDA ITEM #5.D.II



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR.

Board of Vocational Nursing and Psychiatric Technicians

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DATE	July 27, 2020
TO	Board Members
VIA	Marie Cordeiro, MN, RN Supervising Nursing Education Consultant
FROM	Faye Silverman, MSN/Ed., WOCN, PHN, RN Nursing Education Consultant
SUBJECT	Southeast California College, Vocational Nursing Program – Consideration of Request to Admit Students (Director: Dr. Edna Domingo, San Bernardino, San Bernardino County, Private)

STAFF SUMMARY:

The Southeast California College, Vocational Nursing Program requests approval to admit one class of 17 students beginning August 3, 2020, and graduating June 4, 2021, only. This class will be an additional cohort.

Southeast California College, Vocational Nursing Program has been displaced from almost all clinical sites as of the writing of this report due to the COVID-19 pandemic crisis. The program is currently front-loading theory via an online format. Starting June 2020, the program is going to complete 50 percent of their term 3 clinical hours in online simulation/scenarios and skills lab. Their current plan is for the students to attend live clinical after all simulation/scenarios and skills lab have been completed. The students do not have the ability to practice psychomotor skills currently in the clinical setting.

In accordance with Section 2526.1(c) of the Vocational Nursing Rules and Regulations,

“The Board may place any program on provisional approval when a program does not meet all requirements as set forth in this Chapter and in Section 2526...”

Section 2530(I) of the Vocational Nursing Rules and Regulations 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.”

Southeast California College Vocational Nursing Program is presented to the Board for consideration for placement on provisional approval. This program has not been compliant with the licensure examination pass rate regulations since the first cohort started testing.

STAFF RECOMMENDATIONS:

1. Deny the Southeast California College, Vocational Nursing Program request to admit one class of 17 students on August 3, 2020, only.
2. Place the Southeast California College, Vocational Nursing Program on provisional approval for the two-year period beginning August 21, 2020; and issue a certificate accordingly.
3. Issue a notice of change in approval status to the program identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 and Section 2530(l) of the California Code of Regulations.
4. Require the program to submit an action plan to correct their NCLEX-PN® first time takers score of zero percent passing by October 1, 2020.
5. Require the program to admit no additional classes without prior approval by the Board.
6. Require the program to submit a report to the Board in six months, no later than March 15, 2021, and fifteen months, no later than June 15, 2022. The report must include a comprehensive analysis of the program, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Terminal Objectives
 - b. Evaluation of Current Curriculum including:
 - 1- Instructional Plan
 - 2- Theory & Clinical Objectives for each Term
 - 3- Lesson Plans for each Term
 - c. Student Policies including:
 - 1- Admission Policy
 - 2- Screening and Selection Policy
 - 3- Attendance & Remediation Policy
 - 4- Evaluation of Student Achievement
 - 5- Credit Granting Policy
 - d. Evaluations of approved clinical facilities which determine adequacy in number and variety of patients to accommodate current and projected students.
 - e. Evaluations of Faculty
 - f. Methodologies for:
 - 1- Faculty Meetings
 - 2- Clinical Evaluations
 - g. Documentation of required clinical resources for all terms for all current cohorts.

7. Require the program to provide no less than one instructor for every ten students in clinical experiences.
8. Require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professionals Code, section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.
9. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
10. Place the program on the Board's August 2022 agenda for reconsideration of provisional approval.

Staff Rationale for Recommendations:

Published examination statistics confirm the program's non-compliance with regulations for the last three quarters.

The Program Director has submitted multiple NCLEX-PN® action plans since March 14, 2019 when representatives conducted an unannounced site visit and documented seventeen violation. These action plans were to assist graduates of their program be successful in taking the NCLEX-PN® test. All students who have tested from this program have failed the NCLEX-PN® test. Provision approval is recommended at this time.

Board staff will continue to closely monitor the program's compliance with regulations and performance on the licensure examination.

History of Prior Board Actions

(See Attachment A for History of Prior Board Actions)

Enrollment

Approval by the Board is required prior to admission of each class. The program's course of instruction consists of full-time classes offered over 56 weeks. The following table represents current and proposed student enrollment based on current and proposed class starts and completions. The table indicates a maximum enrollment of 24 students for the period of September 2019 through August 2020.

ENROLLMENT DATA			
CLASS DATES		#Students	

Start	Complete	#Students Admitted	Current or Completed	Total Enrolled
4/23/18 (*4/26/19)		9	5	5
	4/26/19		-5	5 - 5 = 0
9/23/19 (*10/9/20)		10	7	0 + 7 = 7
8/3/20 (Proposed) (*6/4/21)		17		7 + 17 = 24

*Indicates projected graduation 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 October 2019 through June 2020, specify the pass percentage rates for graduates of the Southeast California College Vocational Nursing Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®).

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate	Variance from the State Average Annual Pass Rate
Oct – Dec 2019	2	0	0%	79%	0%	79%	-79
Jan – Mar 2020	1	0	0%	78%	0%	79%	-79
Apr – Jun 2020	No Candidates Tested			81%	0%	79%	-79

*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. 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 §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 current data available (April to June 2020), the program’s average annual pass rate is 0 percent. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time is 79 percent.

The average annual pass rate for the Southeast California College Vocational Nursing Program is seventy-nine percentage points below the state average annual pass rate.

Faculty and Facilities

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

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

The current number of Board-approved faculty totals eleven, including the director. Two instructors are Board approved as teacher’s assistants. Four instructors are additional faculty and designated to teach theory only. Of the total faculty, four are designated to teach clinical. The director has 100% administrative duties.

Based on a maximum enrollment of 24 students, three instructors are required for clinical supervision. The utilization of faculty at clinical facilities is such that clinical instruction is covered adequately.

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.”

Southeast California College, Vocational Nursing Program has been displaced from all clinical sites as of the writing of this report due to the COVID-19 pandemic crisis. The program is currently front-loading theory via an online format. Starting June 2020, the program is going to complete 50 % of their term 3 clinical hours in online simulation/scenarios and skills lab. Their current plan is for the students to attend live clinical after all simulation/scenarios and skills lab have been completed. The students do not have the ability to practice psychomotor skills currently in the clinical setting.

Other Considerations:

The program has currently graduated five students from its first cohort. Currently three of the five have tested for NCLEX-PN® and none of the students have passed the examination. There are two additional students which are now almost a year and a half post-graduation and have not tested. The second class which is scheduled to graduate in early October 2020 should have an opportunity to take the NCLEX-PN® prior to the end of fourth quarter 2020.

Attachment A: History of Prior Board Actions

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SOUTHEAST CALIFORNIA COLLEGE VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On February 6, 2018, the Executive Officer approved Southeast California College, to begin a vocational nursing program with an initial class of 24 students on February 12, 2018, only.
- The program curriculum was approved for 1546 hours, including 578 theory hours, and 968 clinical hours.
- Require the program to obtain prior Board approval before admission of subsequent classes to maintain compliance with the California Code of Regulations, Title 16, section 2526(c) that states:

“(c) A Board representative shall make a survey visit prior to graduation of the initial class. A program shall not commence another class without prior Board approval.”

1. *On April 2, 2019, the Executive Officer, approved the following:*
2. *Grant full approval for the Southeast California College, Vocational Nursing Program for a four-year period beginning February 6, 2018, and issue a certificate accordingly.*
3. Require the program to correct **sixteen** existing violations identified during the onsite inspection and **one** additional violation identified after the visit. Submit documentation of all corrections of all violations no later than **May 3, 2019**.
4. Require the program to admit no additional classes without prior Board approval.
5. Continue to require the program, when requesting approval to admit students, to:
 - a. Submit all documentation in final form, using the forms provided by the Board, no later than two 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. Ensure that the program maintains an average annual pass rate that is compliant with Section 2530(l) of the Vocational Nursing Rules and Regulations.

6. Require the program's requirement 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 commencing at Section 2526.
- On September 17, 2019, the Executive Officer, approved the following
 - Approve the Southeast California College, Vocational Nursing Program request to admit one class of 16 students on September 23, 2019, only.
 - Require the program to admit no additional classes without prior approval by the Board.
 - Require the program, when requesting approval to admit students, to:
 - a. Submit all documentation in final form, using the forms provided by the Board, no later than two 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. Ensure that the program maintains an average annual pass rate that is compliant with Section 2530(I) of the Vocational Nursing Rules and Regulations.
 - 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.