



Board of Vocational Nursing and Psychiatric Technicians
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DATE: August 28, 2014

TO: Board Members

FROM:  Donna G. Johnson, R.N.P., M.S., M.A.
Nursing Education Consultant

SUBJECT: InterCoast College, Fairfield, Vocational Nursing Program (formerly College of Medical Arts Vocational Nursing Program) – Consideration of Provisional Approval Based Upon Consideration of Unannounced Survey Visit (Director: Catherine Hartwig, Fairfield, Solano County, Private)

On January 24, 2014, after considering the decrease in the licensure examination pass rates for first – time program graduates of the InterCoast College, Fairfield, Vocational Nursing Program (formerly College of Medical Arts Vocational Nursing Program), the Executive Officer denied the program's request to admit thirty (30) students per class in a(n):

1. Evening class starting February 13, 2014 and graduating May 23, 2015.
2. Day class starting May 12, 2014 and graduating August 21, 2015
3. Evening class starting June 16, 2014 and graduating September 22, 2014
4. Day class starting September 22, 2014 and graduating January 2, 2016
5. Evening class starting October 27, 2014 and graduating February 2, 2016.

The Executive Officer approved a class of thirty (30) evening students to start February 13, 2014, graduating May 23, 2015, and approved a day class of thirty (30) students to start May 12, 2014, graduating August 21, 2015. Approval of the remaining requested classes was denied. The Executive Officer specified that the program is required to obtain Board approval prior to the admission of additional classes.

On May 22, 2014, after considering a precipitous decrease in the program's licensing examination pass rates for the second consecutive quarter, the Executive Officer denied the program's request to admit two (2) classes of thirty (30) part-time students and three (3) alternate students.

The director of the program was required to complete an analysis of the program and develop an appropriate detailed plan to improve the program's licensure examination pass rate. **That analysis has not yet been received.**

Between March 23, 2014 and July 11, 2014, the Board received complaints regarding the program from a total of five (5) individuals, including former employees and current students. Most complainants requested anonymity.

On July 8 and 9, 2014, two (2) Board representatives conducted an unannounced onsite survey of the InterCoast College, Fairfield, Vocational Nursing Program. A report of those findings is presented for Board consideration.

History of Prior Board Actions

(See Attachment A, History of Prior Board Actions)

Enrollment

Currently, the program offers a part-time class that is sixty-nine (69) weeks long. Board approval is required prior to the admission of each class.

The following table represents student enrollment based on current class starts and completions. The table indicates a **maximum enrollment of 134 students** for the period from **February 2012 through August 2014**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
2/12 Day Class		16	11	11
5/12 Eve Class		11	7	11 + 7 = 18
9/12 Day Class		13	10	18 + 10 = 28
11/12 Eve Class		18	11	28 + 11 = 39
3/13 Day Class		22	21	39 + 21 = 60
4/13 Eve Class		12	7	60 + 7 = 67
	5/13 (2/12 Day Class)		-11	67 - 11 = 56
8/13 Day Class	11/14	30	21	56 + 21 = 77
	9/13 (5/12 Eve Class)		-7	77 - 7 = 70
9/13 Eve Class	12/14	30	30	70 + 30 = 100
	12/13 (9/12 Day Class)		-10	100 - 10 = 90
12/13 Day Class	5/15	30	12	90 + 12 = 102

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
	2/14 (11/12 Eve Class)		-11	102 - 11 = 91
2/14 Eve Class	5/15	30	16	91 + 16 = 107
5/14 Day Class	8/15	30	27	107 + 27 = 134
	6/14 (3/13 Day Class)		-21	134 - 21 = 113
	8/14 (4/13 Eve Class)		-7	113 - 7 = 106

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 January 2011 through June 2014, specify the pass percentage rates for graduates of the InterCoast College, Fairfield, 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 [CCR §2530 (l)]	Variance from State Average Annual Pass Rate
Jan-Mar 2011	12	11	92%	80%	92%	77%	+15
Apr-Jun 2011	4	1	25%	71%	75%	76%	+1
Jul-Sep 2011	1	1	100%	77%	76%	76%	0
Oct-Dec 2011	No Candidates Tested			80%	76%	75%	-1
Jan-Mar 2012	No Candidates Tested			77%	40%	74%	-34
Apr-Jun 2012	No Candidates Tested			72%	100%	74%	+26
July-Sep 2012	No Candidates Tested			74%	N/A	74%	N/A
Oct-Dec 2012	3	3	100%	70%	100%	74%	+26
Jan-Mar 2013	4	4	100%	75%	100%	73%	+27
Apr-Jun 2013	No Candidates Tested			78%	100%	73%	+27
July-Sep 2013	4	4	100%	75%	100%	74%	+26
Oct-Dec 2013	6	3	50%	76%	79%	76%	+3
Jan-Mar 2014	10	3	30%	74%	50%	76%	-26

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 [CCR §2530 (l)]	Variance from State Average Annual Pass Rate
Apr-Jun 2014	5	3	60%	66%	52%	73%	-21

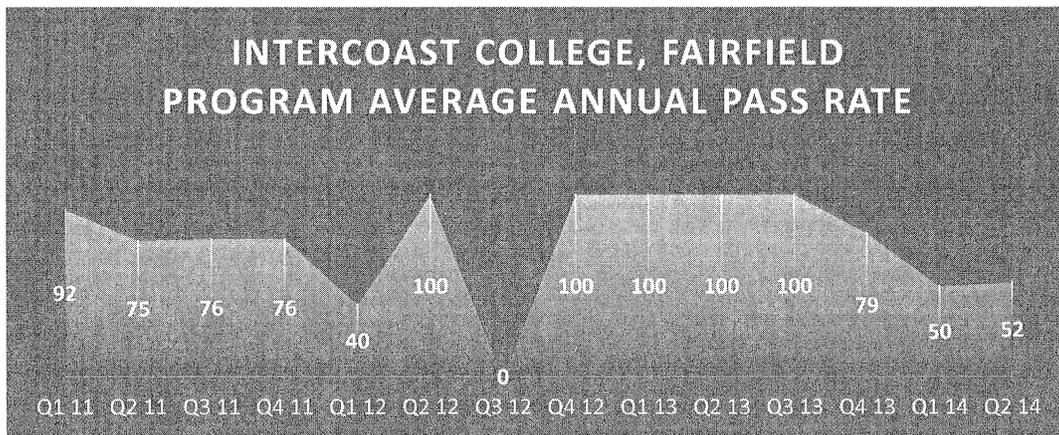
*The Annual Pass Rate changes every quarter. It is calculated by dividing the number of candidates who passed during the current and previous three quarters by the number of candidates who tested during the same period. If no data is available for the relevant period, the statistic is carried over from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

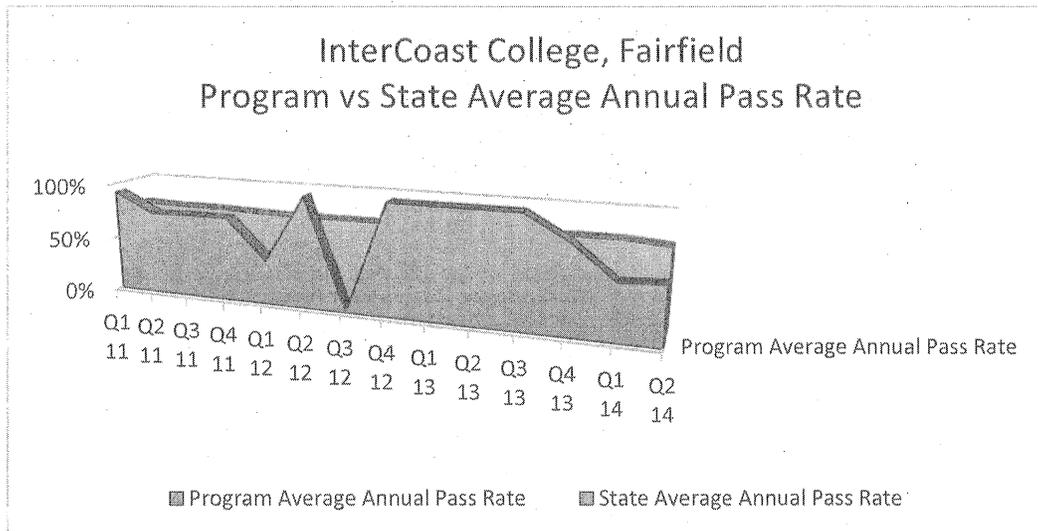
California Code of Regulations §2530(l) states:

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

This data substantiates that the program’s average pass rate per quarter has been substantially **below** the state average per quarter for the most recent **three (3)** consecutive quarters. It is also noted that for the most recent **two (2)** consecutive quarters, the program’s average annual pass rate has been substantially **below** the state annual average pass rate.

Based on the most recent data available (April through June, 2014), the program’s average annual pass rate is **52%**. 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 **73%**. The pass rate for the InterCoast College, Fairfield, Vocational Nursing Program is **twenty-one (21) 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 is twelve (12), including the program director. The director has 100% administrative responsibilities. The director and all instructors are approved to teach in the clinical area.

Based on a maximum enrollment of 134 students, nine (9) instructors are required for supervision of clinical experience at a ratio of one (1) instructor per fifteen (15) students.

Section 2534(b) of the Vocational Nursing Rules and Regulations 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.”

As identified in program survey visit findings, the program **lacks** sufficient clinical facilities to afford the number, type, and variety of patients that will provide clinical experience consistent with competency-based objectives and the theory being taught.

Other Considerations

On August 1, 2007, Board records confirm approval of the College of Medical Arts, El Cerrito to begin a vocational nursing program on September 10, 2007, with an initial class of 20.

students. The program curriculum was also approved for 1590 hours, including 622 theory and 968 clinical hours.

On June 25, 2008, the Board approved initial full accreditation¹ for the College of Medical Arts, El Cerrito, Vocational Nursing Program for the period from June 25, 2008, through June 24, 2012, and issued a certificate accordingly.

On December 28, 2011, the Board received notification regarding a change in ownership of the school. On August 16, 2012, the Board received notification of the programs name change to InterCoast Colleges, Fairfield, Vocational Nursing Program.

On April 22, 2014, the Board approved a new director. Board representatives conducted a teleconference with the new director on April 30, 2014. The drop in the program's pass rates was discussed and the new director identified her concerns about the program. The director stated she was beginning an analysis and formulating plans to improve student success.

As noted previously, between March 23, 2014 and July 11, 2014, the Board received a total of five (5) complaints regarding the program. The complaints, made by former employees of InterCoast College, Fairfield, and by current students, alleged misrepresentation of facts, inadequate clinical experience, and poor quality of the InterCoast College, Fairfield, Vocational Nursing Program. With two (2) exceptions (one former faculty member and one student), the complainants requested anonymity but were sufficiently specific to warrant follow-up. The complaint of one student not requesting anonymity was forwarded to the director and the required response to that complaint was submitted on June 30, 2014 (see Attachment B and Attachment C).

Given the complaints received and declining pass rates on the licensure examination, two (2) Board representatives conducted an unannounced onsite survey of the InterCoast College, Fairfield, Vocational Nursing Program on July 8 and 9, 2014.

Subsequently, the Board received additional complaints. On August 4, 2014, the Board sent correspondence to the program director relative to further complaints regarding the program (see Attachment D). On August 11, 2014, the Board received the program's response to the complaints (see Attachment E).

Program Survey Visit

On July 8 and 9, 2014, an unannounced onsite survey of the program was completed by two (2) Board representatives to determine compliance with Board and regulatory requirements. During the visit, the Consultants assessed the program's resources including, but not limited

¹ Prior to January 1, 2012, references in article 4 of the Vocational Nursing Practice Act and article 4 of the Psychiatric Technicians Law provided that the Board accredits all vocational nursing and psychiatric technicians programs. Pursuant to Business and Professions Code Sections 2883 and 4532 (Senate bill 539, Chapter 338, Statutes of 2011), **accredit** was changed to **approve**. There was no change to the Board's authority or jurisdiction.

to, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment required to achieve the program's objectives. In addition, Board representatives reviewed records for currently-enrolled students and facilitated discussions with the Program Director, Assistant Program Director, and other staff members.

The following violations of the California Code of Regulations were identified:

Section 2526(a)(7) of the Vocational Nursing Rules and Regulations states:

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (7) Instructional Plan. . .

Violation #1: Board records confirm approval of the program's instructional plan. During the survey visit, the director was unable to provide a copy of an instructional plan that was approved by the Board.

Plan of Correction #1: This violation is **not corrected** at this time

Section 2526(a)(8) of the Vocational Nursing Rules and Regulations states:

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (8) Evaluation methodology for curriculum. . .

Violation #2: The director was unable to identify or provide documents substantiating implementation of the program's Board - approved methodology for evaluation of the Board - approved curriculum.

Plan of Correction #2: This violation is **not corrected** at this time.

Section 2526(a)(16) of the Vocational Nursing Rules and Regulations states

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (16) List of resources for provision of counseling and tutoring services for students. . .

Violation #3: The submitted 2012 Program Record Survey included a list of program resources, including counseling and tutoring services to assist students in achievement of educational objectives.

Neither the Vocational Nursing Program Student Handbook, nor the InterCoast Colleges School Catalog (both provided to Consultants during the survey visit) contain information informing

students of such services. Notices of these services were not posted.

When asked for the list provided to students, the director produced the document from the 2012 Program Record Survey.

Plan of Correction #3: This violation is **not corrected** at this time.

Section 2527(b) of the Vocational Nursing Rules and Regulations states:

“A school shall report to the Board within ten days of the termination of a faculty member.”

Violation #4: The program failed to consistently report to the Board the termination of faculty within the time prescribed by regulation.

During the visit, Consultants requested files for all current faculty members. Based on information provided, four (4) faculty listed on the most recently submitted annual report are no longer employed by the program. The Board received notification for only two (2) terminations.

Plan of Correction #4: This violation is **not corrected** at this time.

Section 2530(a) of the Vocational Nursing Rules and Regulations states:

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

Violation #5: Based on the Consultants' observation, the program does not have sufficient resources for the enrolled population to achieve the program's objectives.

At the time of the visit, a total of 121 students were enrolled in the program. The program has thirteen (13) computer stations available for student use. The program does not have a physical library. The program has no offices for faculty members.

Plan of Correction #5: This violation is **not corrected** at this time.

Section 2530(b) of the Vocational Nursing Rules and Regulations states:

“Regular faculty meetings shall be held. Minutes shall be available to the Board's representative.”

Violation #6: Consultants did not observe evidence that the program has held regular faculty meetings as prescribed by regulation.

Documents provided by the director included minutes for faculty meetings dated May 13, 2014 and July 2, 2014. Minutes for a faculty meeting dated June 5, 2013 held by InterCoast Colleges about all of its programs were also provided.

Plan of Correction #6: This violation is **not corrected** at this time.

Section 2530(e) of the Vocational Nursing Rules and Regulations states:

“Each instructor shall have a daily lesson plan which correlates the theory and practice offered to the student. A copy of this plan shall be available to the director.”

Violation #7: The program did not provide lesson plans that correlate theory and clinical experience offered to the student. Consultants requested specific lesson plans from various parts of the curriculum. No lesson plans were produced.

The program provided a document titled “VN Lesson Plan Grid” and noted as “InterCoast Colleges ©2012 All Rights Reserved.” The provided document is an incomplete listing of content by week of the program. It is not a lesson plan.

Plan of Correction #7: This violation is **not corrected** at this time.

Section 2530(f) of the Vocational Nursing Rules and Regulations states:

“The program's instructional plan shall be available to all faculty.”

Violation #8: The director was unable to provide Consultants a copy of the Instructional Plan approved by the Board.

The director provided a document titled, “VN Lesson Plan Grid” and noted as “Intercoast Colleges ©2012 All Rights Reserved.” The document lacked notation of the hours of theory and clinical instruction, theory and correlated clinical objectives, content outline, and methods of instruction. The presented document was not approved by the Board.

Plan of Correction #8: This violation is **not corrected** at this time.

Section 2530(g) of the Vocational Nursing Rules and Regulations states:

“Each school shall have on file proof that each enrolled student has completed a general education course of study through the 12th grade or evidence of completion of the equivalent thereof. Equivalency is determined by the Department of Education in any of the United States or by a nationally-recognized regional accrediting body.”

Violation #9: Consultants examined program records for 121 students. Information contained therein did not provide proof of 12th grade completion or the equivalent thereof for each enrolled student, as prescribed by regulation.

Eight (8) files did not contain documents substantiating proof of completion of high school or the equivalent thereof. Ten (10) student files contained foreign transcripts. However, no evidence was observed that the transcripts had been evaluated by an established agency for equivalency to graduation from a US high school.

Plan of Correction #9: This violation is **not corrected** at this time.

Section 2530(h) of the Vocational Nursing Rules and Regulations states:

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

Violation #10: Consultants observed that the program had failed to consistently implement and follow its approved attendance policy. Program records did not contain documents identifying specific course objectives for which student make-up time was required, nor that acceptable methods of make-up time had been planned or completed.

Plan of Correction #10: This violation is **not corrected** at this time.

Section 2530 (i) of the Vocational Nursing Rules and Regulations states:

“The school shall evaluate student performance to determine the need for remediation or removal from the program.”

Violation #11: Program records did not contain documentation confirming the consistent evaluation of students to determine the need for remediation or removal from the program. Further, files did not document the remediation, establish dates for and reevaluation

of students for compliance, nor adherence with the program's grading policy.

Plan of Correction #11: This violation is **not corrected** at this time.

Section 2530(j) (1) of the Vocational Nursing Rules and Regulations states:

"Each school shall advise students, in writing, of the following:

(1) Right to contact the Board of program concerns...

Violation #12: The program failed to notify students, per on-site posting or in the InterCoast Colleges Vocational Nursing Program Student Handbook, of the right to contact the Board relative to program concerns

Plan of Correction #12: This violation is **not corrected** at this time.

Section 2530(j)(4) of the Vocational Nursing Rules and Regulations states:

"Each school shall advise students, in writing, of the following:

... (4) List of Board approved clinical facilities."

Violation #13: The program failed to notify students, per on-site posting or in the student handbook, of the program's list of Board – approved clinical facilities.

Plan of Correction #13: This violation is **not corrected** at this time.

Section 2532(b) of the Vocational Nursing Rules and Regulations states:

"The minimum hours required shall be as follows: Theory Hours - 576, which shall include a minimum of 54 hours in pharmacology; Clinical Hours - 954."

Violation #14: The program failed to provide instruction consistent with the Board – approved curriculum. In addition, the program failed to meet the standards of 2532(b) of the regulations. Specifically, the program failed to provide the required number of clinical hours, as noted by interviews with students and acknowledged by the director. The director was unable to identify how many hours were spent in clinical sites and how many hours were spent in the skills lab because of a lack of clinical sites.

Plan of Correction #14: This violation is **not corrected** at this time.

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

“Vocational nursing programs shall include theory and correlated clinical experience.”

Violation #15: Based on observation and analysis of provided program documents and materials, the program failed to implement its Board – approved curriculum. The instruction provided to students also lacks correlation of provided clinical experience to presented theory instruction. For example, based on provided documents, students are assigned to Skills Laboratory only during the first 19 weeks of the program and begin experience in clinical facilities during week 20. No clinical experience is provided in Obstetrical Nursing and no clinical experience in Pediatric Nursing was available to the students at the time of the survey visit. For theory content related to Medical-Surgical Nursing, students were assigned to clinical sites that provided or allowed students to perform fundamental nursing skills only.

Plan of Correction #15: This violation is **not corrected** at this time

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

“Curriculum content shall be taught in a sequence that results in students’ progressive mastery of knowledge, skills and abilities.”

Violation #16: The curriculum implemented by the program fails to provide instruction that is taught in a sequence that results in students’ progressive mastery of knowledge, skills, and abilities as prescribed by regulation. Consultants observed that students in Term III were assigned to clinical experience including only the most basic nursing care. Such assignment does not provide the level of clinical experience necessary for students’ successful progressive mastery of curriculum content in Term III, which includes intermediate and advanced vocational nursing.

Plan of Correction #16: This violation is **not corrected** at this time.

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 #17: Based on documents provided during the survey, the curriculum implemented by the program is significantly different from that

approved by the Board. The program failed to obtain Board approval prior to the implementation of the "VN Lesson Plan Grid" described in Violation 8, above.

Plan of Correction#17: This violation is **not corrected** at this time.

Section 2534(b) of the Vocational Nursing Rules and Regulations 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 . . ."

Violation #18:

Board files substantiate approval of clinical facilities adequate as to the type and variety of patients treated to provide clinical experience for all students in areas of the Board - approved curriculum. However, based on the number of the current student population, the approved facilities are inadequate. Further, the program's utilization of the facilities is inconsistent with the Board's approval.

At the time of the survey visit, the program had no approved clinical facilities that provide experience in Maternity/Obstetrical Nursing or care of sick children. The director confirmed that the program did not provide Pediatric clinical experiences until an observational experience at a pre-school became available in mid June 2014. That experience is noncompliant with statutory and regulation requirements. Further, the Pediatric clinical experience is not correlated to presented theory content.

Program representatives informed Consultants that students are assigned to **Skills Laboratory, only**, during Term I. Term I includes Fundamental of Nursing. In subsequent terms, cohorts of students are being split between a clinical site and skills lab due to an inadequate number of clinical placements.

Consultants observed that the program is assigning Term II and Term III students to a clinical facility that offers clinical experience consistent with objectives in Term I and Term II. As noted during the NEC's observations at this clinical site, this facility allows students to function only at the most basic level when providing patient care. As such, the clinical experience provided is inconsistent with competency – based clinical objectives for the site or with the Board - approved curriculum.

Plan of Correction #18: This violation is **partially corrected** at this time.

Since the survey visit, brief and observation-only experiences are provided for pediatrics and obstetrical nursing. In addition, three (3) skilled nursing facilities accommodating forty-four (44) Term II and Term III students have been approved as clinical facilities.

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

“Schools are responsible for the continuous review of clinical facilities to determine if the student's clinical objectives for each facility are being met.”

Violation #19: The director acknowledged that neither she nor faculty were evaluating clinical facilities to determine if clinical objectives can be achieved, as prescribed by regulation. Students are asked to complete an evaluation of clinical sites. Examples of these documents were reviewed. There is no evidence of follow-up with the student evaluation nor evaluation by program instructors or the director.

Plan of Correction#19: This violation is **not corrected** at this time.

Section 2535 of the Vocational Nursing Rules and Regulations states:

“Each school shall have a policy, approved by the Board for giving credit toward the curriculum requirements.”

Violation #20: Consultant review and analysis of program materials and student files provided no evidence that the program granted credit for prior education and experience as prescribed by regulation. The program's Vocational Nursing Program Student Handbook provided during the survey contained no mention of credit granting. No evidence of granting of credit or waiver of request could be found in the student files.

Further, a section of the InterCoast College's School Catalog, provided during the survey visit, titled “Credit for Previous Training” is not the previously approved Board policy. The InterCoast Vocational Nursing Program Student Handbook, with a publication date of May 12, 2014 and provided to the Board by the director on August 11, 2014, does not contain a credit-granting policy. This document lists a director, assistant director, and faculty not located in California, and this document refers to policies and curriculum **from Maine.**

Plan of Correction #20: This violation is **not corrected** at this time.

Section 2882 of the Business and Professions Code states:

“The course of instruction of an approved school of vocational nursing shall consist of not less than the required number of hours of instruction in such subjects as the board may from time to time by regulation determine, together with the required number of hours in the care of medical, surgical, obstetrical patients, sick children, and such other clinical experience as from time to time may be determined by the board.”

Violation # 21: The program fails to provide instruction that includes clinical experiences including the care of obstetrical patients or sick children.

Additionally, as acknowledged by the director, the current cohorts are not receiving the required number of hours in clinical experience, as outlined in the Board - approved instructional plan. As a result, current students are not scheduled to nor receive the required curriculum.

Plan of Correction #21: This violation is **not corrected** at this time.

Recommendations:

1. Place the InterCoast College, Fairfield, Vocational Nursing Program on provisional approval for a two (2) year period from September 12, 2014, through September 30, 2016 and issue a notice identifying specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (see Attachment F).
2. Require the program to admit no additional classes without prior approval 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.
4. Require the program to provide no less than one (1) clinical instructor for every ten (10) students in all clinical experiences.
5. Require the program to submit a **follow-up** report in three (3) months, but no later than **December 31, 2014**, nine (9) months, but no later than **June 1, 2015**, and 21 months, but no later than **June 1, 2016**. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.

- a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.
 - e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.
 - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - o. Evaluation of Student Achievement.
6. 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 Board's Regulations, commencing at California Code of Regulations, Title 16, section 2525.
 7. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
 8. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 9. Place the program on the **September 2016** Board agenda for reconsideration of provisional approval.

Rationale: The program's average annual licensing examination pass rate has been **more than twenty (20) percentage points below** the state average annual pass rate for the past two (2) quarters, reflecting problems with the educational program.

Between May and August 2014, the Board has been contacted by a total of seven (7) individuals with complaints regarding the quality of the educational program at InterCoast College, Fairfield, Vocational Nursing Program.

The recent unannounced survey visit by two Board representatives uncovered an 21 violations, including, but not limited to, implementing an unapproved curriculum, failing to evaluate the curriculum and clinical facilities, failure to provide sufficient resources to accomplish the program's objectives, failure to follow Board approved policies, and,

failure to provide instruction consistent with Board – approved curriculum. Complainants noted, and Board representatives identified, a serious lack of sufficient and appropriate clinical instruction. The identified violations have yet to be corrected.

The failure to comply with regulations regarding licensing pass rates and the number and content of the violations identified in the recent survey visit justify placement of the program on provisional approval.

Attachment A: History of Prior Board Actions.

Attachment B: Board Electronic Correspondence Dated June 3, 2014.

Attachment C: Program Electronic Correspondence Received June 30, 2014, Redacted Per Existing Regulations

Attachment D: Board Correspondence Regarding Complaints, Dated August 4, 2014.

Attachment E: Program Electronic Correspondence, Redacted Per Existing Regulations, Dated August 11, 2014.

Attachment F: Draft Notice of Change in Approval Status.

Agenda Item #14.B.1., Attachment A

INTERCOAST COLLEGE, FAIRFIELD VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On August 1, 2007, the Executive Officer approved the request of the College of Medical Arts, El Cerrito, to begin a vocational nursing program with an initial class of 20 students on September 10, 2007, only; and approved the program curriculum for 1590 hours, including 622 theory, and 968 clinical hours.
- **On March 20, 2008, a new director was approved.**
- On June 25, 2008, the Board approved initial full accreditation for the College of Medical Arts, El Cerrito, Vocational Nursing Program for the period from June 25, 2008, through June 24, 2012, and issued a certificate accordingly.

The Board approved the program's request to admit a full-time class of 25 students on September 8, 2008, to **replace** students graduating on August 15, 2008.

The Board approved the program's request to admit a full-time class of 25 students on January 5, 2009, thereby increasing the program's frequency of admissions.

- **On March 2, 2009, a new program director was approved.**
- On October 20, 2009, the Executive Officer approved the College of Medical Arts Vocational Nursing Program's request, to admit a full-time **replacement** class for students that graduated August 15, 2008, with 18 students, plus two (2) alternates, to start on October 20, 2009, only, with an anticipated graduation date of September 24, 2010.
- On December 29, 2009, the Board representative notified the program director that the average annual pass rates for the College of Medical Arts Vocational Nursing Program had fallen more than ten (10) percentage points below the state average annual pass rate for the past four (4) quarters. The Board requested a written plan for improving the program's NCLEX-PN® pass rates by January 29, 2010.
- On January 25, 2010, the Board representative notified the program director that the average annual pass rates for the College of Medical Arts Vocational Nursing Program had fallen more than ten (10) percentage points of the state average annual pass rate for the past five (5) quarters. Receipt and review of the program's plan of correction is pending.

- On March 1, 2010, the Executive Officer approved the College of Medical Arts Vocational Nursing Program's request, to increase the frequency of admissions, by admitting an additional full-time class of 30 students, plus three (3) alternates, to start on March 1, 2010, only, with an anticipated graduation date of February 25, 2011.
- On March 3, 2010, the director notified the Board that the full-time class that was scheduled to start March 1, 2010 was not started due to student's inability to procure financial aid.
- On December 20, 2010, the director notified the NEC that the program will submit a new request when they plan to start the full-time class.
- On February 11, 2011, the Executive Officer **denied** the College of Medical Arts Vocational Nursing Program's request, to start a part-time class of **30 students, plus three (3) alternates**, commencing on March 29, 2011, and graduating on August 19, 2012, only; and, **approved** the College of Medical Arts Vocational Nursing Program to start a part-time class of **20** students, commencing on March 29, 2011, and graduating August 19, 2012, only. Additionally, the program was required to obtain Board approval prior to the admission of each class
- On August 19, 2011, the Executive officer approved the College of Medical Arts Vocational Nursing Program to admit 30 students and three (3) alternates to the part – time class commencing August 23, 2011 and graduating January 12, 2013, only; **and** continued the program's requirement to obtain Board approval prior to the admission of each class.
- On December 28, 2011, the Board was notified regarding a change in ownership of the school.
- On February 12, 2012, the program notified the Board that they finally had sufficient students to begin a class of 16 students who had been previously approved to begin on August 23, 2011.
- On April 18, 2012, the Executive Officer denied the program's request to admit thirty (30) students and three (3) alternates **and** approved the program's admission of twenty (20) students and two (2) alternates into a part-time class commencing April 16, 2012, only, and graduating August 5, 2013; **and** required the program to obtain Board approval prior to the admission of each class.
- **On July 3, 2012, a new program director was approved and subsequently completed New Director Orientation.**
- On August 14, 2012, the Executive Officer continued approval of the College of Medical Arts Vocational Nursing Program for a four-year period from June 24, 2012 through June 23, 2016, and the Board issued a certificate accordingly; approved the program's request to admit 24 students and two (2) alternates into a part-time day class commencing

September 24, 2012, only, and graduating January 24, 2014; and required the program to obtain Board approval prior to the admission of each class.

- **On August 16, 2012, the Board received notification of the programs name change to InterCoast Colleges, Fairfield, Vocational Nursing Program.**
- **On September 12, 2012, a new program director was approved and subsequently completed New Director Orientation.**
- On October 23, 2012, the Executive Officer approved the program's request to admit 24 students and two (2) alternates into a part-time day class commencing November 27, 2012, only, and graduating April 22, 2014; and continued to require the program to obtain Board approval prior to the admission of each class
- On February 13, 2013, the Executive Officer approved the following recommendations:
 - a. Approve the InterCoast Colleges, Fairfield, Vocational Nursing Program's request for the following class admissions of 30 students per class:
 1. First Day Class: Admit on March 25, 2013; graduate on August 8, 2014
 2. First Evening Class: Admit on April 23, 2013; graduate on September 21, 2014
 3. Second Day Class: Admit on July 1, 2013; graduate on November 14, 2014
 4. Second Evening Class: Admit on September 9, 2013; graduate on February 8, 2015
 5. Third Day Class: Admit on November 18, 2013; graduate on April 10, 2015
 - b. Deny the program's request for ongoing admission of 30 students per class to replace graduating classes.
 - c. Continue to require the program to obtain Board approval prior to the admission of each class.
- On January 24, 2014, the Executive Officer approved the following recommendations:
 - a. Deny the InterCoast College, Fairfield, Vocational Nursing Program's request for the following class admissions of 30 students per class:
 1. First Evening Class: Admit on February 13, 2014; graduate on May 23, 2015
 2. First Day Class: Admit on May 12, 2014; graduate on August 21, 2015
 3. Second Evening Class: Admit on June 16, 2014; graduate on September 22, 2015
 4. Second Day Class: Admit on September 22, 2014; graduate on January 2, 2016
 5. Third Evening Class: Admit on October 27, 2014; graduate on February 2, 2016

- b. Approve the InterCoast College, Fairfield, Vocational Nursing Program's request to admit an evening class of 30 students on February 13, 2014, **only**.
 - c. Approve the InterCoast College, Fairfield, Vocational Nursing Program's request to admit a day class of 30 students on May 12, 2014, **only**.
 - d. Continue to require the program to obtain Board approval prior to the admission of each class.
- **On April 22, 2014 a new Program Director was approved and subsequently completed New Director Orientation.**
 - On May 22, 2014, the Executive Officer approved the following recommendations:
 - 1) Deny the InterCoast College, Fairfield, Vocational Nursing Program's request to admit thirty (30) students and three alternates to an evening class on June 16, 2014.
 - 2) Deny the InterCoast College, Fairfield, Vocational Nursing Program's request to admit thirty (30) students and three alternates to a day class on September 22, 2014.
 - 3) Continue to require the program to obtain Board approval prior to the admission of each class.
 - 4) Require the program director to prepare a comprehensive analysis of the program, specific actions that will be taken to improve program pass rates, and timelines for expected results. The following elements must be addressed in the analysis:
 - a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.
 - e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.
 - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - o. Evaluation of Student Achievement.

- On June 3, 2014 the Board sent the program, via electronic communication, a complaint received regarding the Vocational Nursing program.
- On June 30, 2014 the Board received via electronic communication the program's response to a complaint.
- On July 8 and 9, 2014, an unannounced survey visit was conducted by representatives of the Board.
- On August 4, 2014, the Board sent the program a letter regarding complaints received.
- On August 11, 2014, the Board received via electronic communication the program's response to complaints.
- On August 12, 2014, the Board sent, via certified mail, a notice of violations.
- **On August 19, 2014, Catherine Hartwig was approved as director.**

Agenda Item #14.B.1., Attachment B

From: Johnson, Donna@DCA
Sent: Tuesday, June 03, 2014 3:46 PM
To: 'JoAnn Benham'
Subject: Complaint Received Regarding InterCoast-Fairfield
Importance: High

Good Afternoon JoAnn –

Below please find the complaint that was received by the Department of Consumer Affairs and forwarded to the BVNPT. My apologies for all the forwarded messages but I want to be sure you are receiving the actual complaint.

Please thoroughly investigate the complaint and forward to me, in writing, the results of your investigation. Please address all components of the complaint. I will expect your written response in two weeks from today.

Let me know if you have any questions. Thank you for your prompt attention to this complaint.

Donna

Donna G. Johnson, RNP, MS, MA
Nursing Education Consultant
Board of Vocational Nurses and Psychiatric Technicians
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833
Email: donna.johnson@dca.ca.gov
Phone: 916-263-7842
Fax: 916-263-7866

From: Almanza, Jennifer@DCA
Sent: Wednesday, May 21, 2014 11:52 AM
To: Anderson, Cheryl@DCA
Subject: DCA Citizen's Comments/Complaints:

Good morning Cheryl,

I'm forwarding this complaint to the Education Division. Please let me know if I have sent to the wrong Division.

From: Dca@DCA
Sent: Wednesday, May 21, 2014 8:34 AM
To:
Subject: RE: DCA Citizen's Comments/Complaints

Thank you for contacting the California Department of Consumer Affairs (DCA). Your email has been forwarded to the Board of Vocational Nursing and Psychiatric Technicians (Board) for their review and direct response. If you have further concerns or questions, please contact the Board directly at the following:

**Board of Vocational Nursing
and Psychiatric Technicians**
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833
Telephone: (916) 263-7800
To file a complaint: (916) 263-7827
Fax: (916) 263-7857
Email: bvnpt@dca.ca.gov
Web Site: <http://www.bvnpt.ca.gov>

Thank you again for contacting DCA and allowing us to assist you.

Correspondence Unit
M30

-----Original Message-----

From: citizencomplaint@dca.ca.gov [mailto:citizencomplaint@dca.ca.gov]
Sent: Tuesday, May 20, 2014 1:22 PM
To: Dca@DCA
Subject: DCA Citizen's Comments/Complaints:

Feedback Tracking Number:

Feedback Type: complaint

Treat anonymously?: No
Complainant:

Address:

City:

State:

ZIP Code:

Phone Number:

Email Address:

Feedback About: Private Postsecondary Vocational

Education Bureau Feedback Location: intercoast colleges Fairfield ca Location Phone:

Person Spoken With:

Comment: I am a student at intercoast college in Fairfield ca for LN certification my class size is about 20 people or less and every single person in the class is ready to file a complaint individually or as a class whichever we need to do about the things going on at our school. We're paying \$35,000 to get the proper education and training to become LVNs and to pass the NCLEX but we're not receiving the proper education we are paying for. We've been in the program since August of 2013 and have already gone through over several teachers they recently fired teachers and the whole staff (program director, school president, student advisors etc) due to falsifying documents, grade changes to pass students who were failing changed to passing etc. We are required by the state to have a certain amount of hours in clinicals which gives us hands on experience and training but for the past month we have been at the school doing nothing instead of getting a proper education. Most people in the class feel that we will not be prepared to pass the NCLEX by our graduation date in December due to the lack of education and training that isn't being given to us which was promised when we signed our contract.

Agenda Item #14.B.1., Attachment C

InterCoast Colleges – Fairfield

2480 Hillborn Road • Fairfield, CA 94534

June 30, 2014

BVNPT RECD EDU
ON 6/30/14 WITH DJ TO Dg

Donna Johnson, RNP, MS, MA
Nursing Education Consultant
Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833

Dear Donna:

Thank you for the opportunity to respond to the concerns brought forth by our student. InterCoast is concerned that all of our nursing students have the best possible experience. The concerns that has brought forth are an important factor in my daily activity as I work with my faculty to add clinical sites to our approved list and to ensure that all students in the program attend off-site clinicals per their semester schedule. During the last two months the campus staff and nursing faculty have assisted me in implementing strategies and structure to the program that we believe will help us to transition students more effectively when there are changes within the organization. The following is my summary of the issues raised.

Concern as written	1. "We've been in the program since August 2013 and have already gone through over several teachers".
Assessment	Increasing instructors will allow an instructor to be assigned by semester to each class. On 3/6/14 & 4/21/14 InterCoast hired three new Instructors for clinical and didactic. To date two more instructors have been hired, one currently in orientation, the other will start pending background check. Two more instructors are pending hire.
Plan of Correction	On 5/7 /14 a single senior instructor (the ADON) was assigned to take over the class for clinical and lecture to provide consistency and follow through. The secondary clinical instructor for this group will be assigned by July. This faculty member was selected for her strengths in teaching clinical skills. By July 7 th , the instructor that is assigned to take over the classes as they enter into semester 3B (this is her expertise area) will be introduced and will team up with the ADON to provide an enhanced experience for this group. However, the ADON will remain as the primary instructor.
Evaluation	This ADON remains with this class to date. There have been adjunct instructors to assist the main instructor, however the ADON has provided consistency and flow to the lecture and clinical experience to get the student caught up and back on track with their curriculum. They are currently on week 39 of the curriculum which is exactly where they should be at this point. The students have struggled a little with a more structured teaching approach but are beginning to adapt.

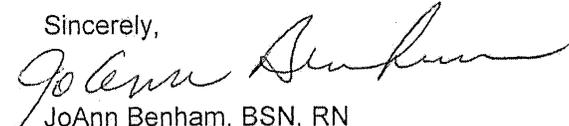
Concern as written	2. "They recent fired teachers and whole staff (program director, school president, student advisors etc.) due to falsifying documents, grade changes to pass students who were failing changed to passing etc."
Assessment	There is no record that the positions indicated prior to the current DON start of 4/28/14 was anything other than the employee's choice to move on to other employment. The Vice President of Operations, the Regional Director of Operations, and I examined the current students records for attendance and grading. No evidence was produced of falsifying documents or changing of grades as stated.
Plan of Correction	<p>While changes in faculty are difficult for students, we strive to plan for the transition in between semesters whenever possible. Although we cannot control the choice of a faculty member or staff member to leave our organization, we have a strong level of support from our corporate managers who step in to assist the campus whenever needed. We will continue to address turnover as a campus and a company to minimize it whenever we can.</p> <p>The integrity of the attendance and grade records is carefully monitored by me and verified by the campus staff. Both grades and attendance are sent to the corporate office daily for entry into the electronic database.</p>
Evaluation	I will continue to monitor grades and attendance regularly. I will sign off on all final semester grades after reviewing them with faculty to ensure that they are accurate. Students will also review their final semester grades and provide a signature agreeing to their accuracy.

Concern as written	3. "For the past month (5/20/14) we have been in school (not clinical) doing nothing instead of getting a proper education"
Assessment	On 5/12/14, the school took a one week break between semesters for instructor training and updates. On 5/19/14 the students returned from break. The faculty determined that this class would benefit from skills reassessment and training prior to returning to clinical.
Plan of Correction	<p>During their assigned clinical days: 5/21 & 5/22 the student were evaluated and re-trained on their weak areas of clinical skills. On 5/28/14, due to the unforeseen loss of one of the clinical sites (due to the site's own internal requirements) the students returned to clinical 1 day a week and spent one day in skills lab, where they continued to practice/check off skills, work on case studies and work on online readiness modules (ATI).</p> <p>On 7/3/14 a specialty clinical site rotation (KinderCare) for growth and development module will occur and a secondary clinical site(Windsor Vallejo) will be assigned. By 7/11/14 and the students will return to full clinical experiences.</p> <p>Up to four additional clinical sites are in the verbal acceptance and negotiation stages and should be ready to populate by mid-July to provide more experience to the students.</p>
Evaluation	Students' skill levels have improved. They are better ready to accomplish more advanced skills in the clinical arena.

Concern as written	4. "We will not be prepared to pass the NCLEX by our graduation date of December due to lack of education and training that isn't being given to us"
Assessment	ATI assessments were conducted with a comprehensive score below average which caused the faculty to take immediate action.
Plan of Correction	<p>Students will be given a new comprehensive and individual knowledge assessment using the ATI module learning system to assess their baseline comparison for NCLEX on 6/5/14 after the concentration efforts to improve their learning is underway.</p> <p>The Kaplan learning modules have been purchased and set up for the students including in-class and self-directed modules, comprehensive indicators observed by instructors, Kaplan reviews, and PN readiness testing as well as remediation for substandard scores. An instructor with expertise in NCLEX readiness has been hired and will join the class prior to the middle of 3rd semester to begin the preparation early.</p> <p>The ADON has assumed responsibility for this class to ensure that their learning experience is optimized and to provide structure and stability for the students.</p>
Evaluation	<p>ATI comprehensive scores were reassessed on 6/5/14 with a comprehensive score which increased by 21% in just over two weeks</p> <p>Kaplan contracts have been completed and rosters have been generated and sent to Kaplan. Emails will be sent to students within 5 to 7 days of completion. A live webinar will be scheduled once all students have their sign on information to teach them how to maneuver and use the Kaplan site for learning and self-directed testing. Online free seminars were set up on 6/3, 6/4, 6/20, and 6/24 for the classes covering topics from strategies for test takers, NCLEX strategies, critical thinking and How to Succeed in Nursing School Clinical.</p> <p>The ADON remains the primary instructor for the class in both clinical and lecture.</p>

I was able to speak to [redacted] while [redacted] was out on a short leave due to the birth of her child. When [redacted] returned to classes, I met with [redacted] to inform her of the progress made by [redacted] class (in general) and to discuss the clinical assignments.. At that time [redacted] indicated to me that she was confident that she would pass the NCLEX, but that [redacted] wanted to be sure to have plenty of clinical time. [redacted] was pleased with having the consistency of having one instructor. I will be following up with [redacted] and [redacted] classmates to monitor their new clinical site experience and classroom progress. Again, I thank you for the opportunity to respond to this student's concerns. I will continue to monitor the progress and satisfaction of all of our nursing students to ensure an optimal learning experience that will ultimately prepare them to pass the NCLEX-PN and become excellent Licensed Vocational Nurses. An update will be provided from the institution as needed.

Sincerely,


 JoAnn Benham, BSN, RN
 Director of VN Program

Agenda Item #14.B.1., Attachment D



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



Board of Vocational Nursing and 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

August 4, 2014

JoAnn Benham, Director
Intercoast Colleges, Fairfield,
Vocational Nursing Program
2480 Hilborn Road
Fairfield, CA 94534

Dear Ms. Benham,

On July 31, 2014 the Board of Vocational Nursing and Psychiatric Technicians (Board) received a complaint from a former student. On August 1, 2014, the Board received another complaint from a former student. Both former students have waived anonymity. The two complaints are outlined below.

According to the July 31, 2014 complaint from former student

1. The student "was terminated by the principal of the company" on July 29, 2014.
2. Instructor Delaney embarrassed the student in front of her classmates.
3. A "teacher assistant" was present in the skills lab.
4. The complainant and were threatened by another student and a report was filed with Fairfield police on July 23, 2014.
5. Instructor Delaney was aware of at least one student cheating on a test and the student remained in the class.
6. Two students were fighting in the classroom the day the Board representatives visited and Instructor Delaney did not stop the altercation.
7. There were inadequate desks or chairs, outdated school books, and equipment in the skills lab was not working.
8. There were not enough instructors.

According to the August 1, 2014 complaint from former student

1. The student was told by admissions staff the school offered tutoring and clinical experience in hospitals; the student had not been to hospitals.
2. Instructor Delaney yelled at the student, in front of another student, regarding how the student was taking a blood pressure on May 26, 2014. The student reports was signed off as performing this procedure correctly the day prior to the incident, and, further, that the instructor told was anxious and being dramatic.
3. The student reports that, being upset regarding interaction with the instructor, described in 2, above, attempted to speak with the Director, who was not

available. The student reports leaving a message for the Director and not hearing back from the Director. The student reports the Instructor later told the student that the Director was on the Instructor's side.

4. The student reported, "Nothing is confidential."
5. The student reports the program lacked equipment for skills lab and reports there were two broken beds in the lab and no one washed hands before entering or using the skills lab.
6. The student reported a lack of equipment, including pens for white boards in classrooms, and that students had to buy items for class.
7. The student reports another student cheating on a test and, that, despite the instructor being aware of this, the cheating student was allowed to remain in class.
8. The student reported students fighting in the classroom and Instructor Delaney did not intervene.
9. The student reports that "signed up for class at 630am ... till 3pm. Professor D had my class arrived at school @730 and mark the time on our sign in sheets that we were there from 630-3pm when we really came in at 730 an left at 245pm."
10. The student reports "could not go to anyone if " had a concern or complaint about what was happening in the classroom
11. The student reported that the program is now only a 13 month program. notes that " signed up for a 17 month program and notes there has been no change in the price of the program (\$36,000) despite the reduction in time to complete the program.

Between June 5, 2014 and July 11, 2014 the Board received a total of **four (4)** complaints. The four complainants all requested anonymity. These complaints all allege inadequate clinical experience, including sitting in classrooms instead of attending clinical facilities, inadequate level of clinical experience in the facilities attended, and no pediatric or maternity clinical experiences. In addition, **three (3)** of the complainants allege falsification of records of clinical experience.

On July 31, 2014, the Board received an anonymous complaint stating that the company owner, vice president, and an individual from admissions were mandating all nursing students sign a non-disclosure agreement.

As noted on the website of the Board,

The mission of the California Board of Vocational Nursing and Psychiatric Technicians (Board) is to protect the public. Public protection is paramount to the Board and its highest priority in exercising its licensing, regulatory and disciplinary functions. Toward this end, the Board ensures that only qualified persons are licensed vocational nurses and psychiatric technicians by enforcing education requirements, standards of practice and by educating consumers of their rights.

Therefore, the Board takes these complaints quite seriously.

~~Please provide a response to the complaints, including a written plan of correction to these complaints.~~ This report is due **by end of business on Monday, August 11, 2014.** Your response must include the following concerns of the Board:

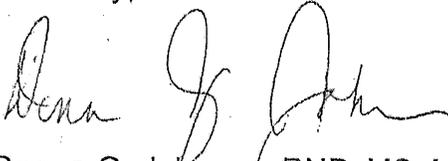
1. Describe the plan of remediation that was implemented prior to the "termination," by the owner of the company, of student describe all steps taken to remediate any situation that led to an eventual "termination" of this student. In this description, include the director's role in the remediation and eventual termination of this student.
2. Describe the steps being taken to assure a safe classroom environment for all students, including what steps are being taken to:
 - a. Educate faculty regarding appropriate interventions with students in one to one interactions and in the classroom setting;
 - b. Inculcate a sense of professionalism, respect, and appropriate behavior among students and faculty.
3. Analyze the current policy regarding cheating in the Vocational Nursing Program; analyze the current policy regarding evaluation of student progress in the Vocational Nursing Program; and describe recommended changes, including how the Director will engage faculty in implementation of appropriate policies.
4. Identify and provide a copy of the Board approved applications for any Teacher Assistants and any Additional Faculty in the Vocational Nursing Program.
5. Describe the grievance policy and how student concerns are handled in the Vocational Nursing Program. Describe the means by which students can be assured of confidentiality, support, guidance, and safety in presenting concerns regarding their student experience at Intercoast Colleges, Fairfield, Vocational Nursing Program. Describe the role of the Director in grievances that Vocational Nursing students may present.
6. Provide the list of counseling and tutoring resources as given to students and as required by the Board.
7. Provide a list of all current equipment, and its working condition, in the skills lab; address the concerns regarding lack of desks, chairs, and supplies.
8. Provide a list of all current students and instructors working with the students, including clinical, theory, and skills lab faculty.
9. Describe what steps are being taken to accurately document theory and clinical hours of students and of faculty. Provide examples of documents used in the Vocational Nursing Program to record time for
 - a. Skills lab
 - b. Clinical sites

c. Classroom hours

10. Explain the change from a 17 month program to a 13 month program.
11. Describe changes in faculty and clinical facilities since the unannounced site visit by Board representatives on July 8 and 9, 2014. Include start dates for any clinical facilities being utilized since that site visit.

Please contact me should you require any clarification. Your report should be sent as an attached document to my email: donna.johnson@dca.ca.gov.

Sincerely,



Donna G. Johnson, RNP, MS, MA
Nursing Education Consultant

Agenda Item #14.B.1., Attachment E

InterCoast Colleges – Fairfield

2480 Hilborn Road • Fairfield, CA 94534
(707) 421-9700

August 11, 2014

Donna Johnson, RNP, MS, MA. via email: donna.johnson@dca.ca.gov
Nursing Education Consultant
Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833

Dear Donna:

Thank you for the opportunity to respond to the complaint filed with the BVNPT on July 31, 2014 and received by InterCoast Colleges on August 4, 2014. Since the visit by the BVNPT on July 8 and 9, 2014, the vocational nursing faculty and I have been diligently addressing the items discussed during the site visit. InterCoast's vocational nursing program has benefitted greatly from the feedback received during this visit, and we appreciate your willingness to assist as needed.

Below, you will find the answers to your questions concerning the complaints received by your office, numbered exactly as you have them outlined in your letter to InterCoast:

1. Describe the plan of remediation that was implemented prior to the "termination" of _____ . Describe all steps taken to remediate any situation that led to an eventual "termination" of this student. In this description, include director's role in the remediation and eventual termination of this student.

InterCoast Colleges has developed a set of policies for guiding student and employee behavior, contained in the Practical Student Nursing Handbook (**Exhibit 1a**) as well as on page 23-24 in the School Catalog (**Exhibit 1b**). These policies apply to both classroom and clinical settings for our vocational nursing students.

When a violation of the behavior policy occurs in the classroom or clinical site, it is immediately brought to the attention of the nursing program director, and, if necessary, an investigation is conducted to determine what occurred and if the behavior policy was violated. In this case, there were alleged violations of the behavior policy, so the Campus Administrator and Director of Nursing both became involved when approximately 14 of the 22 students came forward at different times over a period of six weeks with various complaints about _____ . The

students' concerns were about involvement in the personal lives of classmates, told several of classmates that witnessed a student cheating and later claiming never said it, and misrepresenting statements made by one classmate about another one. The students who were subject to behavior stated they felt "bullied". During the week of July 21, 2014 students provided written statements about what they described as serious behavioral issues affecting their learning by **Exhibit 1c)** The Campus President and I investigated the accusations and found them to be valid and of significant concern. were advised on the expectation of following the Professional Behavior policy. The lack of professional behavior continued.

One student even came to tell me of an issue that occurred on Facebook, where had messaged this student's who had been deployed had never met this student's but sent some very personal information about that was untrue, according to the student. This created some family issues for the student and had difficulty concentrating in school. There was also an outrage from majority of the class.

The instructor even met with the Director of Nursing and Campus Administrators to request a change in teaching schedule because the behavior did not stop, and was affecting the other students' ability to learn. did agree to apologize to the other students, but, the behavior continued, and, was terminated from the program for violating the behavior policy.

It is important to note that this termination did not come lightly. I was kept apprised of the issues and worked with faculty member, Karen Devaney on issues of classroom management and dealing with rumors and disruptive behaviors. I had spoken with the on several occasions to both hear their concerns and assist them with interpersonal relationships. I also met with students in the class who were frustrated with the accusations and rumors being spread by the and requested statements from these students of their issues. I even met with the entire class with the campus administrator in mid July. We reviewed, in detail, the code of conduct policy and the definition of disruptive behavior. We discussed the effects of disruptive behaviors on the class both as future LVN's but also as a team. Each student in attendance was given a copy of the code of conduct to sign as received, including

On July 29, 2014 the President of InterCoast, Geeta Brown, visited the campus, and I relayed the issues taking place in Karen Devaney's class. Ms. Brown suggested a conflict resolution meeting. I agreed and she asked for and another student to be brought down from class. At the conclusion of the meeting the President and I met and agreed that there was a serious lack of professional behavior with both d that they should be counseled and suspended for their disruptive behavior. **(Exhibit 1e)** behavior, and reaction to being counseled, was extremely challenging and disruptive toward Ms. Brown and the campus administrator. was told that if could not comply with the

Professional Behavior Policy, would be terminated from the program. At that time abruptly stood up, stated would not comply and walked out of the advisement session. was terminated from the program. however, stated would comply with the policy, and stated that has a strong desire to be a nurse and wanted to learn and remain in the program.

The following class day neither reported for class. Later that day both requested copies of their files and indicated that they would not return to the program.

2. Describe the steps being taken to assure a safe classroom environment for all students, including what steps are being taken to:
 - a. educate faculty regarding appropriate interventions with students in one to one interactions and in the classroom setting
 - b. Inculcate a sense of professionalism, respect, and appropriate behavior among students and faculty

InterCoast Colleges has established policies and faculty training regarding classroom management and expected professional behaviors. There are times when the variety of personalities in a classroom or clinical group can be overwhelming to the class, individual students, or the faculty. I conduct observations of the classroom and student evaluations to determine how the instructor and institution are performing. Training is also provided to instructors on classroom management. On May 13, 2014, a faculty in-service was held and the topics of boundaries, academic honesty, and student professionalism were discussed. **(Exhibit 2)**.

3. Analyze the current policy regarding cheating in the Vocational Nursing Program; analyze the current policy regarding evaluation of student progress in the VN program; and describe recommended changes, including how the Director will engage faculty in implementation of appropriate policies

The task of investigating allegations of student cheating at InterCoast rests with the nursing faculty and the Nursing Program Director. InterCoast has a strong Academic Honesty policy and applies that policy to all testing situations. **(Exhibit 3)** This policy was developed in December 2012 and is included in the School Catalog and Nursing Student handbook.

Since January of 2013, the nursing program has adopted several proactive steps to prevent cheating in the classroom and enforce the academic integrity of the program. First, the Scantron system was adopted for administering and scoring exams and was fully implemented in June 2013 for most nursing examinations. This "bubble sheet" answer form helps prevent students from easily seeing another student's answer on a test. It also allows for the quick correction of exams for grading. Second, along with adopting this system, the nursing faculty generate tests "on demand" from a test database. This method allows a variety of exam versions to be produced so that students in the classroom do not have the same questions as the person next to

them. Third, whenever possible, tests are proctored by both a faculty member and a staff member.

It is important to note that the instructor clearly states that the alleged cheating did not occur in her classroom. _____ was present at all times during the scantron examination.

4. Identify and provide a copy of the Board approved applications for any Teacher Assistants and any Additional Faculty in the VN program.

Attached are the approval documents for all current faculty. **(Exhibit 4)** There are no Teacher Assistants, nor are there additional faculty, beyond those noted in this exhibit. The individual mentioned by _____ is an administrative assistant to the nursing program. _____ is responsible for maintaining the supplies inventory, setting up supplies for skills lab, maintaining the equipment in the skills lab, and to making copies for the faculty. Although she may have been in the skills lab on a specific day referred by _____ is not a "Teacher Assistant".

5. Describe the grievance policy and how student concerns are handled in the VN program. Describe the means by which students can be assured of confidentiality, support, guidance, and safety in presenting concerns regarding their student experience at InterCoast Colleges-Fairfield, VN program. Describe the role of the Director in grievances that VN student may present.

The Grievance Policy for InterCoast Colleges is found in the student catalog on page 29. **(Exhibit 5)** Students receive a copy of the catalog upon enrollment. The policy is communicated to the students during new student orientation and the catalog is available on the school website for future reference. If a student cannot find resolution to their concern with their instructor they are advised to make an appointment with the Nursing Program Director. Other steps are available to the student if they cannot find resolution with the Director. Most frequently, the issue can be resolved by the Nursing Program Director. If the student files a complaint or appeal the Program Director will be consulted for factual information and the committee will decide on a resolution. Students are protected from retaliation by the policy.

6. Provide the list of counseling and tutoring resources as given to students and as required by the Board.

In addition to the tutoring services provided by the faculty at InterCoast, each student is advised by nursing faculty for assisting with academic progress and concerns. Course faculty members are the advisors of the students enrolled in their courses. InterCoast offers tutoring in a friendly atmosphere in the areas of nursing theory content, writing, research, mathematics, and study skills. Faculty-tutoring sessions are available on a scheduled basis for students who want extra help with either skills or lecture content. In addition, as stated in the policy on Resources for

Counseling and Tutoring, **(Exhibit 6)** local service providers can be utilized by the students. The school has no affiliation with any of the organizations and receives no financial reimbursement for referring students to them. Students need to contact the individual company for information on their services. There are many reasons why students should consider seeing counselors. They are available for crisis intervention issues as well as situations involving academic difficulties, such as probation. This information is distributed to the student by the Student Services Coordinator.

7. Provide a list of all current equipment, and its working condition, in the skills lab; address the concerns regarding lack of desks, chairs, and supplies.

The supplies and equipment for skills lab **(Exhibit 7)** are in good working order. If we learn that a piece of equipment needs repair, our administrative assistant acts as soon as possible to order the parts and have the repairs made. Supplies in both the classroom and lab are replenished monthly according to orders requested by the faculty, submitted by the administrative assistant, and approved by the Program Director. The skills laboratories include equipment and supplies sufficient in numbers to facilitate all students and to provide a sound educational basis in order to fulfill the objectives of the nursing program. Textbook list is included herein and are the most currently available editions.

It is unclear why the student is indicating an inadequacy of desks or chairs. Each classroom is equipped with student desks and chairs which are in excellent condition, less than two years old, and exceed the number of students scheduled for class. Photos are attached. **(Exhibit 7a)**

8. Provide a list of all current students and instructors working with the students, including clinical, theory, and skills lab faculty.

A list of current students and faculty are attached. **(Exhibit 8)**

9. Describe what steps are being taken to accurately document theory and clinical hours of students and of faculty.

Students are required to sign in at the beginning of class and to sign out at the end of class each day whether they are attending classroom, skills lab, or clinical. The sign in sheet is sent to the Student Services Coordinator at the campus on a daily basis. The Student Services Coordinator scans a copy to the corporate office attendance specialist who enters the record of attendance into the electronic student database. The Student Services Coordinator maintains the original attendance record at the campus. The electronic database tabulates the hours. A report can be produced to allow the director to review the accumulated hours.

Provide examples of documents used in the VN program to record time for

a. Skills Lab **(Exhibit 9a)**

b. Clinical sites **(Exhibit 9b)**

c. Classroom hours (Exhibit 9a)

10. Explain the change from a 17 month program to a 13 month program

There has been no change in the hours of the Vocational Nursing program. A copy of the Enrollment Agreement for _____ is attached. **(Exhibit 10)**

11. Describe changes in faculty and clinical facilities since the unannounced site visit by Board representatives on July 8 and 9, 2014. Include start dates for any clinical facilities being utilized since that site visit.

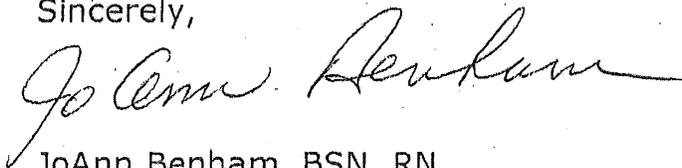
On August 2, 2014 faculty member Amber Zanov resigned and the BVNPT was notified on August 5, 2014.

Spring Road Healthcare was approved in June 14, 2014 as a new facility by the BVNPT. Students began attending clinical at the site on August 9, 2014 after background checks and other information was provided to the clinical site.

On another note, I am unsure as to what "non-disclosure" documents the students are referring to. Please advise at your earliest convenience, and I will be happy to provide any documentation you require.

Again, I thank you for the opportunity to respond these concerns. I am happy to provide any further clarification you request. I will continue to monitor the progress and satisfaction of all of our nursing students to ensure an optimal learning experience that will ultimately prepare them to pass the NCLEX-PN and become excellent Licensed Vocational Nurses. An update will be provided from the institution as needed.

Sincerely,



JoAnn Benham, BSN, RN
Vocational Nursing Program Director