



## **BOARD MEETING MINUTES**

**November 10, 2011**

**SAN DIEGO, CALIFORNIA**

### **BOARD MEMBERS**

#### **PRESENT:**

John Vertido, L.V.N. Educator Member, President  
Todd D'Braunstein, P.T. Member, Vice-President  
Kevin Baucom, P.T. Member  
Victor King, Public Member  
Jessica Leavitt, Public Member  
Eric Mah, Public Member  
Mark Stanfield, Public Member

### **BOARD MEMBERS**

#### **ABSENT:**

Ling-Ling Chang, Public Member

### **STAFF PRESENT:**

Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer  
Cheryl Anderson, Supervising Nursing Education Consultant  
Angelina Martin, Enforcement Division Chief  
Pam Hinckley, Nursing Education Consultant  
Linda Ruyters, Administrative Analyst  
Laura Freedman Eidson, Legal Counsel, Department of Consumer Affairs

### **1. CALL TO ORDER**

The meeting was called to order by the President, John Vertido, at 9:00 a.m., November 10, 2011, at the San Diego Convention Center, Room 15 A/B, 111 West Harbor Drive, San Diego, CA 92101.

### **2. PLEDGE OF ALLEGIANCE**

Board President John Vertido led those assembled in the Pledge of Allegiance.

### **3. INTRODUCTION OF BOARD MEMBERS AND STAFF**

The Board Members introduced themselves. Teresa Bello-Jones, Executive Officer (EO), introduced the staff present.

### **4. INTRODUCTION OF ACCREDITED AND APPROVED SCHOOLS REPRESENTED AT MEETING (BASED UPON VOLUNTARY SIGN-IN LIST) the following programs voluntarily signed in and were recognized by the Board President.**

- Advanced Medical Career College
- Advanced Medical School of Technology

- Anderson Medical College
- Annenburg School of Nursing, Reseda
- Bay Area College of Nursing, Palo Alto
- California Career Institute
- Career Care Institute, Lancaster
- Career Care Institute, Moreno Valley
- Career Care Institute, Ventura
- Center of Education & Technology, Whittier
- Charter College, Long Beach
- Community Based Education & Development, Los Angeles
- Concorde Career College, San Diego
- Cúram College of Nursing
- Four-D College, Colton
- Gurnick Academy of Medical Arts, Concord
- Gurnick Academy of Medical Arts, Fresno
- Gurnick Academy of Medical Arts, Modesto
- Gurnick Academy of Medical Arts, San Mateo
- High Desert Medical College, Lancaster
- InfoTech Career College, Bellflower
- Kaplan College, San Diego
- North West College, Glendale
- Southern California Medical College, Bakersfield
- St. Francis Career College, Lynwood
- St. Francis Career College, San Jose
- St. Jude's Healthcare Education Center, Glendale
- Summit Career College, Anaheim
- Summit Career College, Colton
- Valley College of Medical Careers, West Hills

Proposed Programs & Other Attendees

- Advanced Medical School of Nursing
- Charter College, Long Beach

**5. BOARD PRESIDENT'S MESSAGE: MEETING AND PUBLIC COMMENT PROCEDURES**

John Vertido read a special notice addressing the Board's legal mandate and procedure to have an issue placed on the Board Meeting agenda. He announced that public comment is welcome on any open agenda item prior to the Board's discussion but no action may be taken and the Board may limit the length of time allowed for comment.

Mr. Vertido also thanked Summit Career College for the assistance they have provided to other schools in achieving their goals.

**6. EXECUTIVE OFFICER'S REPORT**

The EO provided an update on Board activities relative to:

- Senate Bill 539 – The Board's sunrise bill was signed by the Governor to extend the operation of the Board until January 1, 2016. Several other provisions were included in this bill.
- Board Member Vacancies
- Budgets

- Education Division
- Licensing Division
- Examinations
- Liaison Activities
- Personnel
- Customer Service Surveys

**Public Comment:** None received.

**Board Discussion:**

- Mr. Vertido and Todd D'Braunstein thanked the EO and Board staff for their work in getting the Board's Sunrise Bill through all the committees and onto the Governor's desk for signature without opposition.
- Eric Mah asked for the approximate percentage of licensees who indicated their fingerprints were on file with the Board but failed to do so. Angelina Martin, Enforcement Division Chief, indicated that it was less than 5%.
- Mr. Mah asked if the 78.3 total Board positions included temporary help. The Executive Officer responded that the total includes all authorized positions. However, there is some confusion within the Department of Finance (DOF), the Department of Consumer Affairs (DCA) and the Board regarding authorized positions.
- Mr. Mah asked if the lifting of the hiring freeze would help reduce the overall vacancy rate. The EO responded that freeze exemption requests still need to be approved through the State and Consumer Agency (Agency).

**7. CONSENT CALENDAR ITEMS**

- A. Adoption of September 8-9, 2011, Board Meeting Minutes
- B. EO's Report on Decisions for Vocational Nursing (VN) and Psychiatric Technician (PT) Programs

**Public Comment:** None received.

**Board Discussion:** None received.

**MOTION:** To adopt the September 8-9, 2011 Board Meeting Minutes.

**Moved/Seconded:** Todd D'Braunstein/Kevin Baucom

**Support: 6      Oppose: 0      Abstain: 1**

**MOTION:** To accept the EO's Report on Decisions for VN & PT Programs.

**Moved/Seconded:** Todd D'Braunstein/Kevin Baucom

**Support: 7      Oppose: 0      Abstain: 0**

**8. LEGISLATIVE REPORT**

Linda Ruyters, Administrative Analyst, provided a status report on the various bills.

**Public Comment:** None received.

**Board Discussion:** None received.

**MOTION:** To accept the Legislative Report as written.

**Moved/Seconded:** Mark Stanfield/Todd D'Braunstein

**Support: 7      Oppose: 0      Abstain: 0**

**9. ENFORCEMENT REPORT**

Angelina Martin, Enforcement Division Chief, provided an update regarding:

- Enforcement Division Updates
- Enforcement Division General Statistics

**Public Comment:** None received.

**Board Discussion:**

- Eric Mah asked Ms. Martin when staff expected to receive the audit report. Ms. Martin responded that the Board does not know when the report will be received from DCA. Mr. Mah asked that the EO handle the audit report in regards to internal operations, when it is received, but that the Board members should be involved if it addresses compliance issues.

**MOTION:** To accept the Enforcement Report as presented.

**Moved/Seconded:** Todd D/Braunstein/Kevin Baucom

**Support: 7      Oppose: 0      Abstain: 0**

**10.A. REGULATORY REPORT: PROPOSED REGULATORY ACTION TO IMPLEMENT ELEMENTS OF THE CONSUMER PROTECTION ENFORCEMENT INITIATIVE (CPEI)**

Ms. Martin provided an update regarding the Board's proposed regulations to implement some of the provisions of CPEI. At its September 8, 2011 meeting, the Board approved the regulations assuming no negative comments were received during the 15-day Notice of Modified Text, ending on September 21, 2011. Ms. Martin reported that no comments were received regarding the modified text. Therefore, the final rulemaking file was submitted to the DCA for its review and approval on October 25, 2011. Upon approval from DCA, the rulemaking file will be forwarded to the Office of Administrative Law (OAL).

**Public Comment:** None received.

**Board Discussion:** None received.

No vote required.

**10.B. REGULATORY REPORT: PROPOSED REGULATORY ACTION TO IMPLEMENT UNIFORM STANDARDS FOR SUBSTANCE-ABUSING LICENSEES AND REVISION OF THE DISCIPLINARY GUIDELINES**

Ms. Martin reported that Business and Professions (B&P) Code Section 315 (Senate Bill 1441, Chapter 548, Statutes of 2008) established a Substance Abuse Coordination Committee (SACC) to develop uniform standards for substance-abusing licensees. All healing arts boards are required to use those standards. The SACC adopted 16 standards on April 11, 2011. On July 22, 2011, the Board noticed proposed regulatory language to implement the uniform standards and to revise its disciplinary guidelines. A hearing was held on September 6, 2011. Written and oral comments were considered and no changes to the proposed regulatory language were recommended. Ms. Martin indicated that a legislative counsel's opinion had been received on November 9, 2012, the day before this meeting. Ms. Martin explained the opinion which specified that the SACC is required to adopt the standards pursuant to the Administrative Procedures Act and, if adopted, all healing arts boards are required to adopt regulations to implement the standards.

**Public Comment:**

- Tricia Hunter, American Nurses Association (ANA), stated that the ANA does not agree with this opinion. Ms. Hunter indicated that the ANA will be challenging the authority of the SACC's rulemaking authority. In their opinion, proper notice of the SACC's intent to submit proposed rulemaking on this issue was not given. She also indicated that the SACC proposals may dilute the effectiveness of diversion programs.

**Board Discussion:**

- Laura Freedman Eidson, Sr. Staff Counsel, clarified that the Legislative Counsel are attorneys for the Legislature and stated that it is not surprising that the opinion indicated the standards established by the SACC must be adopted by regulation. However, it is unusual that the opinion indicates that the SACC has authority to adopt the rules. Ms. Freedman Eidson stated that, in her opinion, the SACC does not have such authority. She then explained that, if SACC adopts regulations, the Board may have to go back and clean up these regulations.
- Mr. Mah asked if there is any urgency to this proposed rulemaking and, if there is not, would it be advisable for the Board to see what the SACC might do in response to the Legislative Counsel's opinion. He also asked what the ramification would be if the Board postpones action to the next meeting. Staff explained that the Board had one year from July, 2011 to complete the rulemaking.
- Ms. Hunter re-iterated that, in ANA's opinion, boards are not mandated to implement the standards although the Board could choose to proceed with the proposed regulations. She is not suggesting that the Board abort its rulemaking.
- Ms. Freedman Eidson advised the Board that it has policy authority to adopt the proposal and it cannot implement the standards without regulations. She indicated that the Legislative Counsel's opinion is recent and the SACC has not addressed it.

**MOTION:**

1. Accept the body of the report as written.

**Moved/Seconded:** Todd D/Braunstein/Victor King

**Support: 7      Oppose: 0      Abstain: 0**

2. Table any action on the recommendations of this report until the February 2012 Board meeting.

**Moved/Seconded:** Eric Mah/Victor King

**Support:** 7      **Oppose:** 0      **Abstain:** 0

**11.A. ABC Educators VN Program – Consideration of Placement on Provisional Accreditation.**

Cheryl Anderson, Supervising Nursing Education Consultant (SNEC), reported that the program is presented to the Board for consideration of placement on provisional accreditation due to the program's noncompliance with CCR section 2530(l) which specifies, in part, that "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..." The California average annual pass rate for graduates from accredited VN programs who took the NCLEX/PN® for the first time is 76%. Based upon the most current data available (July to September 2011), the program's average annual pass rate is 24%. This program is 52 percentage points below the state average annual pass rate.

**Representative from the School:** none present.

**Public Comment:** None received.

**Board Discussion:**

- Mr. D'Braunstein and Kevin Baucom asked if the school could be seen in one year, rather than waiting the customary two years. Ms. Anderson responded in the affirmative.

**MOTION:**

**To accept the report and amended recommendations as follows:**

1. Place ABC Educators Nursing School VN Program on provisional accreditation for the two - year period from November 10, 2011 through November 30, 2013, 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 CCR.
2. Rescind the program's approval to admit 15 students three (3) times each year. Require the program to obtain approval by the full Board prior to the admission of each class.
3. Require the program to revise and submit to the Board the following program components consistent with regulatory requirements by December 16, 2011.
  - a. Admission Criteria.
  - b. Screening and Selection Criteria.
4. Require the program to revise and submit to the Board the following curriculum documents by December 16, 2011.
  - a. Summary of Instructional Plan Hours.
  - b. Curriculum Hours per Content Area Worksheet for each term of the curriculum.
  - c. Revised Instructional Plan.
5. Deny the program's admission of 15 students on February 14, 2012 to replace candidates scheduled to graduate April 12, 2012.

6. Approve the program's admission of 15 students on April 16, 2012 only, with a projected graduation of September 13, 2013, to replace candidates scheduled to graduate April 12, 2012.
7. Require the program to show documented progress by submitting follow-up reports in three (3) months, but no later than February 1, 2012, nine (9) months, but no later than August 1, 2012, and twenty-one (21) months, but no later than August 1, 2013. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timelines for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis:
  - a. Current Enrollment.
  - b. Admission Criteria.
  - c. Screening and Selection Criteria.
  - d. Terminal Objectives.
  - e. Curriculum Objectives.
  - f. Instructional Plan.
  - g. Theory and Clinical Objectives for Each Course.
  - h. Lesson Plans for Each Course.
  - i. Textbooks.
  - j. Attendance Policy.
  - k. Remediation Policy.
  - l. Evaluations of Theory and Clinical Faculty.
  - m. Evaluations of Theory Presentations.
  - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - o. Evaluation of Student Achievement.

The program shall notify all enrolled students of actions taken by the Board relative to the program's accreditation status, and expected time for resolution.

8. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P Code Section 2880, and Article 5 of the Board's Regulations, commencing at CCR, Title 16, Section 2526.
9. Require the program to demonstrate substantial progress in correcting the violations. If the program fails to satisfactorily demonstrate substantial progress, the full Board may revoke the program's accreditation.
10. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
11. Place the program on the November 2012 and November 2013 Board agendas for reconsideration of provisional accreditation.

**Moved/Seconded:** Kevin Baucom/Todd D'Braunstein  
**Support:** 7      **Oppose:** 0      **Abstain:** 0

**11.B. Bay Area College of Nursing, Palo Alto, VN Program – Consideration of Placement on Provisional Accreditation and Request to Admit Students.**

Pamela Hinckley, Nursing Education Consultant (NEC), reported that the program is presented to the Board for consideration of placement on provisional accreditation due to the program's noncompliance with CCR section 2530(l) which specifies, in part, that "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..." The California average annual pass rate for graduates from accredited VN programs who took the NCLEX/PN® for the first time is 76%. Based upon the most current data available (July to September 2011), the program's average annual pass rate is 39%. This program is 37 percentage points below the state average annual pass rate. The program requested approval to admit 22 full-time, evening students commencing November 14, 2011. The proposed class is projected to graduate on January 13, 2013.

**Representative from the School:** Rachelle Cagampan, Program Director.

Ms. Cagampan presented a Plan of Action including changing the admissions criteria. She also asked Board for approval, despite recommendations, to admit 22 full-time evening students December 7, 2011. Highlights of her Plan of Action include, but are not limited to:

- She has submitted instructional plan.
- She has submitted comprehensive analysis.
- Changing admission criteria, including requiring 3.0 GPA.
- Changing admission exam to HESI II, with a focus on the skills that will be needed by students.

**Public Comment:**

- Dr. Ike Muoneku, Advanced Medical School of Nursing, asked if the program can require students to take the NCLEX exit exam as part of graduation.
- Dr. Yosef, California Career Institute, commented on the inability to change the requirements of a class in progress to require an exit exam.

**Board Discussion:**

- Several Board members asked if the NCLEX review could be given at the end of the term. The director responded that after graduation, the students are not responsive to the program.
- The Director repeated her request for a class in 12/2011, even if fewer than 22 to use new curriculum.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Place Bay Area College of Nursing, Palo Alto, VN Program on provisional accreditation for the two-year period from November 10, 2011, through November 30, 2013, 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 CCR.

2. Deny the programs request to admit a class of 22 full-time, evening students on November 14, 2011, graduating on January 13, 2013, at this time.
3. Approve the program's admission of 14 full-time, evening students on December 14, 2011 and graduating February 24, 2013.
4. Require the program to admit no additional students unless approved by the full Board.
5. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by September 1, 2013.
6. Require the program to submit follow-up reports in nine months, but no later than August 1, 2012, and 21 months, but no later than August 1, 2013. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
  - a. Admission Criteria.
  - b. Screening and Selection Criteria.
  - c. Terminal Objectives.
  - d. Curriculum Objectives.
  - e. Instructional Plan.
  - f. Theory and Clinical Objectives for Each Course.
  - g. Lesson Plans for Each Course.
  - h. Textbooks.
  - i. Attendance Policy.
  - j. Remediation Policy.
  - k. Evaluations of Theory and Clinical Faculty.
  - l. Evaluations of Theory Presentations.
  - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - n. Evaluation of Student Achievement.
  - o. Current Enrollment.
7. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P Code Section 2880, and Article 5 of the Board's Regulations, commencing at CCR, Title 16, Section 2526.
8. 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 accreditation.
9. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
10. Place the program on the November 2013 Board agenda for reconsideration of provisional accreditation.

**Moved/Seconded:** Eric Mah/Todd D'Braunstein  
**Support:** 4     **Oppose:** 3     **Abstain:** 0

**11.C. Career Care Institute, Moreno Valley, VN Program – Consideration of Placement on Provisional Accreditation and Request to Admit Students.**

This item was removed from the agenda and was not discussed.

**11.D. Center of Education and Technologies, VN Program – Reconsideration of Provisional Accreditation.**

Pamela Hinckley reported that the program is presented to the Board for reconsideration of provisional accreditation. On September 16, 2010, the program's status was changed to provisional accreditation for a one year period ending September 31, 2011 due to the program's noncompliance with CCR section 2530(l). On May 20, 2011, the Board extended the program's provisional accreditation to November 10, 2011. At that time, the program's average annual pass rate had improved from 0% to 50%. The California average annual pass rate for graduates from accredited VN programs who took the NCLEX/PN® for the first time is 76%. Based upon the most current data available (July to September 2011), the program's average annual pass rate is 83%. This program is 7 percentage points above the state average annual pass rate. It was noted that the program had no candidates tested for six consecutive quarters from January 2009 through June 2010. Additionally, no candidates tested from January 1<sup>st</sup> through June 30<sup>th</sup> of 2011.

**Representative from the School:** Ronoldo Varian, Program Director.

Mr. Varian acknowledged the problems the school has had in the past. Mr. Varian had no presentation, though he was prepared to answer questions.  
(Did not expand as requested by Laura)

**Public Comment:** None received.

**Board Discussion:**

- John Vertido congratulated Mr. Varian for the progress his program has made to date, with a significant improvement in pass rates. Mr. Vertido also commented on the number of students who have not yet tested and asked Mr. Varian if he has a plan to encourage these students to take the examination. Mr. Varian replied that he encourages the students to return for a NCEX® review.
- Mr. D'Braunstein commented that, though the percentages are good, with only two students, the volume is very small.

**MOTION: To accept the report and its recommendations as follows:**

1. Extend provisional accreditation of the Center of Education and Technology VN Program for the one (1) year period from November 10, 2011 through November 30, 2012, 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 CCR.
2. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate for four (4) consecutive quarters.

3. Require the program to continue to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's accreditation.
4. Require the program to submit a follow-up report in nine (9) months, but no later than August 1, 2012. 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.
5. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P Code Section 2880, and Article 5 of the Board's regulations, commencing at CCR, Title 16, Section 2526.
6. Continue to require the program to obtain approval by the full Board prior to admission of each class.
7. Place the program on the November 2012 Board Meeting agenda for reconsideration of provisional accreditation.

**Moved/Seconded:** Todd D'Braunstein/Eric Mah

**Support: 7      Oppose: 0      Abstain: 0**

#### **11.E. Community Based Education and Development VN Program – Consideration of Request to Admit Students.**

Cheryl Anderson reported that the program requested approval to admit 30 students into their non-degree class commencing November 28, 2011, to replace a class that graduated July 24, 2011. The proposed class is projected to graduate on March 27, 2013. Additionally, the program requested approval to admit 30 students into their non-degree class commencing April 3, 2012, to replace a class that is scheduled to graduate on March 26, 2012. The proposed class is projected to graduate on July 10, 2013. The California average annual pass rate for graduates from accredited VN programs who took the NCLEX/PN<sup>®</sup> for the first time is 76%. Based upon the most current data available (July to September 2011), the program's average annual pass rate is 45%. This program is 31 percentage points below the state average annual pass rate.

**Representative from the School:** Alice Sorrell-Thompson, Program Director.

Ms. Sorrell-Thompson had no formal presentation but commented that the program is undergoing a complete overhaul.

**Public Comment:** None received.

**Board Discussion:**

- John Vertido requested the program submit legible copies in the future as some materials submitted by the program for this Board meeting were very difficult to read and it is difficult to give the program a fair review if the submitted materials are difficult or impossible to read. He also expressed his displeasure with the program for appearing at Board offices without an appointment and expecting staff to drop everything and meet with them.
- Kevin Baucom also commented that some submitted documents do not appear to be relevant and that makes it difficult for him to review a package if he has to first determine what should/should not be in the package.

**MOTION: To approve the SNEC's report and adopt the recommendations as follows:**

1. Deny the Community Based Education & Development College VN Program's request to admit 30 students into the non-degree class commencing November 28, 2011 only, graduating March 27, 2013, to replace students who graduated July 24, 2011.
2. Approve the program's admission of 15 students into the non-degree class commencing November 28, 2011 only, graduating March 27, 2013, to replace students who graduated July 24, 2011.
3. Deny the program's request to admit 30 students into the non-degree class commencing April 3, 2012 only, graduating July 10, 2013, to replace students scheduled to graduate March 26, 2012.
4. Continue to require the program to obtain approval by the full Board prior to admission of each class.

The Board tabled recommendation #4 from the report until the May 2012 Board Meeting.

**Moved/Seconded:** Kevin Baucom/Mark Stanfield

**Support:** 7      **Oppose:** 0      **Abstain:** 0

**11.F. High Desert Medical College, VN Program – Consideration of Placement on Provisional Accreditation and Request to Admit Students.**

Pamela Hinckley reported that the program request is presented to the Board for consideration of placement on provisional accreditation due to the program's noncompliance with CCR section 2530(l). The California average annual pass rate for graduates from accredited VN programs who took the NCLEX/PN® for the first time is 76%. Based upon the most current data available (July to September 2011), the program's average annual pass rate is 63%. Therefore, this program is 13 percentage points below the state average annual pass rate. In addition, the program requested approval to admit 20 full-time evening students commencing November 14, 2011, to replace a class that graduated October 6, 2011. The proposed class is projected to graduate on December 13, 2012.

**Representative from the School:** Carol Williams, Program Director. (School owners also present.)

Ms. Williams reported her approval as program director on September 28, 2011. Additionally, she reported extensive experience in nursing education. She admitted follow-up has been slow. She is starting early intervention and remediation programs in an effort to assist graduates in being more successful. Ms. Estrada stated that she shares the consultant's concerns. She further informed the Board that she and her instructors have over 100 years of combined nursing experience and they are confident they can properly educate their students. High Desert is examining their school admission criteria. They will also be using the HESI benchmark exam and are initiating a tutoring program and study groups. She also stated that she has an "open door" policy and all students are welcome to approach her at any time with their questions or concerns. High Desert is using NCLEX® review throughout the program to increase retention of fundamentals.

**Public Comment:** None received.

**Board Discussion:**

- John Vertido asked Ken Guerra, Campus Director and one of the owners, if Ms. Williams has his full support. She does.
- Eric Mah expressed concern regarding the frequent turnover of program directors. Mr. Guerra stated that he is confident that they have the right person in place, with Ms. Williams, to get the program turned around.
- Mark Stanfield asked the NEC if she would be comfortable admitting new students at this time. Ms. Hinckley responded in the negative.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Place High Desert Medical College VN Program on provisional accreditation for the two-year period from November 10, 2011, through November 30, 2013, 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 CCR.
2. Deny High Desert Medical College VN Program's request to admit a class of 20 full-time, day, students on November 14, 2011, graduating on December 13, 2012, to replace a class that graduated October 6, 2011.
3. Require the program to admit no additional students unless approved by the full Board.
4. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by September 1, 2013.
5. Require the program to submit follow-up reports in nine months, but no later than August 1, 2012, and 21 months, but no later than August 1, 2013. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
  - a. Admission Criteria.
  - b. Screening and Selection Criteria.

- c. Terminal Objectives.
  - d. Curriculum Objectives.
  - e. Instructional Plan.
  - f. Theory and Clinical Objectives for Each Course.
  - g. Lesson Plans for Each Course.
  - h. Textbooks.
  - i. Attendance Policy.
  - j. Remediation Policy.
  - k. Evaluations of Theory and Clinical Faculty.
  - l. Evaluations of Theory Presentations.
  - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - n. Evaluation of Student Achievement.
  - o. Current Enrollment.
6. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P Code Section 2880, and Article 5 of the Board's Regulations, commencing at CCR, Title 16, Section 2526.
  7. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's accreditation.
  8. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
  9. Place the program on the **November 2013** Board agenda for reconsideration of provisional accreditation.

**Moved/Seconded:** Eric Mah/Todd D'Braunstein

**Support: 7      Oppose: 0      Abstain: 0**

**11.G. InfoTech Career College, VN Program – Consideration of Placement on Provisional Accreditation and Request to Admit Students.**

Pamela Hinckley reported that the program is presented to the Board for consideration of placement on provisional accreditation due to the program's noncompliance with CCR section 2530(l). The California average annual pass rate for graduates from accredited VN programs who took the NCLEX/PN® for the first time is 76%. Based upon the most current data available (July to September 2011), the program's average annual pass rate is 100%. This program is 24 percentage points above the state average annual pass rate. It was noted that the program had no candidates tested for three of the previous four quarters. Only one candidate completed the licensure examination during the last four quarters and that candidate passed. In addition, the program requested approval to admit students for its next class. The program has had seven program directors since it began in May 2008. In addition, the program requested approval to admit a full time day class of 30 students commencing January 17, 2012. The proposed class is projected to graduate on March 23, 2013.

**Representative from the School:** Elizabeth Estrada, Director of Nursing.

Ms. Estrada presented a summary of changes that have been implemented and stated that clinical sites are not a problem for her program. She is engaged in a rapid fire strategy designed

to improve and enhance the educational experience for their students. They are using the ATI educational system and testing. They are stressing critical thinking abilities and they have changed their admissions criteria. They have a full day of mediation each week and they have invested in a simulation lab. The program has invested in a simulation lab to increase the educational experience for their students. Ms. Estrada outlined her past experience with improving program scores and stated she is up for the challenge.

**Public Comment:** None received.

**Board Discussion:**

- Kevin Baucom and Victor King expressed concern over the lack of longevity with program directors at this school.
- John Vertido suggested she may want to ask for a smaller class.
- Eric Mah commented on the small number of students at this school.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Place InfoTech Career College VN Program on provisional accreditation for the two-year period from November 10, 2011, through November 30, 2013, 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 CCR.
2. Deny InfoTech Career College VN Program's request for approval to admit a class of 30 full-time, day students on January 17, 2012, graduating on March 23, 2013, at this time.
3. Require the program to admit no additional students unless approved by the full Board.
4. 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 for four consecutive quarters.
5. Require the program to submit follow-up reports in 9 months, but no later than August 1, 2012, and 21 months, but no later than August 1, 2013. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
  - a. Admission Criteria.
  - b. Screening and Selection Criteria.
  - c. Terminal Objectives.
  - d. Curriculum Objectives.
  - e. Instructional Plan.
  - f. Theory and Clinical Objectives for Each Course.
  - g. Lesson Plans for Each Course.
  - h. Textbooks.
  - i. Attendance Policy.
  - j. Remediation Policy.
  - k. Evaluations of Theory and Clinical Faculty.
  - l. Evaluations of Theory Presentations.
  - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - n. Evaluation of Student Achievement.
  - o. Current Enrollment.

6. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P Code Section 2880, and Article 5 of the Board's Regulations, commencing at CCR, Title 16, Section 2526.
7. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's accreditation.
8. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
9. Place the program on the November 2013 Board agenda for reconsideration of provisional accreditation.

**Moved/Seconded:** Kevin Baucom/Victor King

**Support: 7      Oppose: 0      Abstain: 0**

**11.H. Southern California Medical College, VN Program – Consideration of Placement on Provisional Accreditation and Request to Admit Students.**

Pamela Hinckley reported that the program is presented to the Board for consideration of placement on provisional accreditation due to the program's noncompliance with CCR section 2530(l). The California average annual pass rate for graduates from accredited VN programs who took the NCLEX/PN<sup>®</sup> for the first time is 76%. Based upon the most current data available (July to September 2011), the program's average annual pass rate is 20%. This program is 56 percentage points below the state average annual pass rate. In addition, the program requested approval to admit 30 full-time evening students commencing November 14, 2011, to replace a class that graduated August 26, 2011. The proposed class is projected to graduate on December 2, 2012.

**Representative from the School:** Nomar Tongco, Program Director.

Mr. Tongco presented a summary and highlights of the changes made to the program including increasing lecture hours and using ATI for admissions. He also requested 20 students, rather than 15, in order to generate the revenue required to purchase ATI.

**Public Comment:** None received.

**Board Discussion:**

- Mr. Baucom reminded the director that smaller classes generally equal better quality of instruction and stated that he understands the rationale for the recommendations.
- Mr. Mah stated he is generally in support and comfortable to pass this decision. He also asked to reconsider a previous Board decision on this agenda that had similar circumstances
- Mr. Vertido explained the difference between the decision Mr. Mah referred to and this decision that this school would have no students without this class.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Place Southern California Medical College VN Program on provisional accreditation for the two-year period from November 10, 2011 through November 30, 2013, 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 CCR.

2. Deny the program's request approval to admit a class of 30 full-time students on November 14, 2011, graduating on December 2, 2012, to replace a class that graduated August 26, 2011.
3. Approve the program to admit a class of 15 full-time, evening, students on November 14, 2011, graduating on December 2, 2012, only, to replace a class that graduated August 26, 2011.
4. Require the program to admit no additional students unless approved by the full Board.
5. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by September 1, 2013.
6. Require the program to submit follow-up reports in 9 months, but no later than **August 1, 2012**, and 21 months, but no later than **August 1, 2013**. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
  - a. Admission Criteria.
  - b. Screening and Selection Criteria.
  - c. Terminal Objectives.
  - d. Curriculum Objectives.
  - e. Instructional Plan.
  - f. Theory and Clinical Objectives for Each Course.
  - g. Lesson Plans for Each Course.
  - h. Textbooks.
  - i. Attendance Policy.
  - j. Remediation Policy.
  - k. Evaluations of Theory and Clinical Faculty.
  - l. Evaluations of Theory Presentations.
  - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - n. Evaluation of Student Achievement.
  - o. Current Enrollment.
7. The program must comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P Code Section 2880, and Article 5 of the Board's regulations, commencing at CCR, Title 16, Section 2525.
8. Place the program on the November 2013 Board agenda.

**Moved/Seconded:** Mark Stanfield/Todd D'Braunstein  
**Support: 7      Oppose: 0      Abstain: 0**

Mr. Vertido told the programs they are always welcome at the Board office, but requested that they schedule an appointment prior to appearing.

**11.I. Valley College of Medical Careers, VN Program – Consideration of Placement on Provisional Accreditation and Request to Admit Students.**

Pamela Hinckley reported that the program is presented to the Board for consideration of placement on provisional accreditation due to the program's noncompliance with CCR section 2530(l). The California average annual pass rate for graduates from accredited VN programs who took the NCLEX/PN® for the first time is 76%. Based upon the most current data available (July to September 2011), the program's average annual pass rate is 62%. This program is 14 percentage points below the state average annual pass rate. In addition, the program requested approval to admit 30 full-time, evening students commencing on November 14, 2011, graduating February 24, 2013, to replace a class that graduated on November 18, 2011. Also, the program requested approval to admit 30 full-time, day students commencing January 16, 2012, to replace a class that graduated November 4, 2011.

**Representative from the School:** Ranbir Sedeora, Program Director, Carol DeLilly, Program Assistant Director, Campus Associate Director.

Ms. Sedeora acknowledged past challenges and summarized changes that have been implemented during 2011, including adding a requirement that students possess a high school diploma or GED, as well as achieving a pre-determined score on their admissions exam. The program now uses a critical thinking assessment test. She asked that the program be granted permission to admit 20 students, rather than 15. Ms. Sedeora spoke to the Board the program's VN prep class and the regular, proctored exam the students now must pass.

**Public Comment:** None received.

**Board Discussion:**

- Mr. Vertido asked the program director why she was not involved in discussions with the Board. She responded by stating that she also has teaching responsibilities and doesn't always have time for additional work. Mr. Vertido said he wants the program director to be the program director and have the ability and time to achieve the associated responsibilities.
- Mr. D'Braunstein reminded the program they can approach the Board at anytime in the future to request additional students.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Place Valley College of Medical Careers VN Program on provisional accreditation for the two-year period from November 10, 2011, through November 30, 2013, and issue a notice to the program to identify specific areas of non compliance and requirements for correction as referenced in Section 2526.1 (e) of the CCR.
2. Deny the program's request to admit a class of 30 full-time, evening students on November 14, 2011 and approve the program's admission of a class of 15 full-time, evening, students on November 14, 2011, graduating on February 24, 2013, only, to **replace** a class that graduated November 18, 2011.
3. Deny the program's request to admit a class of 30 students to the full-time day class on January 16, 2012, graduating April 21, 2013 to replace students that graduated November 4, 2011, at this time.
4. Require the program to admit no additional students unless approved by the full Board.

5. 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.
6. Require the program to submit follow-up reports in 9 months, but no later than August 1, 2012, and 21 months, but no later than August 1, 2013. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
  - a. Admission Criteria.
  - b. Screening and Selection Criteria.
  - c. Terminal Objectives.
  - d. Curriculum Objectives.
  - e. Instructional Plan.
  - f. Theory and Clinical Objectives for Each Course.
  - g. Lesson Plans for Each Course.
  - h. Textbooks.
  - i. Attendance Policy.
  - j. Remediation Policy.
  - k. Evaluations of Theory and Clinical Faculty.
  - l. Evaluations of Theory Presentations.
  - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - n. Evaluation of Student Achievement.
  - o. Current Enrollment.
7. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P Code Section 2880, and Article 5 of the Board's Regulations, commencing at CCR, Title 16, Section 2526.
8. 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 accreditation.
9. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
10. Place the program on the November 2013 Board agenda for reconsideration of provisional accreditation.

**Moved/Seconded:** Todd D'Braunstein/Jessica Leavitt  
**Support: 7      Oppose: 0      Abstain: 0**

## **12. PUBLIC COMMENT PERIOD**

- Dr. Ike asked for clarification of the terms "approve" and "accredit." Staff explained the differences to him.

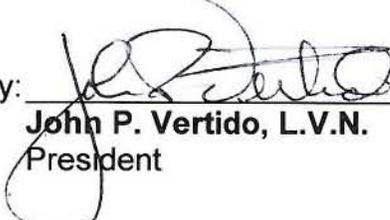
- Ken Guerra, High Desert Medical College, asked for clarification of when his program can come back to the Board. He also asked Board members to reconsider their earlier decision. The Board took no action.
- Mr. Vertido explained to Mr. Guerra the program can request new students at any time.
- Mr. Guerra said he and his staff had misunderstood the earlier decision and thought they were not able to come before the Board again until November 2013.
- Mr. Mah commented that, If the Board allows one program to revisit an issue at the Board meeting, it opens the door for other schools to do the same.

### 13. ADJOURNMENT

The meeting adjourned at 3:48 p.m.

Prepared by:   
\_\_\_\_\_  
**Teresa Bello-Jones, J.D., M.S.N., R.N.**  
Executive Officer

Date: 3/2/12

Approved by:   
\_\_\_\_\_  
**John P. Vertido, L.V.N.**  
President

Date: 2 MAR 12