

# Agenda Item #16.A.4.



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

**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**

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## COVER SHEET

**SUBJECT: Premiere Career College Vocational Nursing Program.** Reconsideration of Provisional Approval; Consideration of Request to Admit Students (Director: Marcelino De Guzman, Irwindale, Los Angeles County, Private)

Premiere Career College Vocational Nursing Program requests reconsideration of its provisional approval status. The program also requests approval to admit the following classes:

1. Evening class of 30 students commencing February 22, 2016, graduating April 28, 2017, to **replace** students scheduled to graduate February 19, 2016.
2. Day class of 30 students commencing May 16, 2016, graduating July 21, 2017, to **replace** students scheduled to graduate May 13, 2016.

### Recommendations:

1. Approve Premiere Career College, Vocational Nursing Program for the four year period from November 20, 2015 through November 19, 2019, and issue a certificate accordingly.
2. Approve Premiere Career College Vocational Nursing Program's request to admit an evening class of 30 students commencing on February 22, 2016, graduating April 28, 2017, **only**, to **replace** students that will graduate on February 19, 2015.
3. Approve the program's request to admit a day class of 30 students commencing on May 15, 2016, graduating July 21, 2017; **only**, to **replace** students that will graduate on May 13, 2016.
4. Continue to require the program to obtain Board approval prior to the admission of additional students.

**Rationale:** On February 28, 2014, the Board placed the Premiere Career College Vocational Nursing Program placed on provisional approval. At that time, the program's average annual pass rate was **56%** (20 percentage points below the state average annual pass rate). Currently, the program's average annual pass rate is **85%**. This is an **increase of 19** percentage points. From

July 2014, through September 2015, the program has consistently maintained compliant program licensure pass rates.

On October 8 and 9, 2015, a Board representative conducted an unannounced program site survey. Program documents and student files substantiate correction of all previously identified violations.

It is noted that the program utilized an unapproved faculty member to provide instruction to enrolled students. That violation has been corrected.

Based on this improvement in licensure pass rates and correction of all violations, approval of the Premiere Career College Vocational Nursing Program and the requested classes are recommended.

Board staff will continue to monitor the program's effectiveness by tracking its licensure examination pass rate each quarter, reviewing Annual Reports submitted by the director, and performing approval surveys every four years.

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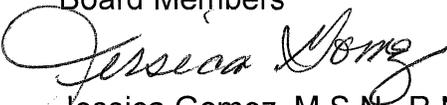


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DATE: November 4, 2015

TO: Board Members

FROM:   
Jessica Gomez, M.S.N., R.N.  
Supervising Nursing Education Consultant

SUBJECT: Premiere Career College Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students (Director: Marcelino De Guzman, Irwindale, Los Angeles County, Private)

Premiere Career College Vocational Nursing Program requests reconsideration of its provisional approval status. The program also requests approval to admit the following classes:

1. Evening class of 30 students commencing February 22, 2016, graduating April 28, 2017, to **replace** students scheduled to graduate February 19, 2016.
2. Day class of 30 students commencing May 16, 2016, graduating July 21, 2017, to **replace** students scheduled to graduate May 13, 2016.

On February 28, 2014, the Board placed the program on provisional approval for the two (2) year period from February 28, 2014, through February 28, 2016, and directed the program to obtain approval by the full Board prior to the admission of additional students. This action was taken due to the program's noncompliance with California Code of Regulations Section 2530 (l), which specifies:

"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 timed candidates of approved vocational nursing schools for the same period."

On May 15, 2015, the Board approved the program's request to admit 30 students into an evening class commencing August 24, 2015. Additionally, the program was approved to admit 30 students into a day class commencing November 16, 2015.

## History of Prior Board Actions

(See Attachment A, History of Prior Board Action)

## Enrollment

The program offers full time day and evening classes. Approval by the full Board is required prior to the admission of each class. The pattern of admissions for current and proposed classes is seen in the enrollment table below.

The following table represents **current and proposed** student enrollment based on current and proposed class start dates. The table indicates a **maximum enrollment of 145** students for the period **September 2013 through February 2017**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
9/13 Eve		15	14	<b>14</b>
6/14 Day		18	12	14 + 12 = <b>26</b>
	12/14 (9/13 Eve Class)		-14	26 - 14 = <b>12</b>
9/14 Eve		20	16	12 + 16 = <b>28</b>
12/14 Day		26	16	28 + 16 = <b>44</b>
3/15 Eve		29	24	44 + 24 = <b>68</b>
6/15 Day		25	25	68 + 25 = <b>93</b>
	8/15 (6/14 Day Class)		-12	93 - 12 = <b>81</b>
8/15 Eve		30	30	81 + 30 = <b>111</b>
	11/15 (9/14 Eve Class)		-16	111 - 16 = <b>95</b>
11/15 Day		30	30	95 + 30 = <b>125</b>
	2/16 (12/14 Day Class)		-16	125 - 16 = <b>109</b>
2/16 Eve <b>(Proposed)</b>	4/17	30	30	109 + 30 = <b>139</b>
	5/16 (3/15 Eve Class)		-24	139 - 24 = <b>115</b>
5/16 Day <b>(Proposed)</b>	7/17	30	30	115 + 30 = <b>145</b>
	8/16 (6/15 Day Class)		-25	145 - 25 = <b>120</b>
	10/16 (8/15 Eve Class)		-30	120 - 30 = <b>90</b>
	2/17 (11/15 Day Class)		-30	90 - 30 = <b>60</b>

## 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 2008 to September 2015, specify the pass percentage rates for graduates of the Premiere Career College Vocational Nursing Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®), and the variance of the program's pass rates from state average annual pass rates.

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
Jan - Mar 2008	30	24	88%	76%	79%	76%	+3
Apr - Jun 2008	12	9	75%	75%	77%	75%	+2
July - Sep 2008	10	5	50%	70%	74%	74%	0
Oct - Dec 2008	18	5	28%	73%	63%	73%	-10
Jan - Mar 2009	12	6	50%	70%	<b>48%</b>	72%	<b>-24</b>
Apr - Jun 2009	25	17	68%	71%	<b>51%</b>	70%	<b>-19</b>
July - Sep 2009	9	6	67%	74%	<b>53%</b>	72%	<b>-19</b>
Oct - Dec 2009	13	9	69%	76%	64%	73%	-9
Jan - Mar 2010	18	15	83%	75%	73%	74%	-1
Apr - Jun 2010	16	7	44%	74%	66%	75%	-9
Jul - Sep 2010	14	11	79%	74%	72%	75%	-3
Oct - Dec 2010	15	7	47%	74%	70%	75%	-5
Jan - Mar 2011	29	26	90%	80%	74%	77%	-3
Apr - Jun 2011	22	11	50%	77%	<b>56%</b>	74%	<b>-18</b>
Jul - Sep 2011	14	11	79%	74%	72%	75%	-3
Oct - Dec 2011	15	7	47%	74%	70%	75%	-5
Jan - Mar 2012	22	11	50%	74%	<b>46%</b>	72%	<b>-26</b>
Apr - Jun 2012	13	4	31%	72%	<b>52%</b>	77%	<b>-25</b>
Jul - Sep 2012	22	11	50%	74%	<b>46%</b>	74%	<b>-28</b>
Oct - Dec 2012	21	14	67%	70%	<b>51%</b>	74%	<b>-23</b>
Jan - Mar 2013	20	8	40%	75%	<b>49%</b>	73%	<b>-24</b>
Apr - Jun 2013	20	17	85%	78%	<b>60%</b>	73%	<b>-13</b>
Jul - Sep 2013	38	19	50%	75%	<b>59%</b>	75%	<b>-16</b>
Oct - Dec 2013	17	10	59%	76%	<b>56%</b>	76%	<b>-20</b>
Jan - Mar 2014	36	26	72%	74%	<b>65%</b>	76%	<b>-11</b>
Apr - Jun 2014	5	3	60%	66%	<b>60%</b>	73%	<b>-13</b>
Jul - Sep 2014	4	2	50%	72%	66%	73%	-7
Oct - Dec 2014	10	8	80%	72%	71%	72%	-1
Jan - Mar 2015	20	16	80%	73%	74%	71%	+3
Apr - Jun 2015	7	7	100%	69%	80%	72%	+8
Jul - Sep 2015	2	2	100%	73%	85%	72%	+13

\*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.”

Based on the **most recent data available** (July through Sept 2015), the program’s average annual pass rate is **85%**. 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 Premiere Career College Vocational Nursing Program is **13** percentage point **above** 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 21, including the director. The director has 70% administrative and 30% teaching responsibilities. One (1) faculty is approved as “Additional Faculty” and one (1) is a Teacher Assistant. Of the total faculty, thirteen (13) instructors are approved to provide clinical instruction.

Based on a maximum enrollment of **145** students, **15** instructors are required. The number of current faculty is adequate for the current and proposed enrollment.

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

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

The program has sufficient clinical facilities to afford the number type and variety of patients that will provide clinical experience consistent with competency-based objectives and theory being taught.

### **Other Considerations**

On February 28, 2014, the Board placed the Premiere Career College Vocational Nursing Program on provisional approval for a two (2) year period from February 28, 2014, through February 28, 2016. This action was taken due to the program’s noncompliance for eight (8) consecutive quarters with California Code of Regulations Section 2530 (l). During the Board meeting, the new director presented information relative to her plan to address the program’s deficiencies. The Board directed the submission of the proposed plan in writing.

Additionally, the Board directed the program to comply with all approval standards as specified in article 4 of the Vocational Nursing Practice Act and article 5 of the California Code of Regulations. At that time, the program's average annual pass rate was 56%. (See Attachment B)

On March 12, 2014, the Board received the director's plan to increase the program's licensure pass rates. That plan included revision of the program's admission criteria and procedures for the assessment and evaluation of students.

On May 16, 2014, the Board approved the program's admission of 20 students commencing June 9, 2014; graduating August 24, 2014, to **replace** students that graduated on March 14, 2014, **provided** the program has no more than ten (10) students per instructor during clinical experience; **and** approved the program's admission of 20 students commencing September 1, 2014, graduating November 16, 2015, to **replace** students scheduled to graduate August 29, 2014, **provided** that the program has no more than ten (10) students per instructor during clinical experience. At that time, the program's average annual pass rate was 65%.

On June 9 and 10, 2014, an unannounced onsite survey was completed by Board representatives to determine compliance with Board and regulatory requirements. During the two-day visit, the consultants assessed the program's resources including faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment to achieve the program's objectives. In addition, the NEC's reviewed records for newly graduated and currently-enrolled students, and facilitated discussions with program representatives.

In the director's absence, the NEC's met with the assistant director and other program staff

The following violations were identified:

**Section 2526(a) (12) 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:

... (12) Admission criteria...

**Violation #1:** Based upon review of school files the school failed to follow its Board approved Admission Criteria for past and currently enrolled students.

**Section 2526(a) (13) 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:

... (13) Screening and selection criteria...

**Violation #2:** The program's screening and selection criteria were submitted and approved by the Board, however, based upon review of school files the program failed to follow the Board approved policy. In so doing, the

program admitted students that did not meet the established screening and selection criteria. As such, these students were at increased risk of failure.

**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 #3:** The program failed to notify the Board of the termination of 24 faculty members within the ten (10) days as required by existing regulations.

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

“Each teacher assistant shall work under the direction of an approved instructor. No more than one teacher assistant may be assigned to each instructor. Each teacher assistant shall assist the instructor in skills lab and clinical teaching only. The instructor to whom the teacher assistant is assigned shall be available to provide direction to the teacher assistant as needed.”

**Violation #4:** During a review of documents and classroom observation, Board representatives identified that the program is utilizing, and previously utilized, a teacher assistant to independently teach theory classes.

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

“The following related courses may be taught by additional faculty. Additional faculty are persons who have qualifications to teach in a community college or a state university in California or hold a baccalaureate degree in the field related to the curriculum taught, or meet the requirement for a vocational credential.”

Courses	Maximum Hours of Instruction by Other Professionals Accepted by the Board
Anatomy and Physiology	54
Psychology	54
Pharmacology	54
Nutrition	54
Normal Growth and Development	54

**Violation #5:** Based upon a review of documents and files, it was identified two (2) additional faculty were assigned as clinical instructors in Board approved clinical facilities.

**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 12<sup>th</sup> grade or evidence of completion of the equivalent thereof ...”.

**Violation #6:** An analysis of program files evidenced that four (4) students did not have proof of High School Education. These students were admitted without completion of a general education course of study through the 12<sup>th</sup> grade or evidence of completion of the equivalent.

**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 #7:** Although the program had a remediation policy in place, program documents substantiate that several students were allowed to fail exams multiple times and continue in the program. Remediation plans were found to be minimal and the school failed to follow through to ensure resolution to the remediation was performed.

On July 9, 2014, the Board received the assistant director’s plan to prevent future violations. All violations were corrected.

On September 10, 2014, the Board approved the assistant director as the program’s new director.

On September 12, 2014, the Board considered the program’s request for approval to admit five (5) day and evening classes, 30 students each. The Board approved the program’s admission of one evening class of 30 students only.

On May 15, 2015, the Board approved the program’s request to admit 30 students into an evening class commencing August 24, 2015. Additionally, the program was approved to admit 30 students into a day class commencing November 16, 2015.

On June 11, 2015 the Board received correspondence from the director requesting approval to admit students. Additionally, the director requested reconsideration of the program’s provisional approval status.

July 8, 2015, the SNEC discussed per teleconference with the director significant inconsistencies identified in documents and information submitted in support of the request. Specifically, inconsistencies were identified in the program’s instructional calendar and its assignment and utilization of an instructor without prior approval by the Board. The program’s request was withdrawn. (See Attachment C)

Subsequent investigation confirmed the following violation.

**Section 2529 (a) of the Vocational Nursing Rules and Regulations states:**

“(a) A school shall submit qualifications of the proposed faculty member for approval by the Board prior to employment.

**Violation #1:** Documents submitted by the program on June 11, 2015 in support of the proposed admission listed an instructor that had been previously reported

as terminated. Evidence provided by the director substantiates the program continued to assign and utilize the “terminated” faculty member as a clinical instructor. The program failed to submit a new application requesting approval of the instructor prior to utilization.

**Status #1:** The violation has been **corrected**.

On September 9, 2015, the Board received electronic correspondence and materials from the director requesting reconsideration of provisional approval and approval to admit two (2) classes.

On October 8 and 9, 2015 the assigned NEC made an unannounced onsite inspection of the program. Program documents and student’s files were analyzed and evaluated; tours of the campus and a clinical site were completed; and student and faculty interviews were conducted. Analysis of the program records, and evidence witnessed during the inspection confirms correction of violations identified during the previous inspection.

On October 23, 2015, the program submitted an application requesting approval of a previously terminated instructor. The newly approved faculty member will be assigned to provide theory and clinical instruction for the proposed class.

The program’s licensure pass rates have improved since placement on provisional approval. **At the time the program was placed on provisional approval**, the program’s average annual licensure pass rate was **56%**. Currently, the program’s average annual pass rate is **85%**. As such, it has **risen 29 percentage points**. Currently, the program’s average annual pass rate is 13 percentage points above the state average annual pass rate.

**Recommendations:**

1. Approve Premiere Career College, Vocational Nursing Program for the four year period from November 20, 2015 through November 19, 2019, and issue a certificate accordingly.
2. Approve Premiere Career College Vocational Nursing Program’s request to admit an evening class of 30 students commencing on February 22, 2016, graduating April 28, 2017, **only**, to **replace** students that will graduate on February 19, 2015.
3. Approve the program’s request to admit a day class of 30 students commencing on May 15, 2016, graduating July 21, 2017; **only**, to **replace** students that will graduate on May 13, 2016.
4. Continue to require the program to obtain Board approval prior to the admission of additional students.

**Rationale:** On February 28, 2014, the Board placed the Premiere Career College Vocational Nursing Program placed on provisional approval. At that time, the program’s average annual pass rate was **56%** (20 percentage points below the state average annual pass rate). Currently, the program’s average annual pass rate is **85%**. This is an **increase of 19** percentage points. From July 2014,

through September 2015, the program has consistently maintained compliant program licensure pass rates.

On October 8 and 9, 2015, a Board representative conducted an unannounced program site survey. Program documents and student files substantiate correction of all previously identified violations.

It is noted that the program utilized an unapproved faculty member to provide instruction to enrolled students. That violation has been corrected.

Based on this improvement in licensure pass rates and correction of all violations, approval of the Premiere Career College Vocational Nursing Program and the requested classes are recommended.

Board staff will continue to monitor the program's effectiveness by tracking its licensure examination pass rate each quarter, reviewing Annual Reports submitted by the director, and performing approval surveys every four years.

Attachment A: History of Prior Board Actions.

Attachment B: Notice of Change in Approval Status dated March 20, 2014; Mailed March 21, 2014.

Attachment C: Letter Regarding Request of Reconsideration of Provisional Approval Dated July 10, 2015.

# Agenda Item #16.A.4., Attachment A

## PREMIERE CAREER COLLEGE VOCATIONAL NURSING PROGRAM

### History of Prior Board Actions

- On February 20, 2004, the Board approved Premiere Career College's request to begin a vocational nursing program with an initial class of 30 students on March 8, 2004, only, and approved the program's curriculum to include 1568 hours, including 586 theory, and 982 clinical hours.

Commencement of the initial class was delayed to June 2004.

- On February 4, 2005, the Board approved initial full accreditation for the Premiere Career College Vocational Nursing Program for the period February 4, 2005, through February 3, 2009, and issued a certificate accordingly; **and** approved the program's request to **replace** students graduating May 20, 2005, with 30 students on June 6, 2005, only.
- On September 16, 2005, the Executive Officer approved the program's request to admit an additional full-time class of 30 students on November 21, 2005, only.
- On May 12, 2006, the Executive Officer approved the program's request to admit a class of 30 students on June 5, 2006, only, to **replace** students graduating on May 19, 2006.
- On October 3, 2006, the Executive Officer approved the program's request to admit a class of 30 students on November 20, 2006, only, to **replace** students graduating on November 3, 2006.

The Executive Officer also approved the program's request for ongoing admissions to **replace** graduating classes, only, with the stipulations that no additional classes are added to the program's current pattern of admissions without prior Board approval, and that the director documents that adequate resources are available to support each admitted class of students.

- On July 2, 2008, the Executive Officer approved the program's request to admit 30 students to a class commencing November 10, 2008, with an anticipated graduation date of October 23, 2009; and approved ongoing admissions to **replace** graduating classes only be approved with the following stipulations:
  - a. No additional classes are added to the program's current pattern of admissions without prior approval. The program's current pattern of admissions includes admission of three full-time classes of 30 students per year.
  - b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.

- On September 20, 2010, the Executive Officer approved Premiere Career College Vocational Nursing Program's request to admit 30 students four (4) times per year to **replace** graduating students only, with the following stipulations:
  - a. No additional classes are added to the program's current pattern of admissions without prior approval. The program's current pattern of admissions includes admission of four (4) full - time classes of 30 students per year to **replace** graduating students only.
  - b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
- On February 4, 2013, the director was notified the program had four (4) quarters of low licensure pass rates. The director was required to submit a plan to improve the programs licensure pass rates by March 5, 2013.
- On March 2, 2013, the director submitted her plan to improve licensure pass rates.
- On May 7, 2013, the director was notified the program had five (5) quarters of low licensure pass rates. The director was required to submit a plan to improve the programs licensure pass rates by May 31, 2013.
- On May 3, 2013, the Executive Officer continued full approval for the Premiere Career College Vocational Nursing Program for the period February 4, 2013, through February 3, 2017, and issued a certificate accordingly; **and, revoked** the programs ongoing admission pattern; **and**, required the program to obtain Board approval prior to the admission of additional students.
- On May 20, 2013 the Executive Officer denied Premiere Career College's request to admit a class of 30 students on June 24, 2013; graduating June 6, 2014. This class would have **replaced** students that will graduate on June 7, 2013; and, approved the program's admission of a class of 15 students on June 24, 2013, only; graduating June 6, 2014. This class will **replace** students that will graduate on June 7, 2013; **and**, required the program to submit a written report **by June 12, 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 Enrollment; **and,**

Required the program to obtain Board approval prior to the admission of additional students.

- On June 17, 2013, the director submitted the comprehensive analysis required above. The analysis was inadequate as presented. The director was given guidance on how to complete the analysis. A new due date of September 13, 2013 was given.
- On July 29, 2013, the director was notified the program has six (6) quarters of low licensure pass rates. The director is required to submit proof that the plan identified above is being implemented by August 16, 2013.
- On August 27, 2013, the Board received the program's documentation verifying the plan to improve graduates licensure pass rates had been implemented.
- On September 17, 2013, the Board received the program's revised comprehensive analysis.
- On September 19, 2013, the Board approved Premiere Career College Vocational Nursing Program's request to admit a class of 15 students on September 23, 2013, only; graduating November 21, 2014. This class **replaces** students that graduated on August 30, 2013; and, required the program to obtain Board approval prior to the admission of additional students.
- On October 30, 2013, the director was notified the program has seven (7) quarters of low licensure pass rates. The director is required to submit an evaluation of her plan to bring up the program's licensure pass rates by November 15, 2013.
- On November 13, 2013, the director re-submitted the comprehensive analysis.
- On December 6, 2013, the Executive Officer considered the program's request for approval to admit a class of 15 students on January 6, 2014. The request was denied and the program was required to obtain Board approval prior to the admission of additional students. Additionally, the Executive Officer directed that the program be placed on the Board's February 2014 agenda for consideration of placement on provisional approval.
- On December 10, 2013, Board representatives, SNEC and assigned NEC, conducted a teleconference with program representatives relative to their request. Participating program representatives included Fe Aragon, President, Owner; Enrique Aragon, Vice President; Rowena Gabriel, Director of Student Services; and Jennifer Ty DeGuzman, Program Director.

- On December 11, 2013, the Board received correspondence from the owner, Fe Aragon, advising that the program director, Jennifer Ty De Guzman, was no longer employed at the school.
- **On December 20, 2013, the Board approved a new director.**
- On February 28, 2014, the Board placed Premiere Career College on provisional approval for a two (2) year period from February 28, 2014, through February 28, 2016 and issue a notice to the program identifying specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations; **and**, required the program to admit no additional classes without prior approval 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; **and**, advised the program it shall obtain approval of the full Board prior to the admission of additional students; **and**, the program shall submit a follow-up report in 9 months, but no later than **November 1, 2014** and 21 months, but no later than **November 1, 2015**. 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; **and**,

The program shall 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**, the program shall 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; **and**, failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

- On March 12, 2014, the director submitted her plan to improve licensure pass rates.
- On March 20, 2014, the Board forwarded to the Director the Notice of Change of Approval Status.

- On March 27, 2014 the Board received the Director's Acknowledgement of Change in Approval Status.
- On May 16, 2014, the Board denied Premiere Career College Vocational Nursing Program's request to admit a day class of 30 students commencing on May 19, 2014, graduating July 24, 2015, to **replace** students that graduated on March 14, 2014; **and**, denied the program's request to admit an evening class of 30 students commencing on June 9, 2014' graduating August 24, 2015, to **replace** students that graduated on March 14, 2014; **and**, approved the program's admission of 20 students commencing on June 9, 2014; graduating August 24, 2014, to **replace** students that graduated on March 14, 2014, provided that the program has no more than ten (10) students per instructor during clinical experience; **and**, denied the program a day class of 30 students commencing on September 1, 2014; graduating November 16, 2015, to **replace** students scheduled to graduate August 29, 2014; and, approved the program's admission of 20 students commencing September 1, 2014, graduating November 16, 2015, to **replace** students scheduled to graduate August 29, 2014, provided that the program has no more than ten (10) students per instructor during clinical experience; and, continued to require the program to obtain approval of the full Board prior to the admission of additional students.
- On June 9 – 10, Board representatives conducted an unannounced onsite survey of the program. Eight (8) violations of the California Code of Regulations were identified.
- On June 17, 2014, a Notice of Violations was sent to the assistant director. A plan of correction is due to the Board by July 11, 2014; **and**, the assistant director was notified that the program would be placed on the September 2014 Board agenda. The assistant director was required to complete the forms related to class admissions and submit to the NEC by June 23, 2014.
- On July 9, 2014, the assistant director submitted a plan to correct violations identified in the notice sent on June 17, 2014.
- **On September 10, 2014 a new director was approved by the Board.**
- On September 12, 2014, the Board approved Premiere Career College's request to admit a class of 30 evening students on December 8, 2014; that will graduate February 26, 2016 to **replace** students that graduated on June 6, 2014; **and**, denied the program's request to admit a class of 30 evening students on March 16, 2015; that will graduate May 20, 2016 to **replace** students that are scheduled to graduate on December 5, 2014; and, denied the program's request to admit a class of 30 day students on June 8, 2015; that will graduate August 12, 2016; **and**, denied the program's request to admit a class of 30 day students on August 31, 2015; that will graduate November 4, 2016 to **replace** students that are scheduled to graduate on August 24, 2015; **and**, denied the program's request to admit a class of 30 evening students on November 9, 2015; that will graduate January 27, 2017 to **replace** students that are scheduled to graduate on November 6, 2015; **and**, continue the program's terms of provisional approval as designated on February 28, 2014; and, the program shall continue to obtain approval of the full Board prior to the admission of additional students.

- On October 14, 2014, the Board received the director's comprehensive analysis as directed on February 28, 2014.
- On May 15, 2015, the Board approved Premiere Career College Vocational Nursing Program's request to admit an evening class of 30 students commencing on March 9, 2015, graduating May 13, 2016, to **replace** students that graduated on December 5, 2014; **and** approved the program's request to admit a day class of 30 students commencing on June 1, 2015, graduating August 5, 2016; **and** continued to require the program to obtain approval of the full Board prior to the admission of additional students.
- On September 9, 2015, the Board received electronic correspondence and materials from the director requesting reconsideration of provisional approval and approval to admit two (2) classes.

## Agenda Item #16.A.4, Attachment B.

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



**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
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### **CERTIFIED MAIL**

March 20, 2014  
Zenaida Plata  
Director, Vocational Nursing Program  
Premiere Career College  
12901 Ramona Boulevard  
Irwindale, CA 91706

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

Dear Ms. Plata:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on February 28, 2014, the Premiere Career College Vocational Nursing Program has been placed on provisional approval for the two – year period from February 28, 2014 through February 28, 2016. 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 Approval Status" form by **Friday, March 28, 2014**.

#### **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 approval 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 approved 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 approval.”

The program pass rates of the Premiere Career College Vocational Nursing Program for the past 24 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
Jan – Mar 2008	76%	79%	+3
Apr – Jun 2008	75%	77%	+2
Jul – Sep 2008	74%	74%	0
Oct – Dec 2008	73%	63%	-10
Jan – Mar 2009	72%	48%	-24
Apr – Jun 2009	70%	51%	-19
Jul – Sep 2009	72%	53%	-19
Oct – Dec 2009	73%	64%	-9
Jan – Mar 2010	74%	73%	-1
Apr – Jun 2010	75%	66%	-9
Jul – Sep 2010	75%	72%	-3
Oct – Dec 2010	76%	70%	-6
Jan – Mar 2011	77%	74%	-3
Apr – Jun 2011	76%	56%	-20
Jul – Sep 2011	76%	72%	-4
Oct – Dec 2011	75%	70%	-5
Jan – Mar 2012	74%	46%	-28
Apr - Jun 2012	74%	52%	-22
Jul – Sep 2012	74%	46%	-28
Oct – Dec 2012	74%	51%	-23
Jan – Mar 2013	73%	49%	-24
Apr – Jun 2013	73%	60%	-13
Jul – Sep 2013	74%	59%	-15
Oct – Dec 2013	76%	56%	-20

This data substantiates the program’s history of non-compliance with Section 2530(l) of the Vocational Nursing Rules and Regulations for 12 of 24 Quarters.

**REQUIRED CORRECTION(S)**

1. Premiere Career College, Vocational Nursing Program shall bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
2. The program shall obtain approval of the full Board prior to the admission of additional students.

3. The program shall submit a follow-up report in 9 months, but no later than **November 1, 2014** and 21 months, but no later than **November 1, 2015**. 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.
4. The program shall 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.
5. The program shall 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.
6. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

In the event additional violations of the approval standards are identified, such violations may result in further corrective action or revocation of provisional approval.

### **FUTURE BOARD ACTION**

Your program will be placed on the **May 2014** Board Meeting agenda, at which point the Board will consider your request to admit additional students. Additionally, your program will be placed on the **February 2016** Board Meeting agenda, at which point the Board may revoke or extend the program's approval.

If you have additional information that you wish considered beyond the required corrections

listed on page 2 and 3, 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: **Prior Board approval was required for the admission of each class; however, 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 approval, 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 approval 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: ph

**California Code of Regulations**  
**Title 16**  
**Section 2526.1**

**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 admissions 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 approval 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.



## Acknowledgement of Change in Approval Status

I, \_\_\_\_\_, director of \_\_\_\_\_  
(Director's Name) (Name of Program)

hereby acknowledge that this program's status has been changed from full approval to provisional approval. 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 **[DATE: 7 days from date of Provisional Approval letter]**.

**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)

## Agenda Item #16.A.4., Attachment C



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

**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
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July 10, 2015

Marcelino De Guzman, R.N., B.S.N., M.A.N.  
Director, Vocational Nursing Program  
Premiere Career College  
12901 Ramona Blvd., Suite E  
Irwindale, CA 91706

***SUBJECT: Request for Reconsideration of Provisional Status***

Dear Dr. De Guzman:

The Board of Vocational Nursing and Psychiatric Technicians (Board) acknowledges receipt of your electronic correspondence dated July 8, 2015. As advised during our telephone discussion of July 8, the program's request to admit additional classes was withdrawn from consideration at its August 21, 2015 meeting. That advice was based on significant inconsistencies identified in documents and information submitted in support of the request.

You state the program's intent to resubmit a request for approval to admit additional classes for consideration by the Board at its November 21, 2015 meeting. Further, you request the Board consider ... "lifting of the (program's) provisional status..." at its August meeting.

As we discussed, the Board placed the program on provisional approval on February 28, 2014, for the two (2) year period from February 28, 2014, through February 28, 2016. Additionally, the Board scheduled reconsideration of the program's provisional approval for its February 2016 meeting.

On May 15, 2015, the Board approved the program's request to admit the following classes:

- Evening class of 30 students commencing August 24, 2015 and graduating October 28, 2016, to **replace** students scheduled to graduate on August 14, 2015.
- Day class of 30 students commencing November 16, 2015 and graduating February 3, 2017, to **replace** students scheduled to graduate on November 6, 2015.

Please be advised that the Board is unable to consider your request at its August meeting. All agenda items for the August Board meeting must have been submitted no later than

June 15, 2015.

However, the Premiere Career College Vocational Nursing Program has been placed on the agenda for the Board's November 20, 2015 meeting. At that time, the Board will reconsider the program's provisional status. Additionally, the Board will consider your request to admit **two (2) evening classes** of 30 students on **February 22, 2016, and August 8, 2016**; and **two (2) day classes** of 30 students on **May 16, 2016, and October 31, 2016**. Please ensure that all revised documents and materials in support of your requests are received no later than September 15, 2015.

Please contact the Board should further information be needed.

Sincerely,



**CHERYL C. ANDERSON, M.S., R.N.**

Supervising Nursing Education Consultant

cc: Jessica Gomez, M.S., R.N.

Nursing Education Consultant