

## Agenda Item #8.A.5.



BUSINESS, CONSUMER SERVICES, AND HOUSING 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) 263-7855 Web [www.bvnpt.ca.gov](http://www.bvnpt.ca.gov)



DATE: January 30, 2015

TO: Board Members

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

SUBJECT: High Desert Medical College, Vocational Nursing Program –  
Reconsideration of Provisional Approval; Consideration of Request to  
Admit Students (Director: Michelle Welch, Lancaster, Los Angeles County, Private)

On November 10, 2011, the Board placed the High Desert Medical College Vocational Nursing Program on provisional approval for the two (2) year period from November 10, 2011 through November 30, 2013, due to pass rates that were noncompliant with requirements set forth in California Code of Regulations section 2530 (I) which states:

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

The program was directed to obtain approval by the full Board prior to the admission of additional students. Reconsideration of the program’s status was scheduled for the November 2013 Board meeting.

On November 22, 2013, the Board extended the program’s provisional approval through September 30, 2014. The Board approved the program’s request to admit a part-time class of 20 students on January 7, 2014, graduating on February 14, 2015 to **replace** a class that graduated March 8, 2012.

On July 14 and 15, 2014, Board representatives conducted an unannounced onsite inspection of the program relative to compliance with regulatory requirements and Board decisions.

On September 12, 2014, the Board extended the program’s provisional approval through February 28, 2015. Further, the Board denied the program’s request to admit a full-time class of 20 students on January 19, 2015, graduating March 6, 2016, to **replace** students that graduated March 8, 2012.

The program is presented for reconsideration of its provisional status. Additionally, the program requests approval to admit a full-time class of 20 students on April 13, 2015,

graduating May 18, 2016. The proposed class would **replace** students that graduated March 7, 2014.

**History of Prior Board Actions**

(See Attachment A, History of Board Action)

**Enrollment**

The High Desert Medical College Vocational Nursing Program offers a full-time course of instruction that is 56 weeks. The part-time class is no longer being offered. Board approval is required prior to the admission of each class. The pattern of admissions for current classes is seen in the enrollment table below.

The following table represents student enrollment based on the **current and proposed** class start dates. The table indicates a **maximum enrollment of 92** students for the period **May 2009 through April 2015**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
5/09 PT		16	11	<b>11</b>
11/09 FT		20	20	11 + 20 = <b>31</b>
1/10 PT		20	18	31 + 18 = <b>49</b>
5/10 FT		20	18	49 + 18 = <b>67</b>
9/10 FT		20	13	67 + 13 = <b>80</b>
	10/10 (5/09 PT Class)		-11	80 - 11 = <b>69</b>
10/10 PT		20	15	69 + 15 = <b>84</b>
	12/10 (11/09 FT Class)		-20	84 - 20 = <b>64</b>
3/11 FT		15	17	64 + 17 = <b>81</b>
4/11 PT		12	11	81 + 11 = <b>92</b>
	5/11 (5/10 FT Class)		-18	92 - 18 = <b>74</b>
	7/11 (1/10 PT Class)		-18	74 - 18 = <b>56</b>
	10/11 (9/10 FT Class)		-13	56 - 13 = <b>43</b>

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
1/13 FT	2/14	10	8	43 + 8 = 51
	3/12 (10/10 PT Class)		-15	51 - 15 = 36
	3/12 (3/11 FT Class)		-17	36 - 17 = 19
	9/12 (4/11 PT Class)		-11	19 - 11 = 8
	2/14 (1/13 FT Class)		-8	8 - 8 = 0
04/15 FT (Proposed)	05/16		20	0 + 20 = 20

### 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 April 2006 through December 2014, specify the pass percentage rates for graduates of the High Desert Medical College Vocational Nursing Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®).

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR §2530(I)]	Variance From State Average Annual Pass Rate
Apr - Jun 2006	2	2	100%	76%	100%	79%	+21
Jul - Sep 2006	17	7	41%	79%	47%	79%	-32
Oct - Dec 2006	2	1	50%	77%	48%	78%	-30
Jan - Mar 2007	No Candidates Tested			77%	48%	77%	-29
Apr - Jun 2007	8	4	50%	74%	44%	77%	-33
Jul - Sep 2007	2	2	100%	76%	58%	76%	-18
Oct - Dec 2007	4	2	50%	76%	57%	76%	-19
Jan - Mar 2008	15	10	67%	76%	62%	76%	-14
Apr - Jun 2008	7	5	71%	75%	68%	75%	-7
July - Sep 2008	14	8	57%	70%	63%	74%	-11
Oct - Dec 2008	7	2	29%	73%	58%	73%	-15
Jan - Mar 2009	12	6	50%	70%	53%	72%	-19
Apr - Jun 2009	4	2	50%	71%	49%	70%	-21
July - Sep 2009	3	1	33%	74%	42%	72%	-30
Oct - Dec 2009	8	8	100%	76%	63%	73%	-10

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 2010	3	1	33%	75%	67%	74%	-7
Apr – Jun 2010	11	5	46%	74%	<b>60%</b>	75%	<b>-15</b>
Jul – Sep 2010	14	8	57%	76%	<b>60%</b>	75%	<b>-15</b>
Oct – Dec 2010	3	1	33%	77%	<b>44%</b>	76%	<b>-32</b>
Jan – Mar 2011	11	6	55%	80%	<b>49%</b>	77%	<b>-28</b>
Apr – Jun 2011	4	2	50%	71%	<b>50%</b>	76%	<b>-26</b>
Jul – Sep 2011	9	8	89%	74%	<b>63%</b>	76%	<b>-13</b>
Oct – Dec 2011	4	1	25%	74%	<b>61%</b>	75%	<b>-14</b>
Jan – Mar 2012	8	5	63%	77%	64%	74%	-10
Apr – Jun 2012	18	7	39%	72%	<b>54%</b>	74%	<b>-20</b>
Jul – Sep 2012	25	16	64%	74%	<b>53%</b>	74%	<b>-21</b>
Oct – Dec 2012	11	3	27%	70%	<b>50%</b>	74%	<b>-24</b>
Jan – Mar 2013	9	5	56%	75%	<b>49%</b>	73%	<b>-24</b>
Apr – Jun 2013	11	5	46%	78%	<b>52%</b>	73%	<b>-21</b>
Jul – Sep 2013	6	2	33%	75%	<b>41%</b>	74%	<b>-33</b>
Oct – Dec 2013	5	1	20%	76%	<b>42%</b>	76%	<b>-34</b>
Jan – Mar 2014	6	1	17%	76%	<b>32%</b>	76%	<b>-44</b>
Apr – Jun 2014	4	4	100%	66%	<b>38%</b>	73%	<b>-35</b>
Jul – Sep 2014	5	3	60%	72%	<b>45%</b>	73%	<b>-28</b>
Oct – Dec 2014	<b>No Candidates Tested</b>			72%	<b>53%</b>	72%	<b>-19</b>

\*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, section 2530(l) states:

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

This data substantiates the program’s **noncompliance** with section 2530 (l) of the Vocational Nursing Rules and Regulations for **30 of the 35 quarters in which data is recorded for the program.**

Based on the most recent data available (October through December 2014), the program’s average annual pass rate is **53%**. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® Licensure Examination for the first time during the same period is 72%. The average annual pass rate for the High Desert Medical College Vocational Nursing Program is **19** 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 six (6), including the director. Of the total faculty, three (3) instructors are approved to teach clinical. Of the six (6) faculty, one (1) is additional faculty.

No students are currently enrolled in classes. Based on the proposed class of 20 students, two (2) instructors are needed. Therefore, the number of current faculty is inadequate 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 does have sufficient clinical facilities to afford the number, type, and variety of patients that will provide clinical experience consistent with competency-based objectives and theory.

## **Other Considerations:**

As noted previously, the Board placed the High Desert Medical College Vocational Nursing Program on provisional approval for the two (2) year period from November 10, 2011 through November 30, 2013, due to noncompliant pass rates on the NCLEX-PN®. On November 22, 2013, the Board extended the program's provisional approval for a ten-month period from November 22, 2013, through September 30, 2014, and issued a notice to the program identifying specific areas of noncompliance and requirements for correction.

On July 1, 2014, the Board received correspondence from the director and the required comprehensive analysis. No significant changes were identified from the second (2<sup>nd</sup>) comprehensive analysis submitted on August 2, 2013.

On July 14 and 15, 2014, an unannounced school site visit was completed by two (2) assigned Nursing Education Consultants to determine the program's compliance with Board requirements. During the two-day visit, the consultants assessed the program's resources including, but not limited to, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment required to achieve the program's objectives. In addition, the NEC's reviewed records for newly graduated students, and facilitated discussions with the Program Director and other staff members. Nine (9) violations were identified during the site visit.

On August 8, 2014, a notice of violations was sent to the administrator, since the director had terminated her employment with High Desert Medical College. The program's response to the identified violations was due to the Board by August 29, 2014.

**On August 13, 2014, a new director was approved by the Board.**

On September 12, 2014, the Board extended the program's provisional approval for a five (5) month period from September 12, 2014, through February 28, 2015, and issued a notice to the program to identify specific areas of noncompliance and requirements for correction, as referenced in Section 2526.1 (e) of the California Code of Regulations (see Attachment B).

On November 4, 2014, the Board received the new director's response to violations identified during program inspection. **As presented, and if implemented, the responses will prevent future occurrences of the identified violations.**

**Recommendations:**

1. Extend High Desert Medical College's Vocational Nursing Program provisional approval for a one (1) year period from February 28, 2015, through February 28, 2016, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Continue to 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.
3. Approve the program's request to admit a full-time class of 20 students on April 13, 2015; graduating May 18, 2016 **replacing** students that graduated March 7, 2014, **provided** the program maintains a 1:10 instructor to student ratio in all clinical activities.
4. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation by **April 17, 2015**.
5. Continue to require the program to maintain a 1:10 instructor to student ratio in all clinical activities.
6. Continue to require the program to admit no additional students unless approved by the full Board.
7. Require the program to submit a follow-up report by **November 1, 2015**. The report shall include a review of the prior comprehensive analysis, timeline for implementation, and the effect of employed corrections.
8. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code

8. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.
9. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
10. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
11. Place the program on the **February 2016** Board agenda for reconsideration of provisional approval.

**Rationale:** On November 10, 2011, the Board placed High Desert Medical College on Provisional Approval. At that time, the program's average annual pass rate was 63%. The current average annual pass rate is 53%. As such, the program's current average annual pass rate is **19** percentage points **below** the state average annual pass rate.

However, it is noted that published examination statistics evidence a consistent improvement in the program's average annual pass rates from 32% to the current 53%. As such, the program has demonstrated incremental progress in correcting its violations.

Based on the identified improvement in licensure pass rates and the program's plans to correct identified violations, extension of the program's provisional approval and approval of the request to admit students is recommended.

Collecting student data will enable the program and Board to more effectively monitor student progress.

Attachment A: History of Prior Board Actions

Attachment B: Notice of Change in Approval Status, dated December 4, 2013.

# Agenda Item #8.A.5., Attachment A

## HIGH DESERT MEDICAL COLLEGE VOCATIONAL NURSING PROGRAM

### History of Prior Board Actions

- On August 11, 2004, the Executive Officer approved High Desert Medical College's request to begin a vocational nursing program with an initial class of 30 students on September 10, 2004, only; **and** approved the program curriculum for 1532 hours, including 576 theory, and 956 clinical hours.
- On February 3, 2006 the Executive Officer approved initial full accreditation for High Desert Medical College Vocational Nursing Program for the period February 3, 2006, through February 2, 2010, and directed issuance of a certificate accordingly; **and** approved admission of a part-time class of 30 students starting March 20, 2006, only, to replace students graduating March 11, 2006; **and** approved admission of a full-time class of 30 students on February 6, 2006, only.
- **On May 23, 2006, a new director was approved.**
- On October 3, 2006, the Executive Officer approved the High Desert Medical College Vocational Nursing Program's request to admit a full-time class of 20 students on October 9, 2006, completing November 21, 2007; **and** approved the program's request to admit a part-time class of 20 students on November 3, 2006, graduating May 18, 2008.

Additionally, the Executive Officer approved the program's request for **ongoing** admissions to replace graduating classes, only, with the following stipulations:

- a. No additional classes are added to the program's current pattern of admissions without prior Board approval. The program's current pattern of admissions includes two full-time classes of 20 students and two part-time classes of 20 students per calendar year.
  - b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
- On August 15, 2007, the Board notified the director that the program's pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past four (4) quarters. The director was requested to submit a written plan for improving the program's NCLEX-PN® pass rates by September 15, 2007.
  - On September 14, 2007, the Board received the program's plan for improving its pass rate.

- On November 27, 2007, the Board notified the director that the program's pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past five (5) quarters.
- On January 22, 2008, the Board notified the director that the program's pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past six (6) quarters. The director was asked to provide documentation verifying that the eight elements of the program's plan of correction submitted September 14, 2007, are being carried out.
- On April 4, 2008, the program director provided an update on the program's plan of correction.
- **On December 15, 2008, a new program director was approved.**
- On August 19, 2009, the Board notified the director that the program's pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past four (4) quarters. The consultant requested submission of a written plan for improving the pass rates by September 19, 2009.
- On September 16, 2009, the Board received the following plan for improvement of the program's pass rates:
  - a. The program revised its written examinations, and implemented stricter standards for grading.
  - b. The program revised the credit granting policy.
  - c. The program revised the remediation policy, to reduce the overall number of remediation attempts that would be acceptable prior to a termination decision.
  - d. The program revised its practice of re-admitting students who had been terminated previously for poor academic performance.
- On December 2, 2009, the Executive Officer approved continued full accreditation for the High Desert Medical College Vocational Nursing Program for the period February 3, 2010 through February 2, 2014.
- On December 29, 2009, the Board notified the director that the program's average annual pass rates had fallen below 10 percentage points of the state average annual pass rate for the past five (5) quarters.
- On November 30, 2010, the Executive Officer **denied** High Desert Medical College, Vocational Nursing Program's request to admit **30** students three (3) times per year to the full-time class; **and, approved** the program's admission of **20** students to the full-time day class commencing March 7, 2011 and graduating March 15, 2012, only; **and, denied** High Desert Medical College, Vocational Nursing Program's request to admit **30** students three (3) times per year to the part-time class; **and, approved** the program's admission of **20** students to the part-time evening class commencing on April 8, 2010, and graduating October 21, 2012, only.

Additionally, the program was required to submit a report that includes a comprehensive analysis of the program, specific actions taken to improve program pass rates, timelines for expected results, and the effectiveness of corrective actions taken to address the following elements by **January 28, 2011**:

- 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.

The Executive Officer **rescinded** the program's approval for ongoing admissions and required the program to obtain Board approval prior to the admission of future classes.

- On January 27, 2011, the Board received program documents as requested November 30, 2010.
- **On June 6, 2011, a new director was approved by the Board.**
- On August 25, 2011, the Executive Officer **denied** High Desert Medical College's request to admit 20 students to a full-time program commencing on September 12, 2011, graduating October 18, 2012; **and, denied** the program's request to admit 20 students into a part-time program commencing on October 14, 2011, graduating March 31, 2013; **and**, placed the program on the November 10, 2011 agenda for the Board's consideration of provisional accreditation; **and**, required the program to continue to obtain Board approval prior to the admission of future classes.
- **On September 28, 2011, a new director was approved by the Board.**
- On October 7, 2011, the assigned consultant forwarded correspondence requesting submission of fifteen (15) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.
- On November 10, 2011, the Board placed High Desert Medical College Vocational Nursing Program on provisional accreditation for the two-year period from November 10, 2011, through November 30, 2013, and issued a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.; **and**, denied High Desert

Medical College Vocational Nursing Program's request to admit a class of 20 full-time, day, students on November 14, 2011, graduating on December 13, 2012, to **replace** a class that graduated October 6, 2011; **and**, required the program to admit no additional students unless approved by the full Board; **and**, required 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 **September 1, 2013**.

Additionally, the Board required the program to submit follow-up reports in nine months, but no later than **August 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; **and**,

The program was required 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.

Further, the program was required 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 accreditation; **and**, notified the program that failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation; **and**, place the program on the **November 2013** Board agenda for reconsideration of provisional accreditation.

- On November 22, 2011, the Board forwarded to the director the Notice of Change in Accreditation Status.
- 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 the Board members to consider.

- On January 25, 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.
- On February 24, 2012 the Board required the High Desert Medical College Vocational Nursing Program to submit a new instructional plan for full-time classes no later than March 30, 2012; **and**, required the program to submit a new instructional plan for part-time classes no later than March 30, 2012; **and**, delegated to the Executive Officer discretionary authority to approve the program's part-time and full-time instructional plans; **and**, denied the program's request to admit 20 part-time students on March 23, 2012, only, graduating August 7, 2013, to **replace** students that graduated on October 1, 2010; **and**, contingent on the program's submission of the full-time instructional plan, and approval of the major curriculum revision by the Executive Officer, approve High Desert Medical College Vocational Nursing Program's request to admit a class of 20 full-time students on April 2, 2012, only, graduating April 4, 2013, to **replace** students who will graduate on March 26, 2012.
- On May 11, 2012, the Board deferred action on the program's request to admit 20 part-time and 20 full-time students to **replace** students that graduated on March 18, 2012 and March 26, 2012, to the Executive Officer contingent on approval of the Instructional Plan and the program's continued improvement in its average annual pass rate. Class start and end dates will be determined at that time; and, required the program to continue to obtain approval by the full Board prior to the admission of additional classes.
- **On July 18, 2012 the Board approved a new director.**
- On August 3, 2012, the program submitted the Comprehensive Analysis as required on November 10, 2011.
- On December 6, 2012, the Executive Officer approved High Desert Medical College's curriculum for 1594.5 hours, including 640.5 theory and 954 clinical hours for the full-time program; **and**, approved the program curriculum for 1594 hours, including 630 theory and 964 clinical hours for the part-time program; **and**, **denied** the program's request to admit 20 part-time students on January 7, 2013; graduating July 20, 2014 to **replace** students that graduated March 8, 2012; **and**, **denied** the program's request to admit 20 full-time students on April 8, 2013; graduating May 9, 2014 to **replace** students that graduated on October 6, 2011; **and**, required the program to admit no additional students unless approved by the full Board.
- On March 11, 2013, the assigned consultant forwarded correspondence requesting submission often two (2) copies and a CD or Flash Drive of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.
- On March 25, 2013, the program director submitted two (2) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.

- On May 10, 2013, the Board **denied** the program's request to admit 20 part-time students on May 31, 2013; graduating January 30, 2015, to replace students that graduated September 30, 2012; and, **denied** the program's request to admit 20 full-time students on June 3, 2013; graduating July 15, 2014, to replace students that graduated March 8, 2012; and, required the program to admit no additional students unless approved by the full Board.
- On June 5, 2013, the assigned consultant forwarded correspondence requesting submission of two (2) copies and a CD or Flash Drive of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.
- On June 17, 2013, the program director submitted two (2) copies and a CD of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.
- On August 2, 2013, the Board received the program's second (2<sup>nd</sup>) comprehensive analysis.
- On September 13, 2013, the Board deferred action on High Desert Medical College Vocational Nursing Program's request to admit 20 part-time students on October 4, 2013 to the November 2013 Board meeting; and, required the program to admit no additional students without prior approval by the full Board.
- On October 21, 2013, the Board adopted recommendations adopted by less than a quorum of the Board, deferring action on the program's request to admit 20 part-time students on October 4, 2013 to the November 2013 Board meeting; and required the program to admit no additional students without prior approval by the full Board.
- On November 22, 2013, the Board Extend High Desert Medical College's Vocational Nursing Program provisional approval for a ten-month period from November 22, 2013, through September 30, 2014, and issued a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations; **and**, denied High Desert Medical College Vocational Nursing Program's request to admit a part-time class of 20 students on January 7, 2014; graduating on February 14, 2015 to **replace** a class that graduated March 8, 2012; **and**, required the program to admit no additional students unless approved by the full Board; **and**, required 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 **September 1, 2014; and**,

Required the program to submit follow-up reports in nine months, but no later than **July 1, 2014**. 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. 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; **and,**

Required 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 2526; **and,** required 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 accreditation; **and,** advised the program that failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation; **and,** place the program on the **September 2014** Board agenda for reconsideration of provisional approval.

- On July 14 and 15, 2014, Board representatives conducted an unannounced onsite visit of the program. Nine (9) violations of the California Code of Regulations were identified.
- On August 4, 2014, the NEC received communication from the director Cindy Fairchild, notifying the Board she had terminated her employment with High Desert Medical College.
- On August 8, 2014, a notice of violations was sent to the administrator. The required response is due to the Board by August 29, 2014.
- **On August 13, 2014, a new director was approved by the Board.**
- On November 4, 2014, the director submitted a response to the violations listed in the letter of August 8, 2014.

# Agenda Item #8.A.5., Attachment B



BUSINESS, CONSUMER SERVICES, AND HOUSING 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) 263-7855 Web [www.bvnpt.ca.gov](http://www.bvnpt.ca.gov)



## CERTIFIED MAIL

December 4, 2013

Cindy Fairchild, Ed. D., M.S.N., R.N.  
Director, Vocational Nursing Program  
High Desert Medical College  
701 West Avenue K  
Lancaster, CA 93534

**Subject: Notice of Change in Approval Status**

Dear Ms. Fairchild:

On November 22, 2013, the Board of Vocational Nursing and Psychiatric Technicians (Board) reconsidered the approval status of the High Desert Medical College Vocational Nursing Program. The Board extended the program's provisional approval status for a ten – month period from **December 1, 2013 through September 30, 2014** under the same conditions specified in the Notice of Change in Approval Status dated November 22, 2011 (see attached).

The purpose of this letter is to explain the areas of non-compliance found and the corrections required of your program to avoid losing approval completely. Once you have reviewed this letter, please sign and return the enclosed "Acknowledgement of Change in Approval Status" form by **Friday, December 18, 2013**.

Reconsideration of the program's approval status is scheduled for the **September 2014** Board meeting. In preparation for that meeting, please submit a follow-up report no later than **July 1, 2014**. 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 analysis must address program elements specified in Corrective Action #3 in the Notice dated November 22, 2011.

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

Enclosures

cc: Board Members

TBJ: ph



## CALIFORNIA CODE OF REGULATIONS TITLE 16

### §2526.1. Provisional Approval.

- (a) Provisional approval means a program has not met all requirements as set forth in this Chapter and in Chapter 6.5, Division 2 of the Business and Professions Code.
- (b) Provisional approval shall be granted for a period determined by the Board.
- (c) The Board may place any program on provisional approval 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 approval period, provisional approval may be extended if the program demonstrates to the satisfaction of the Board a good faith effort to correct all deficiencies.
- (d) Any program holding provisional approval may not admit "new" classes beyond the established pattern of admission previously approved by the Board. The admission pattern is defined by the number of students per class and the frequency of admissions for the six class admissions that immediately precede the Board action to consider provisional approval.
- (e) A program placed on provisional approval shall receive written notification from the Board. The notification to the program shall include specific areas of noncompliance and requirements for correction. A program's failure to correct delineated areas of noncompliance is cause for revocation of provisional approval.
- (f) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional approval.
- (g) A program whose provisional approval has been revoked shall be removed from the Board's list of approved programs. The status of students as potential applicants for licensure will be determined by the Board.
- (h) A program that is removed from the Board's list of approved programs subsequent to Board action based on the program's non-compliance with applicable regulations shall not reapply to establish a vocational nursing program for a minimum period of one calendar year.



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDWIN 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

November 22, 2011

Carol Williams  
Director, Vocational Nursing Program  
High Desert Medical College  
44815 fig Avenue, Suite 109  
Lancaster, CA 93534

**Subject: Notice of Change in Accreditation Status**

Dear Ms. Williams:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on November 10, 2011, the provisional accreditation status of the High Desert Medical College Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the two – year period from November 10, 2011 through November 30, 2013. The purpose of this letter is to explain the areas of non-compliance found and the corrections required of your program to avoid losing accreditation completely.

Once you have reviewed this letter, please sign and return the enclosed "Acknowledgement of Change in Accreditation Status" form by **Friday, December 2, 2011**.

### 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.

- (l) 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."

The program pass rates of the High Desert Medical College Vocational Nursing Program for the past twenty-two (22) 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
Apr – Jun 2006	76%	100%	+24
Jul – Sep 2006	79%	47%	-32
Oct – Dec 2006	77%	48%	-29
Jan – Mar 2007	77%	48%	-29
Apr – Jun 2007	74%	44%	-30
Jul – Sep 2007	76%	58%	-18
Oct – Dec 2007	76%	57%	-19
Jan – Mar 2008	75%	62%	-13
Apr – Jun 2008	74%	68%	-6
Jul – Sep 2008	74%	63%	-11
Oct – Dec 2008	73%	58%	-15
Jan – Mar 2009	72%	53%	-19
Apr – Jun 2009	70%	49%	-21
Jul – Sep 2009	72%	42%	-30
Oct – Dec 2009	73%	63%	-10
Jan – Mar 2010	74%	67%	-7
Apr – Jun 2010	75%	60%	-15
Jul – Sep 2010	75%	60%	-15
Oct – Dec 2010	76%	44%	-32
Jan – Mar 2011	77%	49%	-28
Apr – Jun 2011	76%	50%	-26
Jul – Sep 2011	76%	63%	-13

Based on this data, the program failed to comply with regulatory requirements relative to the admission of students. Further, the program failed to maintain the annual average pass rate requirement.

**REQUIRED CORRECTION(S)**

1. The High Desert Medical College, Vocational Nursing Program shall obtain full Board approval prior to the admission of additional students.
2. 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 **September 1, 2013**.
3. The program shall submit a follow-up report in 9 months, but no later than **August 1, 2012**, and 21 months, but no later than **August 1, 2013**. 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. 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 Student Enrollment.
4. The program shall 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.
  5. The program shall continue 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 accreditation.
  6. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
  7. In the event additional violations of the accreditation standards are identified, such violations may result in further corrective action or revocation of provisional accreditation.

#### FUTURE BOARD ACTION

Your program will be placed on the November 2013 Board Meeting agenda, at which point the Board may revoke or extend the program's accreditation. If you have additional information that you wish considered beyond the required corrections listed on page 3 and 4, you must submit this documentation 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: **Based on the above corrections, the full Board's permission will be required for each future class admission.**

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](http://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

Enclosures

cc: Board Members

TBJ:cca



## Acknowledgement of Change in Approval Status

I, Cindy Fairchild, director of High Desert Medical College Vocational Nursing  
(Director's Name) (Name of Program)

**Program** hereby acknowledge that this program's provisional status has been extended for the ten – month period from December 1, 2013 through September 30, 2014. I understand that in accordance with Section 2526.1 (f) of the Vocational Nursing Rules and Regulations and Section 2581.1 (f) of the Psychiatric Technician Rules and Regulations, the Board will consider any advertisement of full approval while on provisional approval as "material misrepresentation of fact". "Material misrepresentation of fact" may lead to revocation of the program's approval. Further, I understand the program's provisional approval status will be reflected on the Board's internet website.

Please complete and return this form to the Board by December 20, 2013.

**I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

\_\_\_\_\_  
(Signature of Director)

\_\_\_\_\_  
(Date)