

Agenda Item #16.C.2.



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



COVER SHEET

SUBJECT: Bay Area College of Nursing, Daly City, Vocational Nursing Program.
Consideration of Request to Admit Students (Director: Rachele Cagampan, Daly City, San Mateo County, Private)

The Bay Area College of Nursing, Daly City, Vocational Nursing Program is presented for consideration of its request to admit one (1) class of 10 students beginning December 3, 2015 and graduating March 27, 2017.

Recommendations:

1. Deny the Bay Area College of Nursing, Daly City, Vocational Nursing Program's request for approval to admit one (1) class of 10 students beginning December 3, 2015, graduating March 27, 2017.
2. Require the program to correct violations identified during the onsite inspection and submit a report identifying implemented interventions including, but not limited to, the following no later than **December 15, 2017**.
 - a. Timeline for implementation of the policies and documentation of evaluation of curriculum and clinical facilities, including program administration oversight;
 - b. Plan of correction that describes how the program will follow and/or improve the policies for admission, screening and selection of applicants;
 - c. Detailed plan and timeline for improving resources sufficient to achieve the program's objectives;
 - d. Revised policy, including timeline for implementation, for evaluation of student progress and remediation.
3. Continue to require the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences.
4. Continue to require the program to obtain approval by the full Board prior to the admission of additional students.
5. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professionals

Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.

6. 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.
7. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
8. Continue the program's placement on the **February 2016** Board agenda for reconsideration of provisional approval.

Rationale: A total of 11 violations were identified during an unannounced program inspection in December 2014. Extensive consultation and communication with this program was required prior to receiving documentation of verifiable clinical placements for the requested students earlier this year. Board staff met with the program director again in September 2015 regarding concerns about submitted documentation. As a follow-up to the December 2014 unannounced program inspection, and with ongoing programmatic concerns, a second unannounced inspection was conducted on September 22 and 23, 2015. A total of six (6) violations were identified and are, as of this writing, **uncorrected**.

Since placement on provisional approval in September 2012, some initial incremental progress in the program's pass rates on the licensure exam was noted. However, that improvement has been inconsistent. With uncorrected violations and inconsistent pass rates, the recommendation to deny approval to admit students is offered at this time.

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DATE: November 4, 2015

TO: Board Members

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

SUBJECT: Bay Area College of Nursing, Daly City, Vocational Nursing Program –
Consideration of Request to Admit Students (Director: Rachele Cagampan, Daly
City, San Mateo County, Private)

The Bay Area College of Nursing, Daly City, Vocational Nursing Program is presented for consideration of its request for approval to admit students.

On September 6, 2012, the Board placed the program on provisional approval for the two-year period from September 6, 2012, through September 30, 2014. That action was taken due to the program's noncompliance with regulations relative to licensure pass rates. The program's pass rate was 45% at the time.

On September 12, 2014, with a rationale noting some incremental, but inconsistent, improvement in licensure pass rates and few candidates taking the licensure examination, the Board extended the program's provisional approval for the five (5) month period from October 1, 2014 through February 28, 2015.

On February 13, 2015, the Board considered the report of an unannounced program inspection that was conducted in December 2014; approved admission of one (1) class of students, contingent upon documentation of adequate clinical placements; and extended the program's provisional approval for the one-year period through February 29, 2016, to allow the program time to comply with corrective actions required by the Board.

The program submitted a request for approval to admit students on August 27, 2015. A second unannounced program inspection was conducted on September 22 and 23, 2015.

The program now requests approval to admit one (1) class of 10 students beginning December 3, 2015 and graduating March 27, 2017.

History of Prior Board Actions

(See Attachment A for History of Prior Board Actions)

Enrollment

The program currently offers classes that are 30 hours per week and 58 weeks in length. Theory classes are held in the evenings and clinical experience is conducted on weekends. The program is required to obtain approval by the full Board prior to the admission of each class.

The following table represents **projected** student enrollment based on current and proposed class starts and completions. The table indicates a **maximum enrollment of 34 students** for the period from **October 2010 through December 2015**. Currently, nine (9) students are enrolled.

| ENROLLMENT DATA | | | | |
|---------------------|------------------------|--------------------|--------------------------------|----------------|
| CLASS DATES | | #Students Admitted | #Students Current or Completed | Total Enrolled |
| Start | Completed | | | |
| 10/10 | | 19 | 12 | 12 |
| 7/11 | | 17 | 12 | 12 + 12 = 24 |
| | 12/11 (10/10 Class) | | -12 | 24 - 12 = 12 |
| 9/11 | | 18 | 14 | 12 + 14 = 26 |
| | 9/12 (7/11 Class) | | -12 | 26 - 12 = 14 |
| 1/13 | | 14 | 20 | 14 + 20 = 34 |
| | 12/12 (9/11 Class) | | -14 | 34 - 14 = 20 |
| 11/13 | | 11 | 8 | 20 + 8 = 28 |
| | 3/14 (1/13 Class) | | -20 | 28 - 20 = 8 |
| 4/15 | 7/16 | 8 | 9 | 8 + 9 = 17 |
| | 2/15 (11/13 Class) | | -8 | 17 - 8 = 9 |
| 12/15 (Proposed) | 3/17 | 10 | | 9 + 10 = 19 |

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 2010 through September 2015, specify the pass percentage rates for graduates of the Bay Area College of Nursing, Daly City, Vocational Nursing

Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®), and the variance 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(l)] | Variance from State Annual Average Pass Rate |
| Jan - Mar 2010 | 12 | 8 | 67% | 76% | 62% | 74% | -12 |
| Apr - Jun 2010 | 9 | 7 | 78% | 74% | 71% | 74% | -3 |
| Jul - Sep 2010 | 5 | 1 | 20% | 76% | 62% | 75% | -13 |
| Oct - Dec 2010 | 5 | 3 | 60% | 77% | 61% | 76% | -15 |
| Jan - Mar 2011 | 9 | 6 | 67% | 80% | 61% | 77% | -16 |
| Apr - Jun 2011 | 4 | 3 | 75% | 71% | 57% | 76% | -19 |
| Jul - Sep 2011 | 5 | 3 | 60% | 74% | 65% | 76% | -11 |
| Oct - Dec 2011 | 8 | 2 | 25% | 74% | 54% | 75% | -21 |
| Jan - Mar 2012 | 14 | 8 | 57% | 77% | 52% | 74% | -22 |
| Apr - Jun 2012 | 13 | 5 | 38% | 72% | 45% | 74% | -29 |
| Jul - Sep 2012 | 7 | 4 | 57% | 74% | 45% | 74% | -29 |
| Oct - Dec 2012 | 5 | 3 | 60% | 70% | 51% | 74% | -23 |
| Jan - Mar 2013 | 1 | 1 | 100% | 75% | 50% | 73% | -23 |
| Apr - Jun 2013 | 6 | 6 | 100% | 78% | 74% | 73% | +1 |
| July - Sept 2013 | 6 | 4 | 67% | 75% | 78% | 74% | +4 |
| Oct - Dec 2013 | 5 | 2 | 40% | 76% | 72% | 76% | -4 |
| Jan - Mar 2014 | 4 | 1 | 25% | 74% | 62% | 76% | -14 |
| Apr - Jun 2014 | 5 | 1 | 20% | 66% | 40% | 73% | -33 |
| Jul - Sep 2014 | 7 | 6 | 86% | 72% | 48% | 73% | -25 |
| Oct - Dec 2014 | 3 | 2 | 67% | 72% | 53% | 72% | -19 |
| Jan - Mar 2015 | No Candidates | | | 73% | 60% | 71% | -11 |
| Apr - Jun 2015 | 1 | 0 | 0% | 69% | 73% | 72% | +1 |
| Jul - Sep 2015 | 6 | 4 | 67% | 73% | 60% | 72% | -12 |

*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.”

Since placement on provisional approval in September 2012, 13 quarters of licensing examination data are available for the program. The data substantiates the program's:

1. Noncompliance with regulatory requirements during the initial **three (3)** quarters with average annual pass rates **23 to 29** percentage points **below** state average annual pass rates;
2. Compliance during the following **three (3)** quarters;
3. Noncompliance with regulatory requirements during the following **five (5)** quarters with pass rates ranging from **11 to 33** percentage points **below** state average annual pass rates;
4. Compliance with regulatory requirements in Quarter 2 of this year.

Based on the most recent data available (July through September 2015), the program's average annual pass rate is **60%**. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time during the same period is 72%. The average annual pass rate for the Bay Area College of Nursing Daly City, Vocational Nursing Program is **12** 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 17, including the director and one (1) Additional Faculty. The director has 90% administrative and 10% teaching duties. Of the total faculty, 16 instructors, including the director, are approved to teach clinical. All instructors are part – time.

Based on the Board's prior decision requiring the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences and the program's maximum enrollment of **34** students, **four (4)** instructors are needed. Therefore, the number of current faculty is **adequate** for the current and proposed enrollment.

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

"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 provide clinical experiences of like character and quality for the current and proposed student enrollment that are consistent with the approved curriculum.

Other Considerations

When initially placed on provisional approval on September 6, 2012, the program's average annual pass rate was **45%**. A major curriculum revision was implemented with the class that was admitted on January 14, 2013. That class graduated in March 2014. When provisional approval was extended for a three-month period, on September 14, 2014, the program's average annual pass rate was **40%**. On February 13, 2015, when provisional approval was extended for a one-year period, the program's average annual pass rate was **53%**. The current program average annual pass rate on the licensure examination is **60%**, which is **12** percentage points **below** the state average annual pass rate.

An unannounced program inspection on December 15 and 16, 2014 identified a total of **11** violations. As reported to the Board in February 2015, based on documentation submitted by the program and attached to the report, a total of **two (2)** violations (providing a list of resources for counseling and tutoring to students and providing students with information regarding the right to contact the Board) were **corrected**.

A total of **five (5)** violations were listed as being corrected **should** the plans the program proposed be implemented. Those violations included:

- No documentation of the program's evaluation of the curriculum
- No documentation of the program having evaluated clinical facilities (two violations)
- Inadequate resources to support accomplishment of the program's objectives
- Lack of documentation of faculty meetings specific to the Daly City Vocational Nursing program.

A total of **four (4)** violations were **uncorrected**. Those included:

- The program failed to follow the Board-approved policies related to admission, screening, and selection criteria
- The program failed to provide documentation of make-up of missed hours and specific course objectives for which make-up time is required
- The program failed to provide documentation of follow-up for students on remediation or probation.
- The program's pass rates on the licensure examination remained non-compliant with regulations.

According to the decision of the Board on February 13, 2015, the program was approved to admit one (1) class of 20 students **contingent** upon the program securing and obtaining adequate clinical facilities such that maternity and pediatric nursing clinical objectives could be accomplished. The program had difficulty providing documentation of verifiable placements for students. Extensive consultation between the assigned consultant and the program director was conducted between February 23, 2015 and April 15, 2015, including a meeting with the program director at Board headquarters on March 13, 2015. A sample of correspondence regarding problems with submitted documentation is contained in Attachment B. A summary is listed:

- 1) Letter dated February 23, 2015, outlining problems with clinical facility applications and the need for accuracy in submitted documentation.

- 2) Letter dated March 9, 2015, outlining problems with proposed placement plans and the following statement: "Clinical placement plans such as you have submitted are, at best, inaccurate and may be considered a misrepresentation."
- 3) Letter dated March 26, 2015, outlining problems with submitted clinical facility applications and placement plans.
- 4) Letter dated April 10, 2015, outlining problems with submitted placement plans.

Notice of adequate clinical facilities was sent to the program on April 15, 2015. (See Attachment C).

The assigned consultant again met with the program director at Board headquarters on August 7, 2015 regarding developing a plan for program improvements.

On August 27, 2015, in support of a request to admit students, the program submitted documentation that was not consistent with adequate resources to meet the objectives of the program. Correspondence was forwarded to the program on August 28, 2015. (See Attachment D). On September 10, 2015, a consultation was held with the program director at Board headquarters. (See Attachment E). On September 15, 2015, the **fourth draft** of proposed placements in support of the request for approval to admit students was received by the Board.

The program was requested to submit documentation of approval by the Bureau for Private Post-secondary Education (BPPE). The Bay Area College of Nursing, Daly City, Vocational Nursing Program submitted documentation of approval of the BPPE as a **satellite site**, indicating that the program is **not** approved by the BPPE to admit students. (See Attachment F). This issue was addressed with the program director in the September 10, 2015 consultation. The program submitted documentation of BPPE approval of the Bay Area College of Nursing, Daly City, as a Branch site on October 9, 2015. (See Attachment H).

Unannounced Program Inspection

On September 22 and 23, 2015, two (2) representatives of the Board of Vocational Nursing and Psychiatric Technicians (Board) conducted an unannounced, follow-up program inspection of the Bay Area College of Nursing, Daly City, Vocational Nursing Program. During the two-day inspection, Board representatives assessed the physical resources for the program, inspected records for recently graduated and currently-enrolled students, and facilitated discussions with the program director. A *Notice of Violations* was sent, via certified mail, to the program on September 25, 2015. (See Attachment G).

Classroom Space

The classroom for the vocational nursing program is located on the third floor of the building and contains fifteen (15) student desks. Projector, monitor screen, and white board are in the classroom. The classroom lacks any visual learning aids. There is no longer a second classroom set up for students. No DVDs, videos, or other instructional aides were identified on site.

Computer Lab, Library, and Other Physical Resources

A total of six (6) computers are available in a small room with computers and chairs in close proximity to each other. None of the computers were connected to power or set up for use. No library was identified, however, students are reported to have access to on-line resources. The site is staffed by a single office coordinator and no other student services are provided.

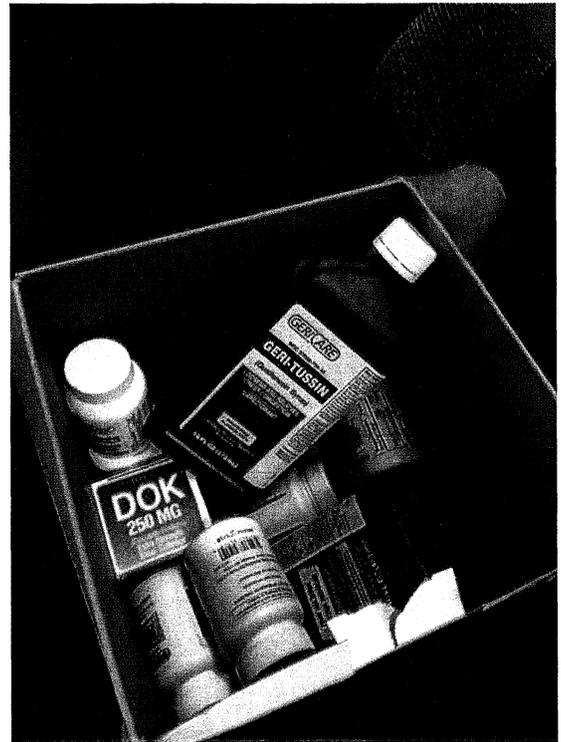
Student Records

Copies of student records are now kept at the Daly City site. The program does not store all student records in one place for individual students. As such, there is not a complete record for an individual student without searching multiple sources, both paper and digital. Remediation records are stored separately, organized by class, rather than having one student's complete record in one place. Grades are stored digitally, and attendance is stored both on paper and digitally.

Skills Laboratory

The skills laboratory for the vocational nursing students, which is on the third floor, contains four (4) beds, three (3) mannequins, one (1) folding screen, one (1) scale, two (2) over-bed tables, and two (2) wheelchairs. The spacing in the room and between beds and walls is such that it is possible to imagine approximately twelve (12) students could crowd around the beds, leaving very little room for movement. An empty medication cart was nearby. Off the skills lab is a small room with a sink but no supplies for instruction on asepsis. The room would accommodate few individuals at one time. The only other sink available is in a small bathroom. Supplies for the skills lab were located in cabinets on the first floor and in boxes on the first floor. One box of unorganized pill bottles was presented as equipment for medication administration. The supply cabinets were more organized and better stocked than found at the December 2014 inspection, but the program continues to lack some basic equipment as identified in the violations, below.





Violations

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

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

... (8) Evaluation methodology for curriculum.

Violation #1:

Board files confirm that the program has a methodology and procedure for evaluation of the curriculum. The program provided documentation of evaluation of the program by recent graduates who noted deficits in: supplies; organization; support “supplies, counselors, accountant, etc” ... “like PA main campus”; and the need for more follow-up with students. Other positive and negative experiences were also noted. The program did not produce evidence of review by the program director.

Documentation provided by the program as evidence of evaluation of the curriculum consisted of a total of seven (7) “Q3Y14 Faculty Curriculum Evaluation” forms. Only two (2) forms were dated (both dated December 30, 2014 and submitted with the report from the Daly City program in 2014). With the exception of a single faculty curriculum evaluation form signed by the director on December 30, 2014, the program did not produce documentation that the program director had evaluated the curriculum to determine its currency, effectiveness, consistency with the NCLEX/PN® test plan, or need for revision.

Required Action: Provide a timeline in which curriculum evaluation, including by the program director and including evaluation for consistency with the NCLEX-PN®, will be accomplished.

Due no later than October 30, 2015.

Section 2526(a)(11) 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:

... (11) Evaluation methodology for clinical facilities.”

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

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

Violation #2: Board files confirm that the program has a methodology and procedure for evaluation of clinical facilities. The program produced copies of student evaluations of clinical facilities. However, program representatives failed to produce documentation confirming that the director was evaluating clinical facilities or reviewing student evaluations.

Required Action: Provide documentation of evaluation of clinical facilities and a proposed timeline for ongoing evaluation of clinical facilities, including by the program director. That evaluation may include, but is not limited to, the following in the evaluation of clinical facilities:

- 1) Which term(s) in the program the facility is utilized by students;
- 2) Describe the types of experience available and the ability of the students to meet the program’s stated clinical objectives in the facility;
- 3) Description of observed evidence of correlation of theory to clinical;
- 4) Dates students are in the clinical site;
- 5) Identified problems;
- 6) Plan to correct problems;
- 7) Participation and/or oversight by the program director.

Due no later than October 30, 2015.

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.

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 #3:

Based on review of current and recently graduated student files (16 files reviewed), the program failed to follow its Board approved admission, screening, and selection policies. The program provided documentation of interviews with five (5) of the eight (8) students admitted in April 2015 and none of the recently graduated students. Interviews were conducted by a staff member, consisted of few questions, and the documentation provided no evidence of involvement of the director, as is specified in the school catalog.

Required Action:

Provide a plan for correction that describes how the program will follow and/or improve the policy for admission, screening and selection of applicants to the program. Provide verification of training, of all individuals associated with the school, regarding admission, screening and selection policies.

Due no later than October 30, 2015.

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

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

Violation #4:

Based on inspection, observations, and an analysis of supplies, equipment, and physical space required to accommodate the current enrollment of eight (8) students and an additional 10 proposed students, Board representatives identified that the program lacks sufficient resources to achieve its objectives.

The classroom for the vocational nursing program is located on the third floor of the building and contains fifteen (15) student desks. Projector, monitor screen, and white board are in the classroom. The classroom lacks any visual learning aids. No DVDs, videos, or other instructional aides were present on site.

Copies of student records are now kept at the Daly City site. A total of six (6) computers are available in a small room with computers and chairs in close proximity to each other. None of the computers were connected to power or set up for use. The site is staffed by a single office coordinator and no other student services are provided.

The skills laboratory for the vocational nursing students, which is on the third floor, contains four (4) beds, three (3) mannequins (one that

allows for tracheostomy and colostomy care), a folding screen, a scale, two (2) over-bed tables, and two (2) wheelchairs. The spacing in the room and between beds and walls is such that it is possible to imagine approximately twelve (12) students could crowd around the beds, leaving very little room for movement. An empty medication cart was nearby. Off the skills lab is a small room with a sink but no supplies for instruction on asepsis. The room would accommodate few individuals at one time. The only other sink available is in a small bathroom.

Supplies for the skills lab were located in cabinets on the first floor and in boxes on the first floor. One box of unorganized pill bottles was presented as equipment for medication administration. The supply cabinets were more organized and better stocked than found at the December 2014 inspection, but the program continues to lack some basic equipment such as oxygen set-up, sterile catheter kits, sterile gloves (one package found), or equipment to practice care of continuous tube feedings, insertion of nasogastric tubes, pediatric medication administration, or care of an obstetric patient.

Pediatric supplies, including two (2) children's dolls, were all unopened and still in the box in which they were delivered, after the December 2014 inspection. They consisted of materials purchased at retail stores for normal baby use and gifts. On the second day of inspection, the director brought a newly purchased birthing abdomen. No other maternity care supplies were located at the site. The program claims 18 hours of skills lab time for pediatric nursing and 18 hours of skills lab time for maternity nursing.

Required Action: Provide a detailed plan and timeline for improving resources sufficient to achieve the program's objectives.

Due no later than October 30, 2015.

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

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

Violation #5: Program representatives produced a binder with minutes from Bay Area College of Nursing meetings relative to the Palo Alto and Daly City (combined) Vocational Nursing Programs. According to documents provided by the program, faculty meetings this year were held on January 30, 2015 and June 19, 2015. A notation in the meeting minutes of 2014 stated that faculty meetings would be held quarterly. Previous documentation submitted by Bay Area College of Nursing to the Board stated meetings would be held quarterly.

Required Action: Provide a schedule of faculty meetings relative to the Daly City Vocational Nursing Program.

Submit copies of meeting minutes within one (1) week after each meeting.

Due no later than October 30, 2015.

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 #6:

Board files confirm that the program has a methodology and procedure for evaluation of student progress and for remediation. However, the program did not produce documentation consistent with the remediation policy. While records of regular progress reports were offered for currently enrolled students, only one record of remediation was offered for recent graduates. Board representatives reviewed the grades of all current students and the most recent graduates. Grades were viewed in digital records with program staff providing the access and navigation through the files. In multiple instances, students failed final examinations yet passed the course and there was no indication of remediation in the remediation files offered by the program. In some cases, the grade records noted a “remediated” exam but remediation files could not be produced for that student. For some students, the “remediation final exam” was below the stated passing minimum grade, no remediation files were located, and students passed the course with the minimum passing grade of 75%.

Required Action:

Provide a detailed written proposal, including timeline for implementation, for revision of the policies for evaluation of student progress and remediation, including minimum passing rate on examinations and appropriate follow-up with students.

Due no later than October 30, 2015.

Summary

The program was initially placed on provisional approval on September 6, 2012, with an average annual pass rate of **45%**. On September 14, 2014, with an average annual pass rate of **40%**, provisional approval was **extended** through February 2015. On February 13, 2015, with an average annual pass rate of **53%** and the recent identification of a number of violations, provisional approval was **extended** through February 2016. The program’s current average annual pass rate is currently **60%**. A recent, follow-up program inspection identified a total of **six (6)** violations. A total of nine (9) students are currently enrolled and in the second term of the program. The program’s provisional approval is currently scheduled to be reconsidered in February 2016.

Recommendations:

1. Deny the Bay Area College of Nursing, Daly City, Vocational Nursing Program's request for approval to admit one (1) class of 10 students beginning December 3, 2015, graduating March 27, 2017.
2. Require the program to correct violations identified during the onsite inspection and submit a report identifying implemented interventions including, but not limited to, the following no later than **December 15, 2017**.
 - a. Timeline for implementation of the policies and documentation of evaluation of curriculum and clinical facilities, including program administration oversight;
 - b. Plan of correction that describes how the program will follow and/or improve the policies for admission, screening and selection of applicants;
 - c. Detailed plan and timeline for improving resources sufficient to achieve the program's objectives;
 - d. Revised policy, including timeline for implementation, for evaluation of student progress and remediation.
3. Continue to require the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences.
4. Continue to require the program to obtain approval by the full Board prior to the admission of additional students.
5. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professionals Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
6. 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.
7. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
8. Continue the program's placement on the **February 2016** Board agenda for reconsideration of provisional approval.

Rationale: A total of 11 violations were identified during an unannounced program inspection in December 2014. Extensive consultation and communication with this program was required prior to receiving documentation of verifiable clinical placements for the requested students earlier this year. Board staff met with the program director again in September 2015 regarding concerns about submitted documentation. As a follow-up to the December 2014 unannounced program inspection, and with ongoing programmatic concerns, a second unannounced inspection was conducted on September 22 and 23, 2015. A total of six (6) violations were identified and are, as of this writing, **uncorrected**.

Since placement on provisional approval in September 2012, some initial incremental progress in the program's pass rates on the licensure exam was noted. However, that improvement has been inconsistent. With uncorrected violations and inconsistent pass rates, the recommendation to deny approval to admit students is offered at this time.

- Attachment A: History of Prior Board Actions
- Attachment B: Board Correspondence, Multiple Dates
- Attachment C: Board Correspondence Dated April 15, 2015
- Attachment D: Board Correspondence Dated August 28, 2015.28.15
- Attachment E: Board Correspondence Dated September 10, 2010
- Attachment F: BPPE Approval Forwarded by Program
- Attachment G: Board Correspondence Dated September 25, 2015
- Attachment H: Updated BPPE Approval Forwarded by BPPE

Agenda Item #16.C.2., Attachment A

BAY AREA COLLEGE OF NURSING, DALY CITY VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On January 11, 2007, the Executive Officer approved the Palo Alto Center for Healthcare Education, Daly City, Vocational Nursing Program's request to begin a vocational nursing program with an initial full-time class of 30 students commencing March 27, 2007 only, with a completion date of April 27, 2008; and approved the program curriculum for 1598 hours, including 628 theory and 970 clinical hours.
- On February 8, 2007, the program notified the Board that the program's name had been changed to Bay Area College of Nursing, Inc., Daly City, Vocational Nursing Program.
- On March 11-12, 2008, the program was surveyed for initial accreditation.
- On May 15, 2008, the program submitted documentation substantiating the completion of its revised instructional plan, lesson plans for Terms I, II, and III, and a new Skills Laboratory.
- On May 15, 2008, the Executive Officer approved the program's initial full accreditation for the period from April 27, 2008, through April 26, 2012, and approved the program's revised curriculum for 1646 hours (Theory – 676 hours; Clinical – 970 hours).

Additionally, the Executive Officer approved the program's request to admit a class of 30 full-time students on May 15, 2008 only, to **replace** students graduating May 2, 2008.

- On August 13, 2008, the Executive Officer approved the program's request to admit a class of 30 full-time students and three (3) alternates each May and September to **replace** graduating students 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 two full-time classes of 30 students and three (3) alternates each May and September to **replace** graduating students, only; and
 - b. The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
- On May 17, 2011, the assigned consultant forwarded correspondence to the director per certified mail advising that the program's average annual pass rates had been more than ten (10) percentage points below state average annual pass rates for four (4) quarters. The director was requested to submit a written plan for improving program pass rates by June 10, 2011.

- On June 15, 2011, the Board received correspondence from the director advising that the program had delayed commencement of the class scheduled for May to July 25, 2011 due to low student enrollment. The revised date of graduation is September 16, 2012.
- On October 14, 2011, the assigned consultant forwarded correspondence to the director advising that the program's average annual pass rates had been more than ten (10) percentage points below state average annual pass rates for five (5) quarters.
- On November 8, 2011, the Board received correspondence from the director setting forth the program's plan to improve program pass rates.
- On November 15, 2011, the Board received correspondence from the director requesting revisions in school policies.
- On February 28, 2012, the Board received correspondence from the director requesting a revision of its curriculum
- On June 7, 2012, the Executive Officer deferred action on the program's request to admit an evening class of 20 students plus 3 alternates commencing August 8, 2012, graduating on October 13, 2013, and a request for a major curriculum revision, to the full Board. Additionally, the Executive Officer rescinded approval of the program's ongoing class admissions. The program was placed on the September 2012 Board agenda for consideration of provisional approval.
- On June 7, 2012, the assigned consultant forwarded correspondence to the director advising of decisions rendered by the Executive Officer.
- On June 27, 2012, the assigned consultant forwarded correspondence to the director advising that the Board was scheduled to consider the programs placement on provisional approval on September 6, 2012. A copy of the program's plan of correction and other program information was requested by July 6, 2012.
- On July 6, 2012, the Board received electronic correspondence from the director providing information for presentation at the September 2012 Board meeting.
- On July 12, 2012, the Board received electronic correspondence from the director specifying the program's revised plan of correction.
- On July 18, 2012, the assigned consultant forwarded correspondence to the director requesting documents for dissemination to Board Members.
- On September 6, 2012, the Board approved the following recommendations for the program:
 - a. Place the Bay Area College of Nursing, Daly City, Vocational Nursing Program on provisional approval for the two – year period from September 6, 2012, through September 30, 2014, 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. (See Attachment E)

- b. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the state average annual pass rates.
 - c. Approve the program's request to admit an evening class of twenty (20) students plus two (2) alternates commencing October 31, 2012, and graduating January 26, 2014.
 - d. Require the program to obtain approval by the full Board prior to the admission of additional students.
 - e. Require the program to submit follow – up reports in nine (9) months, but no later than **June 1, 2013**, and 21 months, but no later than **June 1, 2014**. The reports must include a comprehensive analysis of the program, specific actions to improve program pass rates, timeline for implementation, and expected outcomes. The following elements must be addressed in the analysis.
 - 1. Admission Criteria.
 - 2. Screening and Selection Criteria.
 - 3. Terminal Objectives.
 - 4. Curriculum Objectives.
 - 5. Instructional Plan.
 - 6. Theory and Clinical Objectives for Each Course.
 - 7. Lesson Plans for Each Course.
 - 8. Textbooks.
 - 9. Attendance Policy.
 - 10. Remediation Policy.
 - 11. Evaluations of Theory and Clinical Faculty.
 - 12. Evaluations of Theory Presentations.
 - 13. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - 14. Evaluation of Student Achievement.
 - 15. Current Enrollment.
 - f. Require the program to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.
 - g. Require the program to demonstrate incremental progress in correcting the violation. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
 - h. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 - i. Place the program on the **September 2014** Board agenda for reconsideration of provisional approval.
- On October 21, 2013, the Board approved the program's request to admit an evening class of twenty (20) students plus two (2) alternates commencing November 4, 2013, **only**, and graduating February 26, 2014, to **replace** the evening class that graduated in December 2012; **and** approved the program's request to admit a day class of twenty (20) students plus

two (2) alternates commencing January 7, 2014, **only**, and graduating April 12, 2015. This class was an additional class and did not replace any graduating class. Additionally, the Board continued to require the program to obtain approval by the full Board prior to the admission of additional students.

- On June 1, 2014, the director submitted a comprehensive analysis of the program in compliance with Board directives from the September 2012 Board Meeting.
- On June 10, 2014, the director submitted a request to admit twenty (20) students plus two (2) alternates to an evening class commencing October 27, 2014, graduating January 24, 2016, to **replace** the class that graduated on March 2014.
- On September 12, 2014, the Board approved the following recommendations:
 - a. Extend provisional approval for the Bay Area College of Nursing, Daly City, Vocational Nursing Program for a **five (5) month** period from October 1, 2014 through February 28, 2015 and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in section 2526.1 (e) of the California Code of Regulations (See Attachment C).
 - b. Deny the program's request to admit an evening class of twenty (20) students plus two (2) alternates commencing October 27, 2014, and graduating January 24, 2016, **only**, to **replace** the class that graduated March 2014.
 - c. Continue to require the program to obtain approval by the full Board prior to the admission of additional students.
 - d. Require the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences.
 - e. 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.
 - f. Require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professionals Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.
 - g. 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.
 - h. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 - i. Place the program on the **February 2015** Board agenda for reconsideration of provisional approval.
- On December 15, 2014, the Board received a request to admit students.

- On December 15 and 16, 2014, Board representatives conducted an unannounced program survey visit. Eleven (11) violations of the California Code of Regulations were identified,
- On December 19, 2014, the Board sent to the program, via certified mail, a Notice of Violations.
- On January 1 and 2, 2015, the Board received the program's response to the Notice of Violations.
- On February 13, 2015, the Board approved the following:
 1. Extend Provisional Approval for the Bay Area College of Nursing, Daly City, Vocational Nursing Program for a one (1) year period from March 1, 2015 through February 29, 2016, and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
 2. Require the program to correct violations identified during the onsite inspection and submit a report identifying implemented interventions to include the following no later than **February 27, 2015**.
 - a. Revised Admission Criteria.
 - b. Revised Screening and Selection Criteria.
 - c. Implementation of the approved Attendance Policy including follow – up for absences.
 - d. Revised Remediation Policy.
 3. Require the program to submit verifiable plans for clinical placements for maternity and pediatric nursing for currently enrolled students, no later than **February 27, 2015**.
 4. Contingent upon the program securing and obtaining, no later than **February 27, 2015**, Board approval for adequate clinical facilities such that maternity and pediatric nursing clinical objectives can be accomplished, approve the Bay Area College of Nursing, Daly City, Vocational Nursing Program's request to admit one (1) evening class of 20 students commencing March 9, 2015 and graduating June 5, 2016.
 5. 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 **March 2, 2015**.
 6. Continue to require the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences.
 7. Continue to require the program to obtain approval by the full Board prior to the admission of additional students.
 8. 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.

9. 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.
 10. 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.
 11. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 12. Place the program on the **February 2016** Board agenda for reconsideration of provisional approval.
- On September 22 and 23, 2015 two (2) Board representatives conducted an unannounced program inspection.
 - On September 25, 2015, the Board forwarded to the program, via certified mail, a *Notice of Violations*.
 - On October 9, 2015, the Board received, from the program, a copy of BPPE approval of the Daly City location as a **branch** site.



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Board of Vocational Nursing and Psychiatric Technicians
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February 23, 2015

Rachelle Cagampan
Director, Vocational Nursing Program
Bay Area College of Nursing, Daly City
6767 Mission Street
Daly City, CA 94014

Dear Ms. Cagampan,

The Board has received and evaluated the clinical facility application for the office of Dr. Zaki.

In speaking with Dr. Zaki, he identified that he will be the instructor and he will accommodate two students at a time. He is available on Monday, Tuesday, Wednesday and Thursday, but not on Friday. The hours available are 9 AM to 5 PM, with an hour off for lunch. He notes students can observe him and can take vital signs and he has offered to have students observe in the hospital. However, this application is for his office, not the hospital.

Given the identified discrepancies, the application must be revised and cannot be approved as submitted. You have listed this as a site with a clinical instructor, for five days per week, and for more hours than the doctor states are available. This would be a satellite site for two students at a time for four days a week and for a total of 7 hours per day. Without an instructor and with only two students, there is no pre – and post – conference for a total of 2 hours per day.

The Board has also received and evaluated the clinical facility application for the UCSF Primary Care Clinic. In speaking with Anis Borjal, the designated contact at the site, she identified that the clinic is a primary care clinic and does not provide prenatal care beyond the first trimester. Ms. Borjal stated that the students **must** spend 1-2 days in primary care before moving to the Women's Health Clinic. Therefore, as submitted, with the students at the facility for a total of two days, the students would not have the opportunity to see patients in the Women's Health Clinic, where prenatal care is provided.

The clinic as identified on the clinical facility application provides primary care. The Women's Health Clinic where prenatal care is provided has a different administrator. Ms. Borjal suggested you contact her regarding whether or not an exception would be made such that your students could attend the Women's Health Clinic without rotating

through Primary Care. She noted she would confer with the administrator of the Women's Health Clinic.

In addition, with only one student at a time in this facility, which is the maximum the facility will allow, there is not a need for a 1.5 hour pre- and post – conference. Please identify if this would be a satellite site or if a clinical instructor would accompany the single student.

Therefore, the clinical facility application cannot be approved as submitted. As Ms. Borjal noted, the Women's Health Clinic has a different administrator and that individual would have to agree to accept your students.

Please note that **accuracy** in the detail of days of the week, hours students can attend, and times of pre – and post – conferences **is mandatory** in clinical facility applications. In addition, as we discussed, site – specific clinical objectives are also required.

Should you have any questions, please contact the Board.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA

Nursing Education Consultant

donna.johnson@dca.ca.gov

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CERTIFIED MAIL

March 9, 2015

Rachelle Cagampan, Director
Vocational Nursing Program
Bay Area College of Nursing, Daly City
6767 Mission Street
Daly City, CA 94014

Dear Ms. Cagampan,

On February 23, 2015, the Board of Vocational Nursing and Psychiatric Technicians (Board) forwarded to you, per certified mail, the *Notice of Extension of Provisional Approval* of the Bay Area College of Nursing, Daly City, Vocational Nursing Program. The program's receipt of the *Notice* on February 26, 2015, was confirmed by the U.S. Postal Service. The *Notice* specified areas of identified noncompliance and corrections required of your program in order to avoid losing approval completely.

As specified in the *Notice*, Corrective Action #2 states that the program shall submit verifiable plans for clinical placements for maternity and pediatric nursing for currently enrolled students no later than February 27, 2015.

To date, you have failed to submit verifiable plans for clinical placements for maternity and pediatric nursing for currently enrolled students.

On February 18, 2015, the Board forwarded to you, per certified mail, the *Notice of Board Decision – Consideration of Request to Admit Students*. That *Notice* specified that, contingent upon the program securing and obtaining, no later than February 27, 2015, Board approval for adequate clinical facilities such that maternity and pediatric nursing clinical objectives can be accomplished, the program's request to admit one evening class of 20 students commencing March 9, 2015 would be approved.

To date, you have failed to document adequacy of clinical facilities for maternity and pediatric nursing such that clinical objectives can be accomplished.

As you are aware, the Board has been actively working with you regarding clinical facility applications. Since February 13, 2015, three clinical facility applications have been denied with letters sent to you identifying reasons for the denials. Between February 13, 2015 and March 6, 2015, a total of six clinical facility applications have been approved and five of the approvals have required substantial revisions prior to approval. Several phone

consultations have been held to identify required corrective actions and to discuss clinical facilities, required clinical experiences, and the clinical facility application process.

On February 28, 2015, you sent, attached to an email, Maternity and Pediatric Faculty Student Clinical Assignment forms with proposed placements for both the currently enrolled students and for proposed students.

The Maternity placement plans indicated the intent to utilize "Free Pregnancy Clinic." As described by you in a phone consultation, this is not an actual site at this time and there is no approved clinical facility application for "Free Pregnancy Clinic." In addition, for the proposed students, you have listed Real Options Pregnancy Clinic as the only clinical facility for two proposed students. As previously noted, and as confirmed again by calling Real Options Pregnancy Clinic on March 3, 2015, Real Options Pregnancy Clinic does not offer prenatal care after 24 weeks gestation. Therefore, Board – approved clinical objectives could not be accomplished at that clinical facility.

The Pediatric placement plans indicate that both current and proposed students would attend The Oakes Children's Center in San Francisco. On March 3, Board staff were informed by The Oakes Children's Center in San Francisco that they do not accept nursing students for rotations at the Center, and have not done so for at least two years.

The Pediatric placement plans also indicate that proposed students would attend clinical at the office of Dr. Capulong. This site is approved for the Bay Area College of Nursing, Palo Alto, site, **only**. You did not request use of this site for the Daly City program. As such, the office of Dr. Capulong is not an approved site for the Daly City program.

The Pediatric placement plans also indicate that proposed students would attend clinical at the office of Dr. Patel. On March 5, Board staff were again informed by Dr. Patel's office that the doctor is not able to accommodate nursing students at this time. The office could not state when, in the future, the office might be able to accommodate nursing students.

Clinical placement plans such as you have submitted are, at best, inaccurate and may be considered a misrepresentation.

In the February 23, 2015, *Notice of Extension of Provisional Approval* of the Bay Area College of Nursing, Daly City, Vocational Nursing Program that was received by the program on February 26, 2015, Corrective Action #3 required the program 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 March 2, 2015.

To date, you have failed to submit the required information to the Board.

Be informed that the requested class admission is **NOT** approved at this time and may not commence until such time as adequate placements are secured and the proposed placement plans are verified.

Failure to comply with required corrections may cause the full Board to revoke the program's approval.

You may wish to schedule an appointment to further consult with Board representatives at our headquarters in Sacramento.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA

Nursing Education Consultant

donna.johnson@dca.ca.gov

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March 26, 2015

Rachelle Cagampan, Director
Vocational Nursing Program
Bay Area College of Nursing, Daly City
6767 Mission Street
Daly City, CA 94014

Dear Ms. Cagampan,

The Board of Vocational Nursing and Psychiatric Technicians (Board) is in receipt of the revised clinical facility applications for PediaHealth and Noah's Ark submitted on March 19, 2015. The Board is also in receipt of the most recently proposed schedule and plan of placements for currently enrolled and proposed students that was submitted on March 20, 2015.

On March 24, 2015, the Board informed you, via email, that the revised clinical facility applications could not be approved as submitted. As stated in that email to you,

- 1) You attached a copy of the approved application for PediaHealth. It was approved as an instructor – led site. If you wish to submit **NEW** applications you may do so but **NO ACTION** can be taken with forms that were already approved. Therefore, no action is being taken with the two attached PediaHealth forms.
- 2) Noah's Ark is a preschool and a brief satellite experience. On the submitted application, you have requested a total of 18 hours and a wide range of days and times. Given the brief time your students have for pediatric clinical experiences, this total and this wide range cannot be approved. Therefore, the two applications for Noah's Ark preschool cannot be approved as submitted.

To clarify the above information from the March 24, 2015 email, the PediaHealth applications you submitted were revised by you after approval by this Board on February 13, 2015. No action can be taken on a document that was altered by you after it had been approved by this Board.

As further clarification regarding the application for Noah's Ark, you requested up to 18 hours of the total 36 hours pediatric clinical (18 hours of this clinical is spent in the skills lab) be spend observing well children. Given the regulations regarding care of sick children (section 2882 of the California Business and Professions Code) and the 18 hours in skills lab, it will be necessary to limit the satellite observation of well child care to less than half of the total time in pediatric clinical experiences.

It is noted that the proposed placement plans for currently enrolled and proposed students include the use of PediaHealth as a satellite site, rather than the instructor – led site, as

the facility is currently approved. Further, it is noted that the proposed placements also include the use of Noah's Ark for a substantial portion of time for a portion of the students.

The proposed placement plans submitted on March 20, 2015 cannot be approved as submitted.

Please contact me for questions or further assistance.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA

Nursing Education Consultant

donna.johnson@dca.ca.gov

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CERTIFIED MAIL

April 10, 2015

Rachelle Cagampan, Director
Vocational Nursing Program
Bay Area College of Nursing, Daly City
6767 Mission Street
Daly City, CA 94014

Dear Ms. Cagampan,

The Board is in receipt of the April 9, 2015 request to admit students to the Bay Area College of Nursing, Daly City, Vocational Nursing Program and the accompanying documentation in support of that request.

On February 13, 2015, you requested to admit one (1) evening class of twenty (20) students beginning March 9, 2015, graduating June 5, 2016.

On February 18, 2015, the Board forwarded to you, per certified mail, the *Notice of Board Decision – Consideration of Request to Admit Students*. That *Notice* specified that, contingent upon the program securing and obtaining, no later than February 27, 2015, Board approval for adequate clinical facilities such that maternity and pediatric nursing clinical objectives can be accomplished, the program's request to admit one evening class of 20 students commencing March 9, 2015 would be approved.

To date, you have failed to document adequacy of clinical facilities for Maternity and Pediatric nursing such that clinical objectives can be accomplished.

The materials in support of the Daly City admission that were submitted to the Board on April 9, 2015, including revisions received later on that date, indicate that one specific instructor would be providing clinical instruction to students engaged in a Maternity nursing experience at a specific facility on specific dates. On April 8, 2015, you submitted to the Board documents in support of the admission request for students at Bay Area College of Nursing, Palo Alto Vocational Nursing Program. Those materials indicate that, for a currently enrolled cohort of students, the same specific instructor would be providing clinical instruction in Pediatric nursing at the same specific facility on the same specific dates as noted, above, for Maternity nursing for Daly City students.

On April 10, 2015, the facility informed this Board that the Maternity and Pediatric clinics are in different buildings and, therefore, according to the facility, **two (2)** instructors are

required when students are attending Maternity and Pediatric nursing on the same dates.

Having failed to document the adequacy of clinical facilities for the proposed admission to the Daly City program, the request to admit twenty (20) students to the Daly City program beginning April 20, 2015 and graduating July 8, 2016 is **denied** at this time.

Please contact the Board should you have questions.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA

Nursing Education Consultant

donna.johnson@dca.ca.gov

916-263-7842

Agenda Item #16.C.2., Attachment C.

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



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CERTIFIED MAIL

April 15, 2015

Rachelle Cagampan, Director
Vocational Nursing Program
Bay Area College of Nursing, Daly City
6767 Mission Street
Daly City, CA 94014

Dear Ms. Cagampan,

The Board is in receipt of the April 9, 2015 request to admit students to the Bay Area College of Nursing, Daly City, Vocational Nursing Program and the accompanying documentation in support of that request. The Board is also in receipt of the latest revisions to that documentation, dated April 13, 2015.

On February 13, 2015, you requested to admit one (1) evening class of twenty (20) students beginning March 9, 2015, graduating June 5, 2016.

On February 18, 2015, the Board forwarded to you, per certified mail, the *Notice of Board Decision – Consideration of Request to Admit Students*. That *Notice* specified that, contingent upon the program securing and obtaining, no later than February 27, 2015, Board approval for adequate clinical facilities such that maternity and pediatric nursing clinical objectives can be accomplished, the program's request to admit one evening class of 20 students commencing March 9, 2015 would be approved.

The documentation submitted April 9, 2015, with the April 13, 2015 revisions, and the documentation submitted to the Board on February 24 and March 17, 2015 regarding the addition of equipment to the Daly City campus have been considered in the request to delay the March 9, 2015 admission date to the new date of April 20, 2015.

Therefore, the request for the delayed admission of the aforementioned one (1) evening class of 20 students is now **approved**. That one (1) evening class of twenty (20) students will begin classes on April 20, 2015 and graduate on July 8, 2016, only.

Be advised that all Required Corrections listed in the February 23, 2015 *Notice of Extension of Provisional Approval* remain in effect, including providing no less than one

(1) instructor for every ten (10) students in all clinical experiences and the requirement to obtain approval of the full Board prior to the admission of any students.

Please contact me should you have any questions.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA

Nursing Education Consultant

donna.johnson@dca.ca.gov

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Agenda Item #16.C.2., Attachment D.

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



Board of Vocational Nursing and Psychiatric Technicians
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August 28, 2015

Rachelle Cagampan, Director
Vocational Nursing Program
Bay Area College of Nursing, Daly City
6767 Mission Street
Daly City, CA 94014

Dear Ms. Cagampan,

Thank you for taking the time to speak with myself and the Supervising Nursing Education Consultant this morning. In our phone consultation we discussed deficits in the documentation submitted in support of the request to admit students, the need for additional consultation with Board staff, and the requirement for active administration of the program. Following is important communication regarding your pending request for approval to admit students.

The Board of Vocational Nursing and Psychiatric Technicians (Board) is in receipt of the request to admit student submitted on August 27, 2015. Please note the following regarding the documentation that was submitted.

- 1) Attached to the request were Faculty/Student Clinical Assignment forms for proposed students, only. It is necessary to submit documentation of placements for all currently enrolled students. It is also necessary to submit Maternity and Pediatric Faculty/Student Clinical Assignment forms for currently enrolled students.
- 2) The Faculty/Student Clinical Assignment form submitted for the proposed students indicates that only one (1) faculty member would be available for the clinical experiences throughout the entire program of study. Further, that one faculty member is the same individual identified as faculty for proposed Bay Area College of Nursing, Palo Alto, Vocational Nursing Program students. The documentation submitted indicates that this one individual would be in two different places at one time, covering both programs, for all three (3) terms of the programs. As such, you have failed to submit documentation of adequate faculty resources.
- 3) The Maternity Faculty/Student Clinical Assignment form submitted does not identify faculty for Maternity clinical nursing experience. According to the Board-approved clinical facility application for the facility indicated on the proposal, this site requires an instructor to be with the students at all times. As such, you have failed to submit documentation of adequate faculty resources.

- 4) The Pediatric Faculty/Student Clinical Assignment form submitted does not identify faculty for Pediatric clinical nursing experience. According to the Board-approved clinical facility application for the facility indicated on the proposal, this site requires an instructor to be with the students at all times. As such, you have failed to submit documentation of adequate faculty resources.
- 5) Both the Maternity and the Pediatric Faculty/Student Clinical Assignment forms indicate proposed simulation hours. Your program does not have Board-approval for the use of clinical simulation, which requires specialized equipment, specialized training of faculty, and a curriculum revision. Processing a curriculum revision requires far longer than the two weeks remaining before the deadline for submission of materials to be considered for the November 2015 Board meeting.

At this time, the above concerns must be addressed before a request to admit students can be considered with any recommendation other than a denial. Please be informed that the deadline for submission of all materials, in final form, is September 15, 2015.

As we discussed during the phone consultation this morning, your report that a staff member completed the documentation does not remove your responsibility as director of the program. Section 2529(b) of the Vocational Nursing Rules and Regulations requires each program to have one faculty member, designated as the director, to **actively administer the program. The director is responsible for compliance with all regulations.** The deficits identified in documentation submitted in support of the request to admit students now and in the past, specifically with the last request to admit students, does not demonstrate active administration or compliance with regulations. Board records document the extensive communication with you regarding materials submitted in support of the previous request to admit students.

Also as discussed in the phone consultation of this morning, Board staff will meet with you here, at Board headquarters, on September 10, 2015 at 10AM. It will be important that any additional materials in support of the request to admit students is received by the Board **prior** to our meeting on September 10.

In addition, it is necessary to provide documentation of approval of the Bureau of Private Post-Secondary Education for the Bay Area College of Nursing, Daly City, Vocational Nursing Program. This documentation must be submitted in support of the request to admit students.

Should you have any questions, please contact me.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA
Nursing Education Consultant
donna.johnson@dca.ca.gov

Agenda Item #16.C.2., Attachment E.

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



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September 10, 2015

Rachelle Cagampan, Director
Vocational Nursing Program
Bay Area College of Nursing, Daly City
6767 Mission Street
Daly City, CA 94014

Dear Ms. Cagampan,

Thank you for taking the time to meet today, at the Board of Vocational Nursing and Psychiatric Technicians (Board) headquarters, to discuss your programs and admission requests.

As you know, the Board is in receipt of the materials submitted on September 9, 2015 regarding a request for approval to admit students to the Bay Area College of Nursing, Daly City, Vocational Nursing Program. As requested, you provided a copy of the approval from the Bureau for Private Post-Secondary Education (BPPE).

According to the approval of the BPPE, the Bay Area College of Nursing location at 6767 Mission Street, Daly City, is approved as a Satellite location of the main location in Palo Alto. According to **California Education Code, California Private Postsecondary Education Act of 2009**,

“Satellite location means an auxiliary classroom or teaching site within 50 miles of the branch or main location.”

Given the lack of BPPE approval of the Daly City location as a main or branch location, ***you may wish to contact the BPPE as soon as possible***. Lack of approval of the Daly City location as a main or branch location means that ***students cannot be admitted to this location***. Be aware that lack of appropriate approval of the BPPE will jeopardize this Board's approval of the Bay Area College of Nursing, Daly City, Vocational Nursing Program.

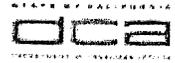
Should you have questions for this Board, please contact me.

Sincerely,

Donna G. Johnson
Donna G. Johnson, RNP, MS, MA
Nursing Education Consultant
donna.johnson@dca.ca.gov



Bureau for Private Postsecondary Education
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
 P.O. Box 980818, West Sacramento, CA 95798-0818



Approved Educational Program List

In accordance with the provisions of California Education Code 94866 or 94890, the Bureau for Private Postsecondary Education approves:

Bay Area College of Nursing, Inc.

*824 San Antonio Road
 Palo Alto, CA 94303*

*School Code #: 88680297
 Site Type: Main*

to offer the following program(s)/course(s):

| <u>Program Name</u> | <u>Length of Instruction</u> | <u>Program Approved</u> | <u>Program Type</u> | <u>Distance Learning</u> |
|-----------------------------------|------------------------------|-------------------------|---------------------|--------------------------|
| Acute Care CNA | 80.00 Hours | 11/08/2005 | Non-Degree | No |
| Anatomy & Physiology | 54.00 Hours | 11/08/2005 | Non-Degree | No |
| Home Health Aide Training Program | 40.00 Hours | 07/25/2005 | Non-Degree | No |
| Massage Therapy | 600.00 Hours | 04/09/2012 | Non-Degree | No |
| Medical Assisting | 600.00 Hours | 07/02/2014 | Non-Degree | No |
| Nursing Assistant Program | 150.00 Hours | 09/07/2004 | Non-Degree | No |
| Vocational Nursing | 1,588.50 Hours | 05/16/2006 | Non-Degree | No |

The program list above represents all currently approved educational programs for this institution. The Main, Branch, or Satellite locations of this institution may offer any subset of this list.

Leeza Rifredi

Leeza Rifredi, Manager

This document is valid if all fees are current. Subject to earlier termination in accordance with the law.

Approved Program List

School Name: Bay Area College of Nursing, Inc.

School Code: 88680297 (Institution Code: 88680297.....Site Type: Main)

| <u>Program Name</u> | <u>Length of Instruction</u> | <u>Program Approved</u> | <u>Program Type</u> | <u>Distance Learning</u> |
|---|------------------------------|-------------------------|---------------------|--------------------------|
| Non-Degree (Vocational) Programs\Courses: 7 | | | | |
| Total Programs/Courses: 7 | | | | |

The program list above represents all currently approved educational programs for this institution. The Main, Branch, or Satellite locations of this institution may offer any subset of this list.

Leeza Rifredi

Leeza Rifredi, Manager

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State and Consumer Services Agency · Governor Edmund G. Brown Jr.
Bureau for Private Postsecondary Education
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Approved Branch/Satellite Location List

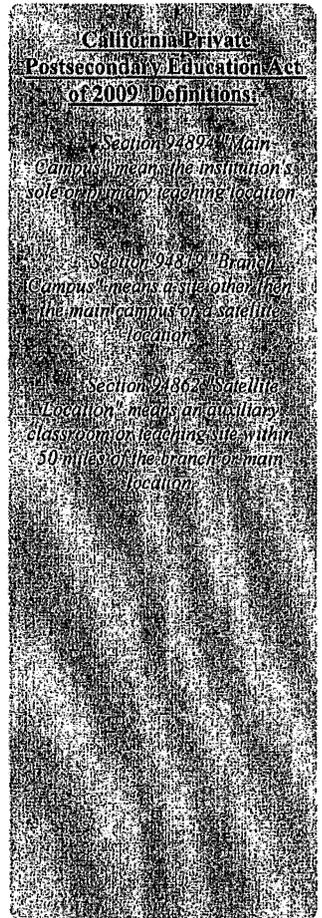
In accordance with the provisions of California Education Code 94900 and/or 94915, the Bureau for Private Postsecondary Education currently approves the following sites/locations:

Institution's Main Location:
Bay Area College of Nursing, Inc.
 824 San Antonio Road
 Palo Alto, CA 94303
 School Code #88680297

Branch and Satellite Locations of School Code #88680297:

(Satellite) Bay Area College of Nursing, Inc.
 6767 Mission Street Daly City, CA 94303
 School Code: #32840165

(Satellite) Bay Area College of Nursing
 702 E. Santa Clara St., 2nd Floor San Jose, CA 95112
 School Code: #73040388



Number of Approved Branch Locations: 0
Number of Approved Satellite Locations: 2

Joanne Wenzel, Manager

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Agenda Item #16.C.2., Attachment G.

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



Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
Phone 916-263-7800 Fax 916-263-7855 Web www.bvnpt.ca.gov

CERTIFIED MAIL

September 25, 2015

Rachelle Cagampan, Director
Vocational Nursing Program
Bay Area College of Nursing, Daly City
6767 Mission Street
Daly City, CA 94014

Subject: Notice of Violations

Dear Ms. Cagampan,

On September 22 and 23, 2015, two (2) representatives of the Board of Vocational Nursing and Psychiatric Technicians (Board) conducted an unannounced program inspection of the Bay Area College of Nursing, Daly City, Vocational Nursing Program. During the two-day visit, Board representatives assessed the physical resources for the program, inspected records for recently graduated and currently-enrolled students, and facilitated discussions with the program director. Following are the violations identified during the program inspection. Required corrective actions are listed with each violation.

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

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

... (8) Evaluation methodology for curriculum.

Violation #1:

Board files confirm that the program has a methodology and procedure for evaluation of the curriculum. The program provided documentation of evaluation of the program by recent graduates who noted deficits in: supplies; organization; support "supplies, counselors, accountant, etc" . . . "like PA main campus"; and the need for more follow-up with students. Other positive and negative experiences were also noted. The program did not produce evidence of review by the program director.

Documentation provided by the program as evidence of evaluation of the curriculum consisted of a total of seven (7) "Q3Y14 Faculty Curriculum Evaluation" forms. Only two (2)

forms were dated (both dated December 30, 2014 and submitted with the report from the Daly City program in 2014). With the exception of a single faculty curriculum evaluation form signed by the director on December 30, 2014, the program did not produce documentation that the program director had evaluated the curriculum to determine its currency, effectiveness, consistency with the NCLEX/PN® test plan, or need for revision.

Required Action: Provide a timeline in which curriculum evaluation, including by the program director and including evaluation for consistency with the NCLEX-PN®, will be accomplished.

Due no later than October 30, 2015.

Section 2526(a)(11) 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:
... (11) Evaluation methodology for clinical facilities.”

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

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

Violation #2: Board files confirm that the program has a methodology and procedure for evaluation of clinical facilities. The program produced copies of student evaluations of clinical facilities. However, program representatives failed to produce documentation confirming that the director was evaluating clinical facilities or reviewing student evaluations.

Required Action: Provide documentation of evaluation of clinical facilities and a proposed timeline for ongoing evaluation of clinical facilities, including by the program director. You may wish to include, but not be limited to, the following in the evaluation of clinical facilities:

- 1) Which term(s) in the program the facility is utilized by students;
- 2) Describe the types of experience available and the ability of the students to meet the program’s stated clinical objectives in the facility;
- 3) Description of observed evidence of correlation of theory to clinical;
- 4) Dates students are in the clinical site;

- 5) Identified problems;
- 6) Plan to correct problems;
- 7) Participation and/or oversight by the program director.

Due no later than October 30, 2015.

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.

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 #3: Based on review of current and recently graduated student files (16 files reviewed), the program failed to follow its Board approved admission, screening, and selection policies. The program provided documentation of interviews with five (5) of the eight (8) students admitted in April 2015 and none of the recently graduated students. Interviews were conducted by a staff member, consisted of few questions, and the documentation provided no evidence of involvement of the director, as is specified in the school catalog.

Required Action: Provide a plan for correction that describes how the program will follow and/or improve the policy for admission, screening and selection of applicants to the program. Provide verification of training, of all individuals associated with the school, regarding admission, screening and selection policies.

Due no later than October 30, 2015.

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

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

Violation #4: Based on inspection observations and an analysis of supplies, equipment, and physical space required to accommodate the current enrollment of eight (8) students and an additional 10 proposed students, Board

representatives identified that the program lacks sufficient resources to achieve its objectives.

The classroom for the vocational nursing program is located on the third floor of the building and contains fifteen student desks. Projector, monitor screen, and white board are in the classroom. The classroom lacks any visual learning aids. No DVDs, videos, or other instructional aides were present on site.

Copies of student records are now kept at the Daly City site. A total of six (6) computers are available in a small room with computers and chairs in close proximity to each other. None of the computers were connected to power or set up for use. The site is staffed by a single office coordinator and no other student services are provided.

The skills laboratory for the vocational nursing students, which is on the third floor, contains four beds, three mannequins (one that allows for tracheostomy and colostomy care), one folding screen, one scale, two over-bed tables, and two wheelchairs. The spacing in the room and between beds and walls is such that it is possible to imagine approximately twelve students could crowd around the beds, leaving very little room for movement. An empty medication cart was nearby. Off the skills lab is a small room with a sink but no supplies for instruction on asepsis. The room would accommodate few individuals at one time. The only other sink available is in a small bathroom.

Supplies for the skills lab were located in cabinets on the first floor and in boxes on the first floor. One box of unorganized pill bottles was presented as equipment for medication administration. The supply cabinets were more organized and better stocked than found at the December 2014 inspection, but the program continues to lack some basic equipment such as oxygen set up, sterile catheter kits, sterile gloves (one package found), or equipment to practice care of continuous tube feedings, insertion of nasogastric tubes, pediatric medication administration, or care of an obstetric patient.

Pediatric supplies, including two (2) children's dolls, were all unopened and still in the box in which they were delivered, after the December 2014 inspection. They consisted of materials purchased at retail stores for normal baby use and gifts. On the second day of inspection, the director brought a

newly purchased birthing abdomen. No other maternity care supplies were located at the site. The program claims 18 hours of skills lab time for pediatric nursing and 18 hours of skills lab time for maternity nursing.

Required Action: Provide a detailed plan and timeline for improving resources sufficient to achieve the program's objectives.

Due no later than October 30, 2015.

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

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

Violation #5: Program representatives produced a binder with minutes from Bay Area College of Nursing meetings relative to the Palo Alto and Daly City (combined) Vocational Nursing Programs. According to documents provided by the program, faculty meetings this year were held on January 30, 2015 and June 19, 2015. A notation in the meeting minutes of 2014 stated that faculty meetings would be held quarterly. Previous documentation submitted by Bay Area College of Nursing to the Board stated meetings would be held quarterly.

Required Action: Provide a schedule of faculty meetings relative to the Daly City Vocational Nursing Program.
Submit copies of meeting minutes within one (1) week after each meeting.

Due no later than October 30, 2015.

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 #6: Board files confirm that the program has a methodology and procedure for evaluation of student progress and for remediation. However, the program did not produce documentation consistent with the remediation policy. While records of regular progress reports were offered for currently enrolled students, only one record of remediation was offered for recent graduates. Board representatives reviewed the grades of all current students and the most recent graduates. Grades were viewed in digital records

with program staff providing the access and navigation through the files. In multiple instances, students failed final examinations yet passed the course and there was no indication of remediation in the remediation files offered by the program. In some cases, the grade records noted a "remediated" exam but remediation files could not be produced for that student. For some students, the "remediation final exam" was below the stated passing minimum grade, no remediation files were located, and students passed the course with the minimum passing grade of 75%.

Required Action: Provide a detailed written proposal, including timeline for implementation, for revision of the policies for evaluation of student progress and remediation, including minimum passing rate on examinations and appropriate follow-up with students.

Due no later than October 30, 2015.

Should you have questions, please contact the Board.

Sincerely,

Donna G. Johnson

Donna G. Johnson, RNP, MS, MA

Nursing Education Consultant

donna.johnson@dca.ca.gov

916-263-7842

Agenda Item #16.C.2., Attachment H.



Business, Consumer Services, and Housing Agency - Governor Edmund G. Brown Jr.

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Approved Branch/Satellite Location List

In accordance with the provisions of California Education Code 94900 and/or 94915, the Bureau for Private Postsecondary Education currently approves the following sites/locations:

Institution's Main Location:

Bay Area College of Nursing, Inc.
824 San Antonio Road
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School Code #88680297

Branch and Satellite Locations of School Code #88680297:

(Branch) Bay Area College of Nursing, Inc.
6767 Mission Street Daly City, CA 94303
School Code: #32840165

(Satellite) Bay Area College of Nursing
702 E. Santa Clara St., 2nd Floor San Jose, CA 95112
School Code: #73040388

'California Private Postsecondary Education Act of 2009' Definitions:

Section 94894 "Main Campus" means the institution's sole or primary teaching location.

Section 94819 "Branch Campus" means a site other than the main campus or a satellite location.

Section 94862 "Satellite Location" means an auxiliary classroom or teaching site within 50 miles of the branch or main location.

Number of Approved Branch Locations: 1
Number of Approved Satellite Locations: 1

Leeza Rifredi

Leeza Rifredi, Manager

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