



**Board of Vocational Nursing and Psychiatric Technicians**  
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<b>DATE</b>	November 7, 2023
<b>TO</b>	Board Members
<b>REVIEWED BY</b>	Beth DeYoung, MPH, RN Supervising Nursing Education Consultant (SNEC)
<b>PREPARED BY</b>	Cindy Fairchild EdD, MSN, RN Nursing Education Consultant (NEC)
<b>SUBJECT</b>	Reconsideration of Provisional Approval; Request to Admit Students
<b>PROGRAM</b>	Downey Adult School Vocational Nursing Program (Program) (Program Director: Mariana Pacheco, Downey, Los Angeles County, Adult School)

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

**PROGRAM REQUEST:**

Admit a full-time class of 30 students to commence on January 8, 2024, with a graduation date of December 19, 2024, to replace the class that graduates on December 14, 2023

**BACKGROUND:**

On August 12, 2022, the Program was placed on provisional approval for a two-year period due to non-compliance with regulatory requirements, specifically, their NCLEX-PN® pass rates were more than 10 percent below the state average annual pass rates for first-time candidates.

On September 13, 2023, the NEC received a request to admit a class from the Program Director, with supporting documentation.

**STAFF ANALYSIS:**

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.

Submitted documentation by the Program Director substantiates adequate resources including faculty and facilities for students to achieve programmatic learning objectives.

The Program has maintained an average annual pass rate on the NCLEX- PN® licensure examination within ten percent of the state annual average pass rate for the past five of eight quarters (July 2022 through September 2023), with an annual NCLEX- PN® pass rate of 98 percent for the third quarter of 2023.

To comply with the need to increase the Program pass rates, as well as to ensure ongoing compliance with regulatory requirements, the Program has implemented the following:

- Increased math and English scores from 11<sup>th</sup> grade to 12<sup>th</sup> grade on CASAS entrance assessment.
- Increased the passing grade for each course from 75 percent to 80 percent.
- Implemented Uworld NCLEX-PN® test preparation three months prior to graduation.
- Integrated ATI throughout the program, including a live review at the end of the program.
- Implemented clinical judgment activities.
- Changed the grading policy to remove high stakes testing.
- Started an early intervention program for students who are at risk of not being successful.
- Faculty have received support and training in the implementation of Uworld and ATI, as well as creating a student centric classroom through active learning activities.

### **STAFF RECOMMENDATIONS:**

1. Approve the Program's request to admit a full-time class of 30 students to commence on January 8, 2024, with a graduation date of December 19, 2024, to replace that class that graduates on December 14, 2023.
2. Remove the Program from provisional approval and return the Program to full approval for a four-year period and issue a certificate accordingly.
3. Require the Program to comply with all requirements listed below.

### **PROGRAM REQUIREMENTS**

1. Admit no additional classes without prior approval by the BVNPT.
2. Require the Program, when requesting approval to admit students, to:
  - a. Submit all documentation in final form, using the 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. Ensure that the Program maintains an average annual pass rate that is compliant with California Code of Regulations, Title 16, Section 2530(l).
3. Notify the NEC in the event a current class is displaced from clinical sites.
4. Continue the Program's requirement to comply with all the approval standards in Article 4 of the Vocational Nursing Practice Act, commencing with California Business and Professions Code, Section 2880, and in Article 5 of the California Code of Regulations, Title 16, commencing with Section 2525.
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.

### **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 48-week full-time class. Board approval is required prior to the admission of each class.

The following table represents current and projected student enrollment based on current and proposed class starts and completion dates. The table indicates a maximum enrollment of 58 students for the period January 2023 through January 2024.

**ENROLLMENT DATA TABLE**

Class Start Dates	Class Completion Dates	Number of Students Admitted	Number of Students Current	Number of Graduated	Total Enrolled
1/23 *(12/23)		15	13		13
5/23 *(5/24)		30	28		13+28=41
	12/23 (1/23)			13	41-13=28
1/24 *(12/24) Proposed		30			28+30=58

\*Indicates projected graduation date

**Licensing Examination Statistics**

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

“The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of approved vocational nursing schools for the same period.”

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 2021 through September 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
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
Oct - Dec 2022	5	5	100%	75%	73%	73%	0
Jan - Mar 2023	17	16	94%	73%	80%	72%	+8
Apr - Jun 2023	20	20	100%	85%	90%	75%	+15
Jul - Sept 2023	1	1	100%	86%	98%	78%	+20

\*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 2023), the Program’s average annual pass rate is 98 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 78 percent. The average annual pass rate for the Program is 20 percentage points above 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 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 clinicals. Based upon a maximum proposed enrollment of 58 students, four instructors are required for clinical supervision. The utilization of faculty at clinical facilities is such that clinical instruction is covered adequately.

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 Board-approved competency-based objectives and theory being taught for current and proposed student enrollment.

**ATTACHMENTS:**

Attachment A: Program History

## Attachment A

### 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 Nursing Education 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 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 issued a certificate accordingly. Continued approval of the Program's pattern of 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 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. Granted continued full approval for the Downey Adult School Vocational Nursing Program for a four-year period beginning May 30, 2019, and issued a certificate accordingly.
  2. Approved 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 California Code of Regulations, Title 16, Section 2530(l).
  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. Required the Program to comply with all requirements listed below.

#### PROGRAM REQUIREMENTS

1. Required the Program Director to submit documentation of compliance with California Code of Regulations, Title 16, Section 2526(a)(12) prior to class admission.
2. Required the Program Director to submit documentation of compliance with California Code of Regulations, Title 16, Section 2535(a)(5) prior to class admission.
3. Required 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. Required 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 California Code of Regulations, Title 16, Section 2530(l).
6. Notify the NEC in the event a current class is displaced from clinical sites.
  7. Continued 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. Continued 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.
- On November 8, 2023, the Board approved:
    1. Approved 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. Required the Program to comply with all requirements listed below.

### PROGRAM REQUIREMENTS

1. Require the Program Director to submit documentation of compliance with California Code of Regulations, Title 16, Section 2526(a)(12) prior to each class admission.
2. Require the Program Director to submit documentation of compliance with California Code of Regulations, Title 16, Section 2535(a)(5) 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, the 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:
    - 2- Admission Criteria
    - 3- Screening and Selection Criteria
    - 4- Attendance Policy

- 5- Remediation Policy
  - 6- Evaluation Methodology for Student Progress including evaluation of clinical practice.
  - 7- 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. Required 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 California Code of Regulations, Title 16, Section 2530(l).
  6. Notify the NEC in the event a current class is displaced from clinical sites.
  7. Continued 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. Continued the Program's requirement to demonstrate incremental progress in NCLEX-PN<sup>®</sup> licensure examination pass rates. If the Program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the Program's approval.
    - On December 20, 2023, the Program Director submitted documentation demonstrating compliance with the two violations from the August 12, 2022 unannounced site visit.
    - On March 30, 2023, a site visit was conducted. One violation was identified.
    - On April 3, 2023, the Program Director submitted documentation demonstrating compliance with the identified violation from the March 30, 2023 unannounced site visit.

- On May 19, 2023, the Board approved the following decisions:
  1. Granted continued approval for the Downey Adult School Vocational Nursing Program for a four-year period beginning May 30, 2023, on a provisional basis.
  2. Placed the Program on the Board's August 2024 meeting agenda for reconsideration of provisional approval.
  3. Approved the Program's request to admit a full-time class of 30 students to commence on May 22, 2023, with a graduation date of May 16, 2024.
  4. 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 Board approval prior to the admission of each class.
3. Continued 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 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. Maintain an average annual pass rate that is compliant with California Code of Regulations, Title 16, Section 2530(I).
4. Continued 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.
5. Continued 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 Board may revoke the Program's approval.