



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
Board of Vocational Nursing and Psychiatric Technicians
 2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
 www.bvnpt.ca.gov



DATE	November 8, 2022
TO	Board Members
REVIEWED BY	Beth DeYoung, MPH, RN Supervising Nursing Education Consultant (SNEC)
PREPARED BY	Cindy Fairchild EdD, MSN, RN Nursing Education Consultant (NEC)
SUBJECT	Request to Admit Students
PROGRAM	Downey Adult School Vocational Nursing Program (Program) (Program Director: Mariana Pacheco, Downey, Los Angeles County, Adult School)

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

PROGRAM REQUEST:

Admit a full-time class of 30 students to commence on January 3, 2023, with a graduation date of December 14, 2023, to replace the December 11, 2022 graduating class.

BACKGROUND:

On September 9, 2022, the NEC received an email request from the Program Director to admit a class, with supporting documentation.

STAFF ANALYSIS:

This Program was initially placed on provisional approval for a two-year period beginning August 12, 2022, due to non-compliance with regulatory requirements, specifically, the NCLEX-PN® pass rates were significantly below the state average annual pass rate for first-time candidates. Currently, the Program’s average annual pass rate is 70 percent, two percentage points below the state average annual pass rate.

The Program Director will be implanting the following interventions with the requested class start.

- The entrance assessment will be change from the TABE test to the CASA test
- Require a 12th grade level for Math and English.
- Increased the passing grade from 75% to 80% on all assessments and course final.
- Implement Uworld three months prior to graduation.

- Implement ATI throughout the program and have a live review at the end of the program.
- Current students will receive a live ATI NCLEX-PN® review and the end of the Program.

The NEC reviewed and analyzed the documents provided by the Program Director to verify adequate resources including clinical facilities and classrooms to accommodate the students' learning needs and ability to meet the Program's approved objectives.

STAFF RECOMMENDATIONS:

1. Approve the Program's request to admit a full-time class of 30 students to commence on January 3, 2023, with a graduation date of December 14, 2023, to replace the December 11, 2022 graduating class.
2. Require the Program to comply with all requirements listed below.

PROGRAM REQUIREMENTS

1. Require the Program Director to submit documentation of compliance with Section 2526(a)(12) of the California Code of Regulations, Title 16, prior to each class admission.
2. Require the Program Director to submit documentation of compliance with Section 2535(a)(5) of the California Code of Regulations, Title 16, prior to each class admission.
3. Continue to require the Program to submit a comprehensive analysis report in two months, with a submission date no later than January 15, 2023. 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- Daily Lesson Plans for each Term
 - c. Student Policies including:
 - 1- Admission Criteria
 - 2- Screening and Selection Criteria
 - 3- Attendance Policy
 - 4- Remediation Policy
 - 5- Evaluation Methodology for Student Progress including evaluation of clinical practice
 - 6- Credit Granting Policy
 - d. Evaluations of approved clinical facilities which determine adequacy in number and variety of patients to accommodate current and projected student enrollment.

- e. Faculty Meeting Methodology
 - f. Documentation of resources, including faculty and facilities, for all terms for all current cohorts.
4. Admit no additional classes without prior approval by the Board.
 5. Require the Program, when requesting approval to admit students, to:
 - a. Submit all documentation in final form, using the forms provided by the NEC, no later than by the fifteenth day of the second month preceding the month of the Board meeting.
 - 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 California Code of Regulations, Title 16.
 6. Notify the NEC in the event a current class is displaced from clinical sites.
 7. Continue the Program's requirement to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at the California Business and Professionals Code, Section 2880, and Article 5 of the California Code of Regulations, Title 16.
 8. Continue the Program's requirement to demonstrate incremental progress in NCLEX-PN® licensure examination pass rates. If the Program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the Program's approval.

RELEVANT PROGRAM ELEMENTS

Enrollment

Section 2530(k) of the California Code of Regulations, Title 16 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 48-week full-time class consisting of 576 hours of theory and 960 hours of clinical experience for a total of 1536 program hours.

The following table represents current and proposed student enrollment based on the current class start and completion dates. The table indicates a maximum enrollment of 54 students for the period January 2022 through January 2023.

ENROLLMENT DATA TABLE

Class Start Dates	Class Completion Dates	Number of Students Admitted	Number of Students Current	Number of Graduated	Total Enrolled
1/22 *(12/22)		30	22		22
5/22 *(5/23)		30	24		22 +24 = 46
	12/22 (1/22)			-22	46 – 22 = 24
1/23 *(12/23)		30			24 + 30 = 54

*Indicates projected graduation date

Licensing Examination Statistics

Section 2530(l) of the California Code of Regulations, Title 16 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 October 2020 through September 2022, 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
Oct - Dec 2020	6	3	50%	75%	62%	77%	-15
Jan - Mar 2021	22	16	73%	73%	65%	76%	-11
Apr - Jun 2021	16	7	44%	72%	56%	74%	-18
Jul - Sept 2021	14	5	36%	75%	53%	72%	-19
Oct - Dec 2021	4	3	75%	73%	55%	72%	-17
Jan - Mar 2022	19	14	74%	76%	55%	73%	-18
Apr – Jun 2022	7	4	57%	70%	59%	72%	-13
Jul – Sept 2022	17	12	71%	71%	70%	72%	-2

*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 (July – September 2022), the Program’s average annual pass rate is 70 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 two percentage points below the state average annual pass rate.

Faculty and Facilities

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

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

The current number of approved faculty totals six, including the Program Director. The Program Director has 75 percent administrative duties and 25 percent teaching responsibilities. Of the total faculty, four are designated to teach clinical. Based upon a maximum proposed enrollment of 54 students, four 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 California Code of Regulations, Title 16, 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 current and proposed student enrollment.

The following violations were identified during a June 20, 2022 unannounced site visit :

Section 2526(a)(12) 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:
... (12) Admission criteria.”

Violation #1: During the unannounced site visit, the NEC identified noncompliance with the approved admission policy. Students were admitted to the January 2022 and May 2022 classes with TABE scores below the required score. The required TABE score for the January 2022 class was the 10th grade level on the Math assessment and 10th grade level on the English assessment. The required scores for the May 2022 class were 11th grade level for Math and 11th grade level for English.

The Program Director self-disclosed that she averaged the Math and English TABE scores together to determine an overall score and did not evaluate the individual Math and English scores according to the Program’s admission policy.

Status: The violation is not corrected.

Section 2535(a)(5) of the California Code of Regulations, Title 16 states:

“Transfer credit shall be given for related previous education completed within the last five years. This includes the following courses:
(5) Certified nurse assistant course”

Violation #2: During the discussion related to credit granting, the Program Director she stated she did not offer transfer credit to students who had completed a CNA course.

Status: The violation is not corrected.

ATTACHMENTS:

Attachment A: Program History

Attachment A, Agenda Item 5.B.II

DOWNEY ADULT SCHOOL VOCATIONAL NURSING PROGRAM

Program History

- On May 12, 2006, the Board approved Downey Adult School's request to commence a vocational nursing program with an initial class of 30 students on May 15, 2006, only. Additionally, the Board approved the Program curriculum for 1536 hours, including 576 theory, and 960 clinical hours.
- On April 12, 2007, the Board approved the Program's request to admit a full-time class of 30 students on May 21, 2007, only, graduating May 16, 2008, to replace students completing course requirements on May 10, 2007.
- On May 30 – 31, 2007, the assigned consultant completed a survey of the Program pursuant to requirements specified in California Code of Regulations, Title 16, Section 2526(c).
- On July 10, 2007, the Executive Officer approved initial full accreditation for Downey Adult School Vocational Nursing Program for the period from May 30, 2007, through May 29, 2011, and directed issuance of a certificate; accordingly, and approved the Program's request for pattern of admission of a full-time class of 30 students each January and May, only, commencing January 7, 2008, with the following stipulations:
 - a. 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 of 30 students plus three (3) alternates in January and May of each year.
 - b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
- On November 8, 2010, the NEC received the completed Program Records Survey and supporting documents for continued accreditation.
- On April 21, 2011, the Executive Officer approved Downey Adult School Vocational Nursing Program's application for continued full accreditation for the period from May 30, 2011, through May 29, 2015, and issue a certificate accordingly. Continued approval of the Program's admission of a full-time class of 30 students each January and May only, to replace students, with the following stipulations:
 - a. No additional classes are added to the Program's current pattern of admission without prior approval. The Program's current pattern of admission includes two (2) full-time classes of 30 students plus three alternates in January and May of each year.

b. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.

- On April 1, 2015, the Executive Officer approved Downey Adult School Vocational Nursing Program's application for continued approval for the period from May 30, 2015, through May 29, 2019, and issued a certificate; accordingly, and continued approval of the Program's pattern of admission to replace graduating students, with the following stipulations: No additional classes are added to the Program's current pattern of admission without prior approval. The Program's current pattern of admission includes two full-time classes of 30 students in January and May of each year, to replace graduating classes only. The Program Director documents that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students. The Program maintains an average annual pass rate that is compliant with Section 2530(l) of the California Code of Regulations, Title 16.
- On May 7, 2019, the Executive Officer approved the following:
 1. Grant continued full approval for the Downey Adult School Vocational Nursing Program for a four-year period beginning May 30, 2019 and issue a certificate accordingly.
 2. Approve the Program's pattern of admission 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 will include admission of two full-time classes of 30 students per calendar year, replacing graduating classes 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 maintains an average annual pass rate that is compliant with Section 2530(l) of the California Code of Regulations, Title 16.
 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 June 20, 2022, an unannounced site visit was conducted. Two violations were identified.
- On August 12, 2022, the Board approved the following:
 1. Place the Program on provisional approval for a two-year period starting August 12, 2022 and issue a certificate accordingly.

2. Require the Program to comply with all requirements listed below.

PROGRAM REQUIREMENTS

1. Require the Program Director to submit documentation of compliance with Section 2526(a)(12) of the California Code of Regulations, Title 16, prior to class admission.
2. Require the Program Director to submit documentation of compliance with Section 2535(a)(5) of the California Code of Regulations, Title 16, prior to class admission.
3. Require the Program to submit a comprehensive analysis report in six months with a submission date no later than January 15, 2023, and in 18 months, no later than December 15, 2023. The report must include a comprehensive analysis of the Program, a 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 to determine adequacy in number and variety of patients to accommodate current and projected students.
 - e. Methodologies for:
 - 1- Faculty Meetings
 - 2- Clinical Evaluations
 - f. Documentation of required clinical resources for all terms for all current cohorts.
4. Admit no classes without prior approval by the Board.
5. Require the Program, when requesting approval to admit students, to:
 - a. Submit all documentation in final form, using the forms provided by the NEC, no later than by the fifteenth day of the second month preceding the month of the Board meeting.
 - 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 California Code of Regulations, Title 16.
6. Notify the NEC in the event a current class is displaced from clinical sites.

7. Continue the Program's requirement to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at the California Business and Professions Code, Section 2880, and Article 5 of the California Code of Regulations, Title 16.

8. Continue the Program's requirement to demonstrate incremental progress in NCLEX-PN licensure examination pass rates. If the Program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the Program's approval.