

Revised Agenda Item #14.A.1.



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: February 6, 2011

TO: Board Members

FROM: Pam Hinckley, R. N., M.S.N.
Nursing Education Consultant

SUBJECT: St. Jude Healthcare Education Center, Vocational Nursing Program – Consideration of Placement on Provisional Accreditation and Request to Begin a Part-Time Program. (Director: Marjorie Yumul, Glendale, Los Angeles County, Private)

St. Jude Healthcare Education Center, Vocational Nursing Program is presented to the Board for consideration of placement on provisional accreditation.

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

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

Section 2530(l) 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 accredited vocational nursing schools for the same period..”

The following table shows the variance of the program’s pass rates from the state average annual pass rates of first time graduates of accredited vocational nursing programs over the last five (5) quarters. This data substantiates the program’s noncompliance with Section 2530 (l) of the Vocational Nursing Rules and Regulations.

NCLEX-PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate

Oct – Dec 2010	76%	33%	-43
Jan – Mar 2011	77%	25%	-52
Apr – Jun 2011	76%	29%	-47
Jul – Sep 2011	76%	25%	-51
Oct – Dec 2011	75%	0%	-75

Additionally, the program is requesting to begin a part-time program. The program would adopt the same curriculum as the currently approved full-time program. The curriculum would include, 1728 total hours, including 744 theory and 984 clinical. The part-time program would be held on week-ends for 110 weeks with a maximum of 25 students per class.

History of Prior Board Actions

- On January 14, 2009, the Executive Officer approved St. Jude Healthcare Education Center's request to begin a vocational nursing program with an initial class of 30 students on January 19, 2009, only, with a projected graduation date of February 15, 2010, **and** approved the program curriculum for 1,728 hours, including 744 theory and 984 clinical hours.
- **On September 9, 2009, a new program director was approved.**
- **On February 9, 2010, a new program director was approved.**
- On May 3, 2010, the Board received the Program Records Survey and supporting documents and materials.
- On June 7 and 8, 2010, the assigned consultant inspected the St. Jude Healthcare Education Center, Glendale, Vocational Nursing Program to determine compliance with regulatory requirements. No violations were identified. The director was requested to submit revised admission criteria and procedures by June 25, 2010.
- On June 10, 2010, the Board received correspondence from the director and the requested revised admission criteria and procedures.
- On June 21, 2010, the Board received correspondence from the director regarding the admission of the proposed second class on August 2, 2010.
- On July 20, 2010, the Executive Officer approved initial full accreditation for the St. Jude Healthcare Education Center Vocational Nursing Program for the four (4) year period from July 20, 2010 through July 19, 2014, and directed staff to issue a certificate accordingly; **and** approved the program's request to start a class of 30 students on August 2, 2010 with a projected completion date of August 18, 2011 to **replace** students graduating on March 7, 2010; **and**, required the program to obtain Board approval prior to the admission of each class.
- On June 30, 2011, the Executive Officer issued the program a Notice of Violation related to noncompliance with regulatory requirements regarding increasing the

frequency and numbers of admissions. The director was required to submit a written response related to prevention of future occurrences by July 15, 2011.

- On July 13, 2011, the Board received the program's plan to prevent reoccurrence of the violation cited on June 29, 2011.
- **On July 19, 2011, the Executive Officer deferred action on the program's noncompliance with regulatory requirements regarding program pass rates and curriculum content, for consideration by the Board at the September 9, 2011 meeting. That decision was based on the program's history of poor student achievement, noncompliant pass rate statistics since the program's inception, and the program's lack of compliance with other critical regulatory requirements. The assigned consultant forwarded correspondence to the director advising of the Executive Officer's decisions.**
- On July 27, 2011, the program was notified the program would not be on the September Board agenda.
- On December 5, 2011, the program was notified they are being placed on the February 24, 2011 Board agenda.
- On January 19, 2012, the assigned consultant forwarded correspondence requesting submission of fifteen (15) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire Board members to consider.
- On January 26, 2012, the program director submitted fifteen (15) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.

Enrollment

The program is approved to offer a full – time course of instruction consisting of four (4) modules provided over 49 weeks. Prior Board approval is required for the admission of each class. The pattern of admissions for proposed classes is seen in the enrollment table below.

The following table represents **current and projected** student enrollment based on the **current and proposed** class start dates. The table indicates a **maximum enrollment of 17 students** for the period **January 2009 through August 2012**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
1/09 (FT)		10		10

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or	Total Enrolled
	2/10 (1/09 Class)		-10	10 - 10 = 0
8/10 (PT) Unapproved		24	17	0 + 17 = 17
	8/12 (8/10 Class)			17 - 17 = 0

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 2010 to December 2011, specify the pass percentage rates for graduates of the St. Jude Healthcare Education 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 Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate
Oct - Dec 2010	3	1	33%	77%	33%	76%
Jan - Mar 2011	1	0	0%	80%	25%	77%
Apr - Jun 2011	No Candidates Tested			71%	25%	76%
Jul - Sep 2011	No Candidates Tested			74%	25%	76%
Oct - Dec 2011	3	0	0%	74%	0%	75%

*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 recent data available (October 2010 - December 2011), the program's average annual pass rate is **0%**. The California average annual pass rate for graduates from accredited vocational nursing programs who took the NCLEX-PN® Licensure Examination for the first time during the same period is 75%. The average annual pass rate for the St. Jude Healthcare Education Center Vocational Nursing Program is **75** 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 number of Board-approved faculty totals seven (7), including the director. The director has 60% administrative duties and 40% classroom duties. Of the total faculty, six (6) instructors are approved to teach clinical.

Based on a maximum enrollment of 17 students, two (2) instructors are needed. Therefore, the number of current faculty is adequate for the current and proposed enrollment.

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

“Schools shall have clinical facilities adequate as to number, type, and variety of patients treated, to provide clinical experience for all students in the areas specified by Section 2533. There must be available for student assignment, an adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught.”

The program has sufficient clinical facilities to afford the number type and variety of patients that will provide clinical experience consistent with competency-based objectives and theory. This has been verified by the consultant.

Other Considerations

The program enrolled its initial class of ten (10) students on January 19, 2009. On February 15, 2010, the program graduated ten (10) students. Of those graduates, seven (7) have taken the licensure examination. Of the seven (7) who tested, one (1) passed and six (6) failed. As such, 14.2% of the initial graduates tested passed the NCLEX-PN® and 85.7% percent failed. Three (3) graduates have not tested to date.

On August 2, 2010, the program admitted its second class of 24 students. Currently, 17 students remain enrolled in the class.

On September 20, 2010, the director requested to change the existing full-time class to a part-time class. On September 28, 2010, the assigned consultant notified the director that submission of the following documents was required for consideration of the proposed part – time class.

1. Length of the Proposed Part – Time Course of Instruction.
2. New Instructional Plan Reflecting Part – Time Instruction.
3. Revised Instructional Calendar.
4. Revised Clinical Approval Forms to Include Proposed Days and Times of Part – Time Clinical Rotations.
5. Revised Plan for Maternity and Pediatric Rotations.

The director acknowledged receipt of this information and stated the program would comply with the instructions provided.

On November 9, 2010, the assigned consultant contacted the director to clarify instruction for the enrolled class and the program’s desire to offer part time classes only. The director was **reminded that the program had been approved to offer full – time classes only.**

As such, **instruction for the enrolled class was approved with a full – time instructional plan.** That class's instruction must be completed in accordance with the approved instructional plan to ensure students receive a complete course of instruction. The director was advised that completion and submission of the information and documents specified on September 28, 2010 were required to process the program's request for a part – time class. (See Attachment A)

On November 23, 2010, the Board received electronic correspondence from the director including documents in support of the proposal. On November 24, 2010, the assigned consultant notified the director that the submitted documents were incomplete. Subsequently, the Board received additional electronic documents from the director.

On December 16, 2010, the consultant notified the director that discrepancies were identified between the submitted forms. On December 21, 2010, the Board received revised forms from the director.

On January 3, 2011, NEC advised the director that submitted revised documents contained multiple inconsistencies. Specifically, discrepancies continued in the numbers of hours of theory and clinical instruction as listed on the revised Summary of Program Hours and the Content Hours per Week per Term of the curriculum.

On January 6, 2011, the NEC received electronic communication from the director. This document could not be opened. The NEC advised the director to forward the document per fax. On January 8, 2011, the requested documents were received.

On January 10, 2011, NEC left a telephonic message notifying the director that discrepancies persist. Specifically, inconsistencies continue in the hours as presented on submitted documents. On January 13, 2011, the consultant received revised documents from the director.

On February 10, 2011, the NEC notified the director that the previously identified inconsistencies between the Summary of Program Hours and the Content Hours per Week per Term Worksheet remain uncorrected.

On February 14, 2011, the Board received electronic correspondence from the director including revised documents. The NEC advised the director that the documents sent could not be opened. On February 16, 2011, the director re-sent the requested documents. On February 22, 2011, the NEC advised the director that the documents were received and could be opened. The documents would be reviewed after the February 2011 Board meeting.

On April 19, 2011, the NEC advised the director to send a revised enrollment form with current data, including projected start and completion dates. On April 25, 2011, Director responded the new part-time class would be 96 weeks in length and requested approval of "the next class for part – time status come by July 11, 2011 ... and end March 2013." Further, the director indicated she wants to also change the existing full-time day class to a full-time evening class. The NEC advised the director she would need to send revised

enrollment documents and correspondence specifying dates of commencement, dates of completion, and proposed enrollment for full – time and part - time classes.

On May 5, 2011, the NEC identified further discrepancies in the weeks on the content worksheet and summary of program hours forms. The NEC contacted the director to clarify the schedule for future class admissions.

On June 9, 2011, the NEC sent the director electronic correspondence regarding the program's non-responsiveness to the April 25, 2011 email, requesting submission of revised enrollment documents and other critical information needed to process the requests. Additional copies of required forms were attached. The director was requested to submit the following information by June 11, 2011.

1. Completed enrollment form to include start and completion dates for all **previous and current** full – time classes enrolled to date;
2. Start and completion dates for **proposed full – time and part – time** classes.

On June 13, 2011, the NEC received electronic correspondence from the director with attachments. On June 15, 2011, the NEC advised the director that the attachment she sent could not be opened and please Fax it. Subsequently the form was received via Fax. (See Attachment B)

The NEC identified the program's noncompliance with the Executive Officer's decision rendered July 20, 2010. Specifically, the Executive Officer had approved the program's request to start a class of 30 students on August 2, 2010 with a projected completion date of **August 18, 2011**, to **replace** students graduating March 7, 2010. Based on documents received June 16, 2011, the projected graduation date of the enrolled class was **August 2012**. As such, the class was extended an additional year. Further, the curriculum content, hours, and sequence were inconsistent with the approved instructional plan.

On June 30, 2011, the Executive Officer issued a Notice of Violation for the admission of an unapproved part-time class. The director was required to submit a written response related to prevention of future occurrences by July 15, 2011. (See Attachment C)

On July 13, 2011, the director submitted correspondence indicating she was sending the program's plan to prevent reoccurrences of the violation, however, **to date the plan has not been received**. (See Attachment D).

On July 19, 2011, the Executive Officer deferred action on the program's request for consideration by the Board at the September 9, 2011 meeting. That decision was based on the following findings.

- History of poor student achievement.
- Program's noncompliance with regulatory requirements regarding program pass rates since the program's inception.
- Implementation of a major curriculum revision **without prior Board approval**.

The assigned consultant forwarded correspondence to the director advising of the Executive Officer's decisions.

On July 27, 2011, the program was notified that the program's presentation to the Board would be delayed.

On August 15, 2011, the NEC requested the director to submit the following information and documents by August 24, 2011.

- Comprehensive list of curriculum content topics for Term I in order of presentation.
- Completed Summary of Instructional Plan Hours Worksheet.
- Completed Content Hours Per Week Per Term of the Curriculum.

On August 29, 2011, the Board received correspondence from the director with attachments.

On August 30, 2011, after analysis of the documents submitted on August 29, 2011, the NEC advised the director of continued inaccuracies in the submitted documents.

On September 2, 2011, the Board received revised materials from the director. After analysis, the NEC identified continued errors and inaccuracies. The director was requested to submit corrected documents no later than October 7, 2011.

On October 5, 2011, the Board received revised documents from the director. After analysis, the NEC identified that errors and inaccuracies persisted. The director was requested to submit revisions for the part – time instructional plan by November 18, 2011.

On October 24, 2011, the director submitted the revised instructional plan via electronic communication.

On October 26, 2011, the consultant requested the director to submit the revised instructional plan with requested revisions via the regular mail.

On November 17, 2011, the consultant notified the director that discrepancies persisted in the submitted instructional plan. Specifically, inconsistencies continued in the hours as presented on submitted documents. The NEC advised the director the revisions must be received by the Board on or before November 21, 2011.

On November 18, 2011, the instructional plan was received. The consultant notified the director that discrepancies persisted in the submitted instructional plan.

On November 28, 2011, the revised instructional plan was received. All deficiencies corrected.

On December 5, 2011, the director was notified that the Board was scheduled to consider placement of the program on provisional accreditation at the February 24, 2011 Board agenda.

On January 19, 2012, the assigned consultant forwarded correspondence requesting submission of fifteen (15) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire Board members to consider by January 25, 2012. (See Attachment E).

On January 23, 2012, the director telephoned the NEC and requested an extension of the submission deadline of the 15 copies listed above. The NEC reminded the director that she had verbally been given the deadline date back in December 2011 and was told to prepare for this event. The director acknowledged she was aware of the deadline. The NEC advised the director she would have until Friday the 27th of January to submit the documents.

On January 26, 2012, the program director submitted fifteen (15) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.

Based on the program's submitted materials, documents and performance statistics, the following violations are identified.

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

Violation #1: On July 20, 2010, the program was approved to start a class of 30 students on August 2, 2010 with a projected completion date of **August 18, 2011**, to **replace** students graduating March 7, 2010. Based on the approved program length of 49 weeks, the course of instruction was full – time.

Documents received June 16, 2011 specify that the program changed the full time class to part – time. This is confirmed by the projected graduation date of **August 2012**. As such, the class was extended an additional year.

Correction #1: This violation has been **corrected**. On July 13, 2011, the Board received electronic communication from the director, dated July 7, 2011, stating the program's plans to prevent a reoccurrence of the violation was being sent. However, the plan was not received until January 26, 2012, when the program submitted 15 copies of documents that they wanted the Board to consider pursuant to the

Board's consideration of placing the program on provisional accreditation.

Section 2530(l) 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 accredited vocational nursing schools for the same period.

- (1) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation.”**

Violation #2: The program's average annual pass rates have been more than ten (10) percentage points below the state average annual pass rate for five (5) consecutive quarters since the program began.

Plan of Correction #2: This violation is **not corrected**. The violation will be corrected when the program's pass rates improve and are consistent with regulatory requirements.

Section 2533 (f) of the Vocational Nursing Rules and Regulations states:

“All curricular changes that significantly alter the program philosophy, conceptual framework, content, objectives, or other written documentation as required in section 2526, shall be approved by the Board prior to implementation...”

Violation #3: Board records confirm the program's approval to offer a full – time course of instruction on January 14, 2009. Submitted documents confirm the program began a part-time course of instruction **without** prior Board approval. Included therein, the program revised the content and sequence of presentation. Further, the program implemented this change during the term of an enrolled full – time class. In so doing, students were enrolled for a course to be given over 49 weeks. Prior to graduation, that course was extended to 110 weeks. Given the program's actions, the Board is unable to verify the students' completion of the minimum theory and clinical hours and curriculum content required by existing regulations.

Plan of Correction #3: This violation is **not corrected**. This violation will be corrected when the program receives Board approval for the new part-time instructional plan.

As previously stated, on January 26, 2012, the Board received the program's plan to prevent future reoccurrence of the violations listed above. The plan includes the following elements: (See Attachment F).

Plan to correct the unapproved admission of class:

- Inform the Board of future plans and or any changes to be made to the curriculum.
- Maintain open lines of communication with the Nursing Education Consultant.
- Obtain written notice from the Board ("never assume approval of any kind").
- Review the process of program approval.
- Submit documents in a timely manner.
- Seek advice from the Nursing Education Consultant.

Actions to Address the School's Board Exam Performance:

- Periodic review of the entire curriculum
- Perform an item analysis to make sure test correlates to objectives. Have faculty attend workshop on item analysis and test construction.
- Periodic counseling of students related to academic performance, and behaviors.
- Perform achievement tests after each term. Failure to achieve acceptable levels will prevent students from progressing to the next term.
- Strengthen policy of students "taking the pre-board exam" after the "in-house" review.
- Initiate a 30 item NCLEX format test to be given at the "end of each concepts".
- Have new faculty members attend workshops or seminars related to "teaching and nursing profession".
- Possible adoption of ATI or HESI testing.

Recommendations:

1. Approve St. Jude Healthcare Education Center Vocational Nursing Program's request to offer a part-time course of instruction **only**.
2. Approve the program's part – time curriculum to include 1728 total hours (744 theory; 984 clinical hours), effective February 27, 2012.
3. Approve the program's part – time instructional plan.
4. Deny the program's request to admit 25 part – time students effective February 27, 2012.
5. Place St. Jude Healthcare Education Center Vocational Nursing Program on provisional accreditation for the two-year period from February 24, 2012, through February 28, 2014, and issue a notice to the program to identify specific areas of non compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (see Attachment G).

6. Require the program to admit no additional students unless approved by the full Board.
7. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
8. Require the program to submit follow-up reports in 9 months, but no later than **November 1, 2012**, and 21 months, but no later than **August 1, 2013**. The reports 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 Plans for Each Course.
 - h. Textbooks.
 - i. Attendance Policy.
 - j. Remediation Policy.
 - k. Evaluations of Theory and Clinical Faculty.
 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - n. Evaluation of Student Achievement.
 - o. Current Enrollment.
9. Require the program to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
10. Place the program on the **February 2013** Board agenda for reconsideration of provisional accreditation.
11. Failure to show consistent progress shall constitute cause for revocation of provisional accreditation.

Rationale: The director requested to change the current full-time program to a part-time program on September 20, 2010. On September 28, 2010, the NEC forwarded, via electronic communication, the forms required to initiate the request for a part-time program. On November 9, 2011, the NEC notified the director that she would **not** be able to convert the existing class to a part-time class, since it was originally approved as a full-time class and instruction had commence. Additionally, the director was told that she could submit the paperwork to process the request for a future part – time class.

Since the original request was submitted on September 20, 2011, many problems have existed related to discrepancies of hours submitted, and the inability of the NEC to open documents received from the program. These issues remained through June 16, 2011 when it was identified, by the NEC, that the program had changed the existing full-time class to a part-time class **without** prior Board approval.

The director indicated that she thought the part-time class was approved since she had been in communication with the NEC. A notice of violation was sent on June 30, 2011. Action was deferred to the full Board, by the Executive Officer, on July 19, 2011 due to the program's low passing scores on the licensure examination and the noncompliance with existing regulations. On July 27, 2011, the director was notified that Board presentation would be delayed. She was advised to correct the instructional plan. The discrepancies on the instructional plan hours continued through November 27, 2011. On November 28, 2011, the Board received documents correcting the identified deficiencies.

The program has graduated ten (10) students to date. Of the ten (10) graduates, seven (7) have taken the licensure examination. Of the seven (7) who tested, one (1) passed and six (6) failed. As such, 14.2% of the initial graduates tested passed the NCLEX-PN® and 85.7% percent failed. Three (3) graduates have not tested to date.

The program has 17 students currently enrolled in its second class. This second class is the class that was changed from a full-time to a part-time class. Based on the revised projected graduation, this class is not expected to graduate until August 2012. As such, no new licensure data is expected for this group of students until February 2013.

In summary, the Board has serious concerns relative to the program's performance statistics on the NCLEX/PN® and the failure of the program to follow the California Code of Regulations. To date, the program has graduated only one (1) class of ten (10) students. Seven (7) of the program graduates have taken the licensure examination. The statistics for this class are **43 to 75 percentage points below** the state average annual pass rate. As such, placement on Provisional Accreditation is warranted.

As noted previously, the program has requested approval to offer both full – time and part – time classes. The program's pass rate statistics since inception do not indicate such approval will be conducive to enhanced student achievement. Such statistics support approval of the program's request to offer part – time classes **only**.

Board staff will continue to closely monitor the program's effectiveness by tracking class admissions, the effectiveness of employed interventions, and the program's licensure examination pass rates quarterly, analyzing Annual Reports

submitted by the program, and performing accreditation surveys every four (4) years.

- Attachment A: Board and Program Electronic Communication dated November 9, 2010.
- Attachment B: Program Correspondence Dated June 13, 2011.
- Attachment C: Notice of Violation Dated June 30, 2011.
- Attachment D: Program Correspondence dated July 27, 2011, Received July13, 2011.
- Attachment E: Board Correspondence dated January 19, 2012.
- Attachment F: Program Correspondence dated January 25, 2012, Received January 27, 2012.
- Attachment G: Draft Notice of Change in Accreditation Status.

Agenda Item #14.A.1. Attachment A

Hinckley, Pam@DCA

From: Pam Hinckley
Sent: Tuesday, November 09, 2010 3:08 PM
To: 'marjorie yumul'
Subject: RE: follow up request

Dear Marjorie,

I talked with Cheryl Anderson about your request to change the class that started Aug. 2, 2010 to a part-time program. She told me that you will need to do that with the next class. This class was approved as full-time. You can prepare all of the documents for the part-time class for the next class you want to have.

Call me if you have questions.

Pam Hinckley, RN, MSN
Nursing Education Consultant
Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833
(916) 263-7840 Ph.
(916) 2637866 FAX
pam_hinckley@dca.ca.gov

From: marjorie yumul [mailto:marjorie_yumul@yahoo.com]
Sent: Tuesday, September 28, 2010 9:49 PM
To: Pam Hinckley
Cc: Saint Jude
Subject: Re: follow up request

hi pam.

Im so glad to hear from you. Rest assured that we will follow your instructions. We are really decided to change to a partime status for now when the time and situation calls for it.

However, we will be using the same instructional plan with the same number of hours in the curriculum and approved rotations. The only thing that we will be change is the number of school days. The program will be lengthen to meet the approved number of hours and weeks as stated in the approved curriculum.

Thank you very much.

Marjorie Yumul

From: Pam Hinckley <Pam.Hinckley@dca.ca.gov>
To: marjorie yumul <marjorie_yumul@yahoo.com>

Sept. 20, 2010

PAM HINCKLEY, RN , MSN
Education Consultant
BVNPT
Sacramento California

Dear Pam:

Greetings of peace.

We are delightful that the second batch have opened for the VN program. Initially started to be full time but unfortunately we encountered problems keeping the students in the program for their individualized reasons that we need to consider.

We therefore, request the change of fulltime program to a partime status for the said class. The approved curriculum will be used meeting thesame approved number of hours per course or subjects, same curricular objectives and placements for the students. The only change that we will be looking into is the number of days that the students will be in school.

We plan to change MTWTh school days to Sunday and Monday . So we were looking from the original 54 weeks to approximtely 96 weeks. Students have agreed to the duration of the whole program .

We will submit our academic calendar year together with the same curriculum for your perusal.

Pls. advise.

Thank you very much.

MARJORIE B. YUMUL, RN, BSN, MAN
VN Program Director

Agenda Item #14.A.1. Attachment B

Hinckley, Pam@DCA

From: Pam Hinckley
Sent: Wednesday, June 15, 2011 12:26 PM
To: 'Saint Jude'
Subject: RE: Enrollment Table

Dear Marjorie,
The attachment is not able to be opened up. Perhaps you might want to FAX it? (916) 263-7855.
Pam

From: Saint Jude [<mailto:stjudehec@yahoo.com>]
Sent: Wednesday, June 15, 2011 12:23 PM
To: Hinckley, Pam@DCA
Subject: Enrollment Table

----- Forwarded Message -----

From: Saint Jude <stjudehec@yahoo.com>
To: marjorie yumul <marjorie_yumul@yahoo.com>
Sent: Mon, June 13, 2011 3:00:17 PM
Subject: Re:

Dear Pam,

Attached is the enrollment table of St. Jude. The Part-Time (Sunday/Monday) class was a replacement of the Full time (M-T-W-TH).

From: marjorie yumul <marjorie_yumul@yahoo.com>
To: Saint Jude <stjudehec@yahoo.com>
Sent: Fri, June 10, 2011 10:29:46 AM
Subject: Fw:

----- Forwarded Message -----

From: "Hinckley, Pam@DCA" <Pam.Hinckley@dca.ca.gov>
To: marjorie yumul <marjorie_yumul@yahoo.com>
Sent: Thu, June 9, 2011 1:44:37 PM
Subject:

Marjorie,

I previously sent you an enrollment form. I am attaching another one since I did not receive one with all of the information on it. You need to:

1. List all classes that St. Jude's has had to date
2. Describe how the classes are replacing each other
3. List the proposed class.

Please get this back to me by June 11, 2011 or sooner.

Pam Hinckley, R.N. M.S.N.

Board of Vocational Nursing and Psychiatric Technicians

2325 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833
Phone: (916) 263- 7840
FAX: (916) 263-7855
pam.hinckley@dca.ca.gov

Agenda Item #14.A.1. Attachment C



STATE AND COMMUNITY SERVICE AGENCY • CALIFORNIA FINANCIAL PROTECTION

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945
Phone (916) 263-7800 Fax (916) 263-7855 Web www.bvnpt.ca.gov



CERTIFIED

June 30, 2011

Marjorie Yumul
Vocational Nursing Program Director
St. Jude Healthcare Education Center
335 North Brand Boulevard, Suite 270
Glendale, CA 91203

Subject: Notice of Violation

Dear Ms. Yumul:

The Board of Vocational Nursing and Psychiatric Technicians (Board) has received information that confirms the noncompliance of the St. Jude Healthcare Education Center, Vocational Nursing Program with regulatory requirements. Specifically, the program commenced a part – time class without prior Board approval.

California Code of Regulations 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).

On July 20, 2010, the Executive Officer approved full initial accreditation of the St. Jude Health Education Center, Vocational Nursing Program for the four (4) year period from July 6, 2010, through July 5, 2014, and directed issuance of a certificate. Additionally, the Executive Officer approved the program’s request to admit 30 students into a full – time class on August 2, 2010 only, with a projected completion date of August 18, 2011, and required the program to obtain Board approval prior to the admission of each class.

On August 2, 2010, you admitted a class of 24 students into a **part -- time** class. Board approval was not obtained prior to the admission of the part – time class. Accordingly, you are advised that the program’s commencement of a part – time class without prior Board approval, constitutes a serious violation of the aforementioned regulation

The Board strongly recommends that violations of this nature be avoided. Such violations jeopardize your program's accreditation. California Rules and Regulations section 2526.1(c) states:

"The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526. If the program has not met all requirements at the end of the initial provisional accreditation period, provisional accreditation may be extended if the program demonstrates to the satisfaction of the Board a good faith effort to correct all deficiencies."

Moreover, such violations seriously jeopardize the education and licensure of students from your program. The Board is mandated to ensure the protection of the health, safety, and welfare of California consumers. Students in your program are consumers.

Please submit the following information no later than **Friday, July 15, 2011**.

- A detailed explanation relative to why the violation occurred.
- Actions you will take to prevent future reoccurrences.
- A Summary of Program Hours for the part – time class.
- A Content Hour Worksheet per term of the curriculum for part – time classes.
- Instructional Plan for the part - time course of instruction.

Should further clarification be needed, please feel free to contact the Board at (916) 263-7840.

Sincerely,



TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer

Attachments

- Summary of Program Hours.
- Content Hours Per Term Worksheet.

TBJ:ph

**SUMMARY OF INSTRUCTIONAL PLAN PROGRAM HOURS
VOCATIONAL NURSING PROGRAM**

Name of Program: _____ Date: _____

Reference: Vocational Nursing Rules and Regulations: Article 5, section 2532 (Curriculum Hours) and section 2533 (Curriculum Content)

Curriculum Content	Prerequisites	Term 1	Term 2	Term 3	Term 4	Comments	Totals
Anatomy & Physiology							0
Nutrition							0
Psychology							0
Growth & Development							0
Fundamentals of Nursing							0
Nursing Process							0
Communication							0
with pts with psych disorders							0
Patient Education							0
*Pharmacology							0
Medical/Surgical Nursing							0
Communicable Disease							0
Gerontological Nursing							0
Rehabilitation Nursing							0
Maternity Nursing							0
Pediatric Nursing							0
Leadership							0
Supervision							0
Ethics & Unethical Cond.							0
Critical Thinking							0
Culturally Congruent Care							0
End-of-Life Care							0
Total Theory Hours	0	0	0	0	0		0
Skills Lab Hours							0
Clinical Experience Hrs							0
Total Clinical Hours	0	0	0	0	0		0

TOTAL PROGRAM HOURS	0
----------------------------	----------

Breakout of Clinical Hours by Topic Areas:

Topic	Hours
Fundamentals	
Medical-Surgical	
Pediatrics	
Maternity	
Leadership	
Supervision	
Total Clinical Hours (should match cell H26)	0

Note: This form is not required by regulation, but is a tool designed to assist program directors to accurately calculate

Agenda Item #14.A.1. Attachment D

Hinckley, Pam@DCA

From: marjorie yumul [marjorie_yumul@yahoo.com]
Sent: Wednesday, July 13, 2011 5:44 AM
To: Hinckley, Pam@DCA
Cc: Saint Jude
Subject: Re:

July 13, 2011

Dear Pam,

I hope your back from your vacation. I just wanted to inform you that we received the letter of violation and had responded to it already. Dr. T. Jones asked for the submission of the instructional plan and the summary of hours per each term and we had submitted and mailed it yesterday. It may come to your office or Dr. T Bello's office before our deadline on July 15.

Thank you very much.

Marjorie

From: "Hinckley, Pam@DCA" <Pam.Hinckley@dca.ca.gov>
To: marjorie yumul <marjorie_yumul@yahoo.com>
Sent: Mon, June 27, 2011 1:07:12 PM
Subject:

Dear Marjorie,
Attached please find the forms you will need to fill in based on the part-time program hours.

Pam Hinckley, P. N. M. S. N.
Board of Vocational Nursing and Psychiatric Technicians
2325 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833
Phone: (916) 263- 7840
FAX: (916) 263-7866
pam.hinckley@dca.ca.gov

Agenda Item #14.A.1. Attachment E



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

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945

Phone (916) 263-7800 Fax (916) 263-7859 Web www.bvnpt.ca.gov



CERTIFIED MAIL

January 19, 2012

Marjorie Yumul
St. Jude Healthcare Education Center
Vocational Nursing Program
335 North Brand Boulevard, Suite 270
Glendale, CA 91203

Re: Consideration of Placement on Provisional Accreditation

Dear Ms. Yumul:

On February 24, 2012, the Board is scheduled to hear the consultants' report relative to **St. Jude Healthcare Education Center Vocational Nursing Program's** for consideration of placement on Provisional Accreditation. The Board is scheduled to consider the report at its meeting scheduled February 24, 2012. That meeting will be held at the Radisson Hotel LAX, in Los Angeles, California.

To ensure dissemination and review by individual Board members and relevant staff for timely consideration prior to the February Board meeting, please submit the following written information by **Wednesday, January 25, 2012:**

- Fifteen (15) copies of pertinent documents related to subsequent actions taken by the program to correct identified problems ***that you desire Board members to consider***. Please remember existing statutes require that any document considered by the Board will become a public record. Accordingly, please redact all names of students.
- In addition, please provide information on a compact disc (CD) for Board use. Again, please remember to redact any student names prior to copying information onto the CD.

Although the primary purpose of this letter is to convey the Board's need for the copies, please be assured that, if timely submitted, any correspondence and attachments will be reviewed and, if appropriate, information submitted may be included in the report of the assigned consultant.

The Board strongly recommends that you plan to attend the meeting and be prepared to respond to questions from Board members relative to your program.

Please contact the Board at (916) 263-7843 should further clarification be needed.

Sincerely,

PAM HINCKLEY, RN, MSN

Nursing Education Consultant

Board of Vocational Nursing and Psychiatric Technicians

2535 Capitol Oaks Drive, Suite 205

Sacramento, CA 95833

(916) 263-7843 Phone

(916) 263-7866 Fax

Pam_hinckley@dca.ca.gov

Agenda Item #14.A.1. Attachment F



ST. JUDE HEALTHCARE EDUCATION CENTER

335 N. Brand Blvd., Ste. 270, Glendale CA 91203 (818) 548-2673

edee
BVNPT Received
on 1-27-12 with KR

January 25, 2012

2012 JAN 27 AM 11:56
BVNPT

REQUESTS FOR BOARD'S CONSIDERATION

1. REQUEST FOR THE APPROVAL OF THE PART TIME CLASS :

St Jude Health care Education System have requested the board's approval for the part time class . Documents have been submitted and re-submitted for subsequent corrections . The curriculum made for this part time class was based on the approved full time curriculum . The school had opened the first batch of the part time VN class and still on going up to present. Communication to the Education Consultant with Ms. Pam Hinckley was sought since the beginning.

ACTIONS TO VIOLATION: OPENING OF UNAPPROVED PART TIME CLASS:

The school acknowledges the violation of opening of unapproved part time class. Explanations have been discussed and written about what had transpired before and during the course of communication to our Education Consultant.

The following are the school actions to prevent the recurrence of the problem:

1. Inform the Board of the future plans and or any changes made in the curriculum.
2. Keep the lines of communication open with our Education Consultant .
3. Never assumed approval of any kind unless received a formal written notice from the Board.
4. Review the process of program approval and discussed with the Education consultant for some questions and clarifications.
5. Submit requirements for the program approval in timely manner.
6. Seek professional advise form the Education Consultant and other members of the board

2. REQUEST FOR OPENING A SECOND BATCH OF A PART TIME CLASS:

The ongoing first batch of part time students were expected to finish by the end of August. The school is requesting consideration from the board of the plan to open another part time class this year. The requested class if approved, will be opened per Board's advised.

ACTIONS FOR THE SCHOOL'S BOARD EXAM PERFORMANCE:

There are 10 graduates from the first batch (Full – time). Among the seven (7) graduates who took the exam, only one have successfully pass the board. There are three (3) graduates left who have not taken the test and have been following up by the school regarding their plans. Their personal reasons are taken into considerations and which are also beyond the rights of the school to deal.

With the low passing rate from the first batch of full time class, we hereby taken to consider the following actions:

PERIODIC REVIEW OF THE WHOLE CURRICULUM :

Periodic review of the subject contents, curricular objectives, instructional methodologies and evaluation will be done to make sure the quality of the instructions are in accordance to what are the requisites of the program. The Methods of Instructions will be reviewed and modify as necessary as to what will best help the students to learn. A more interactive and brainstorming, critical thinking teaching and learning activities will be implemented. Thus, the measurements of their competencies in terms of skills and knowledge will also be looked into in terms of the appropriate methods of evaluation . Any changes and modifications in the curriculum will be communicated with our Education consultant.

ITEM ANALYSIS AND TEST CONSTRUCTIONS:

The school will review the test constructions and will do item analysis per examinations to make sure that the curricular objectives will be met and have a proper evaluation for each subjects/concepts. Faculty members will be guided as the school plans to conduct a seminar workshop for all faculty members regarding item analysis and test constructions prior to the opening of the new class. This action will greatly help the students and faculty to meet the objectives.

PERIODIC ACADEMIC COUNSELING :

Each students will be called to the Director's office regarding their academic standing prior to the end of each term and whenever deemed necessary. Review of their academic records, test, quizzes, attendance and behaviors will be discussed and be given advised as the areas that needs for any improvements.

Students who displayed a academic excellence will be recognized each term. This will give other students inspiration to strive more with their academic performances.

ACHIEVEMENT TEST/ EVALUATION TEST AFTER EACH TERM:

The school have been starting to give an achievement test after each term. This test will determine their level of competencies in terms of knowledge and skills of what have they learned and their readiness for each succeeding terms. Evaluation of their academic

performances will be strictly implemented before their admittance to the next term. As it was written on our student handbook about the policies and procedures for the retaining, removal and placing students on probationary in relation to their academic standing. A proper guidance and academic counseling will take place as deemed necessary.

PROVISION OF PRE-BOARD EXAM :

The school will strengthen the policy of taking the pre-board exam to be given after the In – house review of the students. This will determine their preparedness before the upcoming board exam. Those students who will be needing more review hours will be sent to the **Excel Review Center . Monitoring of their preparedness (weakness and strengths) will be done.**

Final coaching and counseling will take place prior to taking the board exam. Students who were not able to pass the pre-board exam and with low performance scores in the review classes will be counseled and advised to attend some of the lectures in the school until have shown improvements in the area of weakness(es) and pass again the pre-board exam.

PROVISION OF SAMPLE NCLEX REVIEW QUESTIONS AFTER EACH CONCEPTS:

At the end of each concepts , students will be given NCLEX review questions (30 item test) that will be answered and submitted to the school. This will enable them to be familiarized with the type of questions the NCLEX provide. Areas of strengths and weaknesses will be determined and students will be advised.

TEACHING / ADVANCEMENT OPPORTUNITIES :

The school is open for those aspirants to be part of our faculty to share with us their innovative ideas and teaching expertise in the field of nursing. A qualified applicants after the board's approval will be asked to attend some of the trainings and seminars beneficial for their development in relation to their teaching and nursing profession. Thus, the school will be manned by more equipped faculty members to help out for the success of our students.

ADOPT HESI OR ATI SYSTEM :

The school is open to the idea of adopting the HESI or ATI program in the next succeeding batch. This will help to monitor the progress of the students and their preparedness for the board exam. School administrators are looking into the possibilities of adopting ATI to implement this year or succeeding batch to help our students and to increase the performance rating in the board exam.

Agenda Item #14.A.1. Attachment G



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945

Phone (916) 263-7800 Fax (916) 263-7859 Web www.bvnpt.ca.gov



February XX, 2012

Marjorie Yumul
Vocational Nursing Director
St. Jude Healthcare Center
335 North Brand Avenue
Glendale, CA 91203

Subject: Notice of Change in Accreditation Status

Dear Ms. Yumul:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on February 24, 2012, the status of the St. Jude Healthcare Center Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the two – year period from February 24, 2012 through February 28, 2014. Please sign and return the enclosed “Acknowledgement of Change in Accreditation Status” form by **Friday, March 16, 2012**.

AREAS OF NON-COMPLIANCE [VIOLATION(S)]

In accordance with Section 2526.1(c) of title 16 of the California Code of Regulations,

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

Section 2530(l) of title 16 of the California Code of 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 accredited vocational nursing schools for the same period...”

The program pass rates of the St. Jude Healthcare Center Vocational Nursing Program for the past four (4) quarters are set forth in the following table.

NCLEX-PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Oct – Dec 2010	76%	33%	-43
Jan – Mar 2011	77%	25%	-52
Apr – Jun 2011	76%	29%	-47
Jul – Sep 2011	76%	25%	-51
Oct – Dec 2011	75%	0%	-75

Based on this data, the program failed to meet the average annual pass rate requirement.

REQUIRED CORRECTION(S)

1. Place St. Jude Healthcare Education Center Vocational Nursing Program on provisional accreditation for the two-year period from February 24, 2012, through February 28, 2013, and issue a notice to the program to identify specific areas of non compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Require the program to admit no additional students unless approved by the full Board.
3. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by February 1, 2013.
4. Require the program to submit follow-up reports in 9 months, but no later than **November 1, 2012**, and 21 months, but no later than **August 1, 2013**. The reports 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 Plans for Each Course.
 - h. Textbooks.
 - i. Attendance Policy.
 - j. Remediation Policy.
 - k. Evaluations of Theory and Clinical Faculty.
 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - n. Evaluation of Student Achievement.
 - o. Current Enrollment.

5. Require the program to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
6. Failure to show progress shall constitute cause for revocation of provisional accreditation.

FUTURE BOARD ACTION

Your program will be placed on the **February 2013** Board Meeting agenda for reconsideration of your accreditation status. The nursing education consultant assigned to your program will ask you to submit documentation of the correction of your violation(s) by the fifteenth day of the second month prior to that Board meeting.

OTHER IMPORTANT INFORMATION

Please be advised that, pursuant to the Board's regulations, the program will not be authorized to admit new classes beyond the established pattern of admissions previously approved by the Board. The established pattern of admissions approved by the Board is as follows: Prior Board approval is required to admit classes.

In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

The program may no longer advertise that it has full accreditation, and should take steps to correct any ongoing advertisements or publications in that regard.

A copy of title 16, California Code of Regulations, section. 2526.1, regarding provisional accreditation is attached for your reference. A complete copy of the Board's laws and regulations can be found on the Board's web site at www.bvnpt.ca.gov.

Should you have questions, please do not hesitate to contact the Board.

Sincerely,

TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer

Enclosure
TBJ/ph
cc: Board Members