



DISCIPLINARY BOARD MEETING MINUTES

NOVEMBER 8, 2012

SACRAMENTO, CALIFORNIA

**BOARD MEMBERS
PRESENT:**

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

STAFF PRESENT:

Teresa Bello-Jones, Executive Officer
Marilyn Kimble, Enforcement Manager
Mark Ito, Licensing Analyst
Jay Prouty, Enforcement Analyst
Linda Reuters, Administrative Analyst

The Disciplinary Board Meeting was called to order by President, Todd D'Braunstein at 9:00 a.m., November 8, 2012, at the Sheraton Grand Sacramento Hotel at 1230 J Street, Sacramento, California.

Coren D. Wong, Administrative Law Judge, presided. The State was represented by Deputy Attorney General Jeffrey Phillips.

The President, Todd D'Braunstein, welcomed faculty and students from the following vocational nursing and psychiatric technician programs:

Carrington College – Sacramento

The following petitions were heard by the Board of Vocational Nursing & Psychiatric Technicians (Board). Following the hearings, the Board convened in closed-session. The Board's decisions from closed-session deliberations are included.

1. PAIGE SANSO, PETITION FOR REINSTATEMENT

The Board denied the Petition for Reinstatement of the vocational nurse license.

2. CYNTHIA CRUZ, PETITION FOR REINSTATEMENT

The Board denied the Petition for Reinstatement of the vocational nurse license.

3. KENNETH GALL, PETITION FOR REINSTATEMENT

The Board granted the Petition for Reinstatement of the vocational nurse license.

4. HUBERT JOHNSON, PETITION FOR REINSTATEMENT

The Board granted the Petition for Reinstatement of the vocational nurse license.

5. CHARLOTTE LAWTON, PETITION FOR REINSTATEMENT

The Board denied the Petition for Reinstatement of the vocational nurse license.

6. POTHINEA LOCKETT, PETITION FOR REINSTATEMENT

The Board denied the Petition for Reinstatement of the vocational nurse license.

7. MICHELLE LONGCOR, PETITION FOR REINSTATEMENT

The Board denied the Petition for Reinstatement of the psychiatric technician license.

8. JEAN RICHARDSON, PETITION FOR REINSTATEMENT

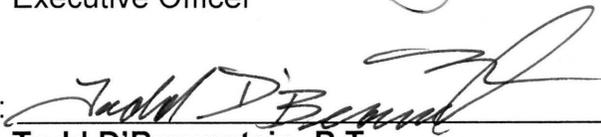
Ms. Richardson failed to appear in support of her Petition for Reinstatement of the vocational nurse license.

ADJOURNMENT

The Disciplinary Board Meeting adjourned at 3:50 p.m. The Board went into closed session at 3:58 p.m. for the purpose of hearing deliberations, pursuant to Government Code section 11126 (c)(3).

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

Date: 11/14/12

Approved by: 
Todd D'Braunstein, P.T.
President

Date: 2-22-13



BOARD MEETING MINUTES

November 9, 2012

SACRAMENTO, CALIFORNIA

BOARD MEMBERS

PRESENT:

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

STAFF PRESENT:

Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer
Pam Hinckley, M.S.N., R.N., Nursing Education Consultant
Suellen Clayworth, M.S.N., R.N., Nursing Education Consultant
Marilyn Kimble, Enforcement Program Manager
Mark Ito, Licensing Program Analyst
Linda Ruyters, Administrative Analyst
Simone Renteria, Legal Counsel, Department of Consumer Affairs

1. CALL TO ORDER

The meeting was called to order by the President, Todd D'Braunstein, at 9:00 a.m., November 9, 2012 at the Sheraton Grand Sacramento Hotel, 1230 J Street, Sacramento, California 95814.

2. PLEDGE OF ALLEGIANCE

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 APPROVED SCHOOLS REPRESENTED AT MEETING BASED UPON VOLUNTARY SIGN-IN LIST

The following programs voluntarily signed in and were recognized by the Board President:

ABC Educators
Angeles College
Annenberg School of Nursing
Bay Area College of Nursing – Palo Alto
Bethesda University of California
Carrington College California – Antioch
Chas A. Jones Skill & Business Education Ctr.
Curam College of Nursing
Gurnick Academy of Medical Arts – Concord

High Desert Medical College
Homestead Schools, Inc.
Kaplan College – Sacramento
Kaplan College – Stockton
North West College – Glendale
Palladium Technical Academy
Solano College of Nursing
St. Francis Career College – San Jose

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

Mr. D’Braunstein read a special notice addressing the Board’s legal mandate and the 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; however, no action may be taken at this time and the Board may limit the length of time allowed for comment.

6. EXECUTIVE OFFICER’S REPORT

Ms. Bello-Jones provided an update on Board activities relative to:

- Board Member Vacancies
- Budgets
- Education Division
- Licensure Examinations
- Liaison Activities
- Personnel
- Customer Service Surveys
- BreEZe

Public Comment: None received.

Board Discussion:

- Mr. Mah suggested presidents and vice-presidents from all Healing Arts Boards hold regular, joint conference calls.
- Ms. Chang suggested it would be more efficient and economical to email all Board meeting materials.

7. CONSENT CALENDAR

- A. Adoption of September 5-6, 2012 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 accept the Consent Calendar items.

Moved/Seconded: John Vertido/Eric Mah
Support: 6 **Oppose:** 0 **Abstain:** 1

8. PRESENTATION OF THE LEGISLATIVE REPORT

Linda Ruyters, Administrative Analyst, reported on 29 bills currently being tracked.

Public Comment: None received.

Board Discussion:

- Mr. D’Braunstein thanked Ms. Ruyters for including additional information regarding SB 122 in the report.

MOTION: To accept the report.

Moved/Seconded: John Vertido/Victor King

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

9. ENFORCEMENT DIVISION REPORT

Marilyn Kimble, Enforcement Program Manager, presented the Enforcement Division Report relative to the following:

- Enforcement Performance Measures
- Proposed Regulatory Actions
- Enforcement Division Updates
- Enforcement Division Statistics

Public Comment: None received.

Board Discussion: None received.

MOTION: To accept the report.

Moved/Seconded: Jessica Leavitt/Mark Stanfield

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

10. PROPOSED REGULATORY ACTION TO IMPLEMENT SB 539, MANDATORY REPORTING REQUIREMENTS

Ms. Ruyters presented a report relative to SB 539, Mandatory Reporting Requirements.

Public Comment: None received.

Board Discussion: None received.

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

1. Approve the regulatory proposal to amend Division 25 of Title 16, California Code of Regulations, Sections 2520.5 and 2523.2 (VN); and Sections 2577.6 and 2579.4 (PT).
2. Direct staff to submit the rulemaking file to DCA and to the OAL for final approval; and,
3. Authorize the EO to make non-substantive changes as are required by the Directors of DCA and OAL.

Moved/Seconded: John Vertido/Mark Stanfield

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

11. EDUCATION DIVISION REPORTS REGARDING VN & PT PROGRAMS

11.A.1.ABC Educators VN Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students

Suellen Clayworth, Nursing Education Consultant (NEC), presented a report relative to the Board's concerns regarding ABC Educators VN Program's noncompliance with regulatory requirements. The program has had difficulty in achieving and maintaining compliant average annual program pass rates.

Program Representative:

Susan Yowell, Program Director

- Ms. Yowell reported that 80% of student population is ESL; this has presented the largest challenge to the program. The program does not anticipate having improved statistics until they graduate the class they are currently requesting permission to start. The administrators and faculty will be working with the HESI organization in order to improve their curriculum and better serve their current and future students.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked what type of screening criteria is being used to determine if the ESL students are capable of understanding and processing the information presented in class. Ms. Yowell responded the program has not used a screening process for language skills in the past, but will be implementing a HESI test for this purpose in the future.
- Mr. Vertido asked what kind of outreach is being employed in an effort to assist graduates of the program who have yet to pass the NCLEX. Ms. Yowell responded the program offers NCLEX review; but has not been successful in getting students to return for the review.
- Mr. Vertido asked what the program is doing to improve their contacts and the return rate of former students. Ms. Yowell said the program attempts to reach former students via phone calls and email. Some former students reported they have used the services of Kaplan and ATI for NCLEX review, but these students have not returned to ABC Educators.
- Mr. King said he is troubled in that he feels the program has given up on the students who have already graduated from the program and are presented as a lost cause. He also said these students paid for their education in good faith and the program has a responsibility to do everything possible to assist these students with passing their exams. He does not accept the notion the program is having difficulty contacting them and suggested they make extra efforts to contact and assist these students, perhaps even incentivizing the students to return. He finds it disheartening that the program has given up on prior students, but comes before the Board and says they want to improve their program and get back on the right track, and continue collecting revenue from new students. Ms. Yowell said they have not given up on former students and continues efforts to contact them. She also said the school is open five days a week and the students are welcome to return during that time for NCLEX review. Some of the students do return for review or set up study groups. Those students usually pass the NCLEX the first time; however, the majority of students report that upon graduation they have to seek employment immediately to support their families.
- Mr. King suggested the program could expand the hours of availability to these students, even remain open on weekends to accommodate the needs of their former students. He said the program could maintain their current pass rates and face loss of approval, or they could make an effort to assist former students in passing the NCLEX. Ms. Yowell thanked Mr. King for his comments and said they would be considered.
- Mr. Mah expressed concerns that the program does not expect any improvements with their pass rates in the next year and he asked for an explanation. Ms. Yowell explained they don't

have large classes so there will not be many opportunities for improvement. Also, former students are not sharing their plans with the program so she is not able to forecast their success.

- Mr. Mah asked for an explanation of the differences between former students and the new students under request, in regards to curriculum and screening. Ms. Yowell said there will be a large difference based on entrance and exit exams, only having one class at a time, and evaluations of faculty and results.
- Mr. D'Braunstein asked how many students have not yet passed the NCLEX. Ms. Yowell responded that she thinks the number of graduates is about 15, plus four scheduled to graduate November 15, and one class of three students that is scheduled to graduate after the November class.
- Mr. Vertido asked if there is any cost to students returning to the school for review. Ms. Yowell said all costs are supported by the school.
- Mr. Mah asked Ms. Yowell when would be a reasonable time for the program to say, "It's just not working." She responded that all concerned feel the next class will be their opportunity to make changes necessary to guarantee the success of all students. The program remains uncertain why many past students refuse to return for review, as the students who do return for review pass the NCLEX.
- Mr. Stanfield said some programs offer incentives to graduates to get them to return for NCLEX review.
- Mr. King said the Board is not comfortable with what is happening with this program and they should take it to heart and act accordingly. The next time this program comes before the Board for action, the Board will not be inclined to be generous if the program is not being enthusiastic in ensuring that their prior students are successful in passing the NCLEX.
- Mr. Vertido commented that pass rates have been well below state average for two years and the Board has the responsibility to protect consumers, in this case students. He also stated the program should have been proactive with their former students long before these problems started. He also said the program has failed to live up to their side of the contract with their students and it is with hesitation he feels he can approve additional students. He suggested the program get whatever assistance they need to improve their statistics or when they come before the Board in one year they may not like the results they obtain from the Board.
- Mr. King said he is for giving them the class of 12, per the NEC's recommendation, but he recommends the program do a better job screening potential students. He also said he feels the program has completely given up on previous students and is making little effort to reach out and help them pass the test.
- Mr. Vertido said as an educator he has noticed that students rise to the level that is expected of them by their school and by their instructors. If nobody holds the instructors accountable, how can they expect to hold the students accountable?

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

1. Continue ABC Educators Nursing School Vocational Nursing Program's provisional approval, with the next review to be done in November 2013.
2. Approve the program's revised curriculum and approve 688 theory hours and 954 clinical hours for a total of 1642 program hours.
3. Approve the program's request to admit 12 students into a part-time class commencing June 18, 2013, only, and graduating on December 11, 2014.

4. Continue to require the program to admit no additional students unless specifically approved by the Board.
5. 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.
6. 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. Place the program on the November 2013 Board agenda for reconsideration of provisional approval.

Moved/Seconded: Mark Stanfield/Eric Mah

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

11.A.2. Angeles College Vocational Nursing Program – Consideration of Placement on Provisional Approval; Consideration of Request to Admit Students

Pam Hinckley, NEC, presented a report relative to the low average annual pass rate of Angeles College VN Program. Of the 20 quarters of licensure data available for this program, 15 quarters are more than ten (10) percentage points below the state average annual pass rate.

Program Representatives:

Asima Jabbar, Program Director

Vicki Stern, Former Director & current consultant

- Ms. Jabbar has been the program director for five months. She thanked Ms. Hinckley for her direction and guidance. She also apologized to the Board for the program's poor performance and violations. The program is now doing outreach to graduates who have not yet passed the NCLEX, offering them incentives such as gas cards and movie tickets in an effort to get the students to return for NCLEX review and remedial tutoring, as needed. The school is open to students Monday – Saturday.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked Ms. Hinckley if she had received the revised, proposed curriculum from the program. Ms. Hinckley said she had received terms one and two, terms three and four will be delivered shortly, per the program director.
- Mr. Vertido asked when the Board can expect to receive the new curriculum for terms three and four. Ms. Jabbar said the Board would have them within a week. Mr. Vertido commented that he is heartened the program director is taking a proactive stance.
- Mr. Vertido asked how many faculty the program has on staff. Ms. Jabbar said, "About ten." Ms. Jabbar introduced former director, Vicki Stern. Mr. Vertido asked how often the faculty meets as a group. Ms. Stern said they try to meet every three months. Mr. Vertido asked for clarification of coordination between the theory and clinical instructors to ensure they are covering the same topics and seeking clinical patients to match the theory being covered at the time. Ms. Jabbar said the group met every three months under previous leadership, she meets with the faculty every month. She has also made it mandatory for clinical and

theory instructors to meet monthly to discuss individual student progress. She is also attending clinicals to do a first-hand evaluation of clinical instructors.

- Mr. Vertido asked what the program is doing differently now in regards to admitting new students and if they have changed their admission requirements. Ms. Jabbar said new students must now score a minimum of 85 on the HESI examination and they must be personally interviewed and approved by her. In the future she is planning to have fewer classes with a better caliber of students. Mr. Vertido asked if she has the support of the owners for these changes. Ms. Jabbar said she has full support and has been told they will spend whatever amount of money is necessary to improve the program.
- Mr. Mah asked about class sizes. Ms. Jabbar said classes start with 15 students and usually end with 12-13. She currently has an evening class that started with seven and is now down to six.
- Mr. Vertido asked for confirmation they had just started an evening class. Ms. Jabbar said that class started three months ago.
- Mr. D'Braunstein asked Ms. Stern if she works as a consultant at the school. She responded she had stepped down as director because she realized improving NCLEX scores had to be a priority for the school and "fresh blood" was needed. She helped recruit the present director and is now working closely with her as a consultant. Mr. D'Braunstein asked if she is also serving as a mentor. She said she is a mentor and also tutors students as needed.

MOTION: To accept the report and adopt the recommendations, with modifications to #3, as follows:

1. Place Angeles College Vocational Nursing Program on provisional approval for the two-year period from November 9, 2012 through November 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.
2. Rescind approval of the program's ongoing admissions.
3. Approve the program's admission of 15 students into an evening class beginning on January 21, 2013 only, graduating May, 2014, to replace students graduating October 4, 2012, pending complete submission, by November 12, 2012, and Board approval of the new curriculum.
4. Delegate to the Executive Officer discretionary authority to approve the program's part-time and full-time instructional plans.
5. Require the program to admit no additional classes without prior approval by the full Board.
6. 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.
7. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
8. Require the program to submit follow-up reports in nine months, but no later than August 1, 2013, and 21 months, but no later than August 1, 2014. 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.
9. 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. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 11. Place the program on the November 2014 Board agenda for reconsideration of provisional approval.

Moved/Seconded: John Vertido/Ling-Ling Chang

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

11.A.3.Casa Loma College, Hawthorne, Vocational Nursing Program – Consideration Placement on Provisional Approval; Consideration of Request for Major Curriculum Revision

Suellen Clayworth, NEC, presented a report relative to Board concerns related to the program's performance. The program has been more than ten (10) percentage points below the State's average annual pass rate for seven (7) quarters. The program has proposed changes which are stated in the NEC's report.

Program Representative:

Jayne Grint, Program Director

- Ms. Grint indicated that 100% of students are on some type of financial aid. She feels the program was lacking leadership in the past, and is aware of school's poor performance and feels she was hired to raise scores and improve the program. She met with the staff to determine what type of resources she had. She discovered one third-level faculty member is an NCLEX & ATI content expert. She is now using the expertise of this instructor to implement a new remediation program.
- Ms. Grint ensures that the students understand professionalism and fosters an environment of mutual respect between faculty and students. Everything is now student-centered, not faculty-centered.
- The class that is preparing for graduation is very motivated to do well on their NCLEX exams. She has initiated a pilot program for Level I and has not lost a single student. The remediation program is now open to all five levels of instruction.

Public Comment: None received.

Board Discussion:

- Mr. Vertido said he is heartened to hear of the positive changes Ms. Grint is making to the program, though he is dismayed to see the school back before the Board again. He encouraged her to keep moving forward. He also encouraged her to remind the owners that it is important to re-invest their profits back into the school.

MOTION: To accept the report and adopt the NEC's recommendations as follows:

1. Place the Casa Loma College, Hawthorne, Vocational Nursing Program on provisional approval for the two-year period from November 9, 2012, through November 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.
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 rates.
3. Approve the admission of the class of 30 students projected to start on December 17, 2012.
4. Rescind the program's approval for ongoing admissions and require the program to obtain approval by the full Board prior to the admission of additional students.
5. Approve the program's proposed curriculum revision to include 680 theory hours and 976 clinical hours for a total of 1656 program hours.
6. Require the program to submit follow-up reports in nine (9) months, but no later than August 1, 2013, and 21 months, but no later than August 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.
 - 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 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.
8. 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.
9. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

10. Place the program on the November 2014 Board agenda for reconsideration of provisional approval.

Moved/Seconded: John Vertido/Mark Stanfield

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

11.A.4. Palladium Technical Academy Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students

Pam Hinckley, NEC, presented a report relative to Palladium Technical Academy's history of noncompliance. The program's average annual pass rate is 12%, which is 62 percentage points below the state average annual pass rate. Data on file for this program shows that its average annual pass rate has not been higher than 48%.

Program Representative:

Ann Catone, Program Director; Betty Peacock, Assistant Director

- Ms. Catone indicated that the program has initiated a new rubric for admissions and screening, started a new pre-admissions class to build the students' basic skills, installed a new computer lab, and offers continuous NCLEX review and one-on-one tutoring. The school is open for students 8:00 am – 10:00 pm Monday through Friday, 8:00 am – 5:00 pm Saturdays, and Sundays by appointment. The clinical ratio is one instructor per seven students. The program would like to withdraw their request for additional students and ask the Board to delay revocation of approval until their next scores are available.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked Ms. Catone if she was asking the Board to delay action until the next group of students had an opportunity to take the NCLEX exam and so the Board could examine the results that would justify the changes in curriculum the program had made for that class. Ms. Catone stated class #4 had already graduated and one student has applied to take the NCLEX. The program offered to reimburse students upon successful completion of the exam, but found that students could not afford to pay the fees. The school is now offering to pay the NCLEX fees up front for the students if they make a high enough score on their ATI predictor test. Additionally, they give the students a \$200 bonus if they pass the NCLEX.
- Mr. Mah asked Ms. Catone if it was correct that she was initially resistant to Ms. Hinckley's recommendations. Ms. Catone said she was not resistant, she simply didn't understand what was being asked of her. She had a mental block and had trouble processing the information.
- Mr. King told Ms. Catone the program had been under Board scrutiny for quite a while and said he is not willing to entertain her request as the program's scores are embarrassingly low.

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

1. Deny Palladium Technical Academy's request to admit 30 students into a class commencing on January 14, 2013 and graduating on April 11, 2014.
2. Revoke the approval of Palladium Technical Academy's Vocational Nursing Program effective December 31, 2012.
3. Remove the program from the Board's *List of Approved Vocational Nursing Programs*.

4. Notify the Bureau of Private Postsecondary Education (BPPE) of the program's revocation.

Moved/Seconded: Victor King/John Vertido

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

11.A.5. Stanton University Vocational Nursing Program – Reconsideration of Provisional Approval

Pam Hinckley, NEC, presented a report relative to Stanton University Vocational Nursing Program's failure to communicate required information to the Board. The program failed to submit required reports; failed to notify the Board of the termination of 37 faculty members; has been without a Board-approved director for over eleven (11) months; and, has been noncompliant 15 out of the last 16 quarters with regards to their average annual pass rates.

Program Representative:

No representative from the program was present.

Public Comment: None received.

Board Discussion: None received.

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

1. Revoke approval for the Stanton University Vocational Nursing Program effective immediately.
2. Remove the program from the Board's *List of Approved Vocational Nursing Programs*.
3. Notify the BPPE of the program's revocation.

Moved/Seconded: John Vertido/Jessica Leavitt

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

11.B.1. Bay Area College of Nursing, Palo Alto, Vocational Nursing Program –Consideration of Request to Admit Students

Suellen Clayworth, NEC, presented a report relative to the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program making changes aimed at helping to improve students' ability to succeed in learning the necessary knowledge and skills to become safe entry-level licensed vocational nurses and to improve student licensure pass rates to be within regulatory standards.

Program Representative:

Dr. Yanzy Aquino

- Dr. Aquino reported that the program director is unable to attend due to illness.
- Dr. Aquino asked the Board to adopt the recommendations of the NEC.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked if there is a new screening process to be used for new students. Dr. Aquino said the new screening process has been implemented. Mr. Vertido asked if the new process includes an interview with the director of nurses. Dr. Aquino confirmed that it does.

Mr. Vertido asked if the process includes ATI or HESI testing. Dr. Aquino said the screening process does include testing and minimum scores are required.

- Mr. D'Braunstein asked if the recommended 20 students have been selected yet. Dr. Aquino said at least some of the students had been selected, but he didn't have the exact number available.

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

1. Approve the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit 20 students plus two (2) alternates into an evening class commencing November 26, 2012 and graduating February 16, 2014.
2. Continue to require the program to admit no additional students unless approved by the full Board.

Moved/Seconded: John Vertido/Victor King

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

11.B.2. Bethesda University of California Vocational Nursing Program – Consideration of Request to Admit Students

Pam Hinckley, NEC, presented a report relative to the poor pass rates of Bethesda University of California Vocational Nursing Program. The program was placed on provisional approval May 11, 2012 for two (2) years due to the program's average annual pass rate being 45 percentage points below the state average annual pass rate. Currently, the program is 39 percentage points below the state average annual pass rate.

Program Representative:

Nanyun Lee, Program Director

- Mr. Lee indicated that Sky Management managed both Bethesda and Stanton. Sky mismanaged both schools, and lost the management contract with Stanton. They then transferred students from Stanton to Bethesda without Board approval. These students were already at risk. The transferred students all had low NCLEX scores and presented problems for Bethesda as this group of students all had to be assessed to determine how best to help them. Bethesda invested over one million dollars in improving their program with NCLEX, ATI and virtual ATI. The program now requires an ATI score of 90% or better and 85% or better on the predictor test in order to graduate.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked Ms. Hinckley if she had received clarification of the relationship between Bethesda and Stanton. Ms. Hinckley said that was still a murky area.
- Mr. Vertido asked for confirmation that the management company was managing both Stanton and Bethesda. He asked if Sky Management forced Bethesda to accept the Stanton students, despite not having assessments of each student. Ms. Lee confirmed that and said that she has been unable to obtain records of the prior administration at Bethesda. Sky Management is holding the student records from the time they were at Stanton.
- Ms. Bello-Jones asked who Bethesda's owners are. Bethesda University owns Bethesda Program.

- Mr. Stanfield asked if the transferred Stanton students will be able to obtain their original transcripts and any other documentation from Stanton. Ms. Lee said the program is trying to obtain all records from Sky Management but, to date, they are having a difficult time getting anything from Sky.
- Mr. Stanfield asked for clarification of what the million dollar investment was used for. The assistant director said it was used directly for the students (i.e. NCLEX preparation, etc.).
- Mr. King asked if Bethesda University has a Board of Directors or Board of Trustees. Ms. Lee said they do. Mr. King asked Ms. Lee if she would assure him that the individuals on their Board would be asked to view the webcast. She said yes.
- Mr. King said he finds Ms. Lee's presentation and answers to questions to be completely unacceptable. He said she is giving pleas for sympathy, rather than an action plan of how to help the Stanton transferred students.

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

1. Deny Bethesda University Vocational Nursing Program's request to admit 30 part-time students into a class commencing on January 10, 2013 and graduating on June 15, 2014.
2. Deny the program's request to admit 30 full-time students into a class commencing on March 10, 2013 and graduating on March 20, 2014.
3. Continue to require the program to obtain full Board approval prior to the admission of each class.

Moved/Seconded: John Vertido/Ling-Ling Chang

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

11.B.3. Community Based Education & Development College of Vocational Nursing Program – Consideration of Request to Admit Students

Suellen Clayworth, NEC, presented a report relative to the program's consistent failure to bring its average annual pass rate to no more than ten (10) percentage points below the state average annual pass rate.

Program Representative:

Alice Sorrell-Thompson, Program Director

- Ms. Sorrell-Thompson indicated that program continues the struggle to bring their pass rates up. Program has implemented a new graduation tracking system so they can keep a handle on the progress of students in preparing to take their NCLEX exam. The need for student remediation is tracked earlier in training than previously. They are using outreach to contact graduates who have not yet passed NCLEX and feel that is a successful effort. They need an additional class in order to have the funds to continue newly implemented efforts. They set money aside when the last class started to be used to help students pass NCLEX. That money is coming to an end.

Public Comment: None received.

Board Discussion:

- Mr. Stanfield asked how many students are currently enrolled. Ms. Clayworth said they currently have 38 students. They will soon have 23 graduating, leaving them with 15 students.

- Mr. Vertido asked Ms. Sorrell-Thompson when she became program director. She answered 2009.
- Mr. Vertido said CBD's integrity has been called into question in the past (i.e. calling him his residence, mailing information to him at home and saying they didn't have the Board's address). He also said CBD has had five years, or 20 quarters, of below standard test results. He also said they have a record of not following the rules and he wonders if their current efforts are too little, too late. Mr. Vertido also said he would find their efforts more credible if they had listed weekend instruction in their written plan, rather than verbally offering it when they are before the Board.
- Mr. King asked if it is true the program is asking for additional classes in order to generate cash flow to implement the improvements the program says they will make. The program representative confirmed that is true.
- Mr. D'Braunstein asked if the Board can expect to hear good news about this program at the May 2013 meeting. The program representative said yes.

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

1. Deny Community Based Education & Development College Vocational Nursing Program's request to admit 20 students into the non-degree class commencing November 26, 2012 only, graduating March 18, 2014, to replace students graduating November 18, 2012.
2. Deny the program's request to admit 20 students into the degree-granting class commencing December 10, 2012 only, graduating May 12, 2014.
3. Continue to require the program to obtain approval by the full Board prior to admission of each class.

Moved/Seconded: John Vertido/Victor King
 Support: 7 Oppose: 0 Abstain: 0

Board Member Ling-Ling Chang left the meeting for another commitment.

11.B.4. Solano College of Nursing Vocational Nursing Program – Consideration of Request to Admit Students

Suellen Clayworth, NEC, presented a report relative to the program's noncompliance with bringing its average annual pass rate to no more than ten (10) percentage points below the state average annual pass rate for the past nine (9) quarters.

Program Representative:

Ms. Mercado, Assistant Director
 Leticia Weber, Owner & Administrator

- Ms. Mercado asked the Board members to approve the proposed class.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked if the new curriculum would be implemented with a new class start. Ms. Clayworth said that would be the goal.
- Mr. Vertido asked if Ms. Mercado was aware that the program appeared before the Board the last meeting. She was. He also commented on the program having 13 unauthorized class

starts. Ms. Mercado confirmed that information. Mr. Vertido said he was gratified to see the program is changing that pattern and asking the Board before starting a new class.

- Mr. Vertido asked what the time commitment will be when a new program director is hired. Ms. Mercado said it will be a full-time position. He asked Ms. Mercado if she is full-time. She said she is.
- Mr. Vertido asked the owner if she will allow the directors to run their program and if they have her full support to make decisions and implement the changes that are needed. He told her they will need her support and a free hand to operate the program as needed to meet the criteria. He asked the owner if she is willing to put her money and her name on the line to turn the program around. She said she is.
- Mr. Vertido asked the owner is she will be able to fiscally support the program if the requested class is not approved. She said she will try. He asked if she will try or will she do it. She said yes, she will support the program.
- Mr. Vertido told the owner the new director will be the school's third director in three months and he does not find that reassuring. He feels the program does not have stability.
- Mr. Vertido asked if the school will be undergoing curriculum changes. The owner stated it will and that the proposal has been submitted to the Board for approval. He then asked Ms. Clayworth if she has received the proposal. She has not. He asked the owner if the changes had been submitted or not. She said no.
- Mr. D'Braunstein asked Mr. Vertido if his wishes are consistent with recommendation #3. Mr. Vertido said yes and that is why he had asked from clarification from Ms. Clayworth.

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

1. Deny the Solano College of Nursing Vocational Nursing Program's request to admit a class of 15 students on November 12, 2012, graduating on July 26, 2013, to replace a class that graduated September 21, 2012.
2. Continue to require the program to obtain approval by the full Board prior to the admission of additional students.
3. Require the new program director to submit a comprehensive analysis of the program no later than December 15, 2012, that includes specific actions planned to improve program pass rates, a timeline for implementation, and expected outcomes. 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.

Moved/Seconded: John Vertido/Jessica Leavitt

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

11.B.5. Southern California Medical College Vocational Nursing Program – Consideration of Request to Admit Students

Pam Hinckley, NEC, presented a report relative to the progress made by Southern California Medical College Vocational Nursing Program in improving its average annual pass rate. One year ago, the program's average annual pass rate was 20%. Currently, it is 64%, ten (10) percentage points below the state average annual pass rate.

Program Representative:

Nomar Tongco, Program Director

- Mr. Tongco said their time on provisional approval has been a real eye-opener and has given the program time to analyze their curriculum and make changes that were needed. Previously, he was running the program in isolation. Now he attends conferences and training to learn how to better serve the students and guarantee the success of the school. He asked the Board to approve the NEC's recommendation to allow him to admit a new class in January.

Public Comment: None received.

Board Discussion:

- Mr. Vertido congratulated Mr. Tongco for raising the program's average annual pass rate by 44% in the space of one year and reminded him to continue working in that direction.
- Mr. Mah said the program is still in a fragile position and will need to continue the hard work.

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

1. Approve the Southern California Medical College Vocational Nursing Program's request to admit a class of 20 full-time students on January 28, 2012, only, graduating on February 7, 2014.
2. Continue the program's requirement to obtain approval by the full Board prior to the admission of additional classes.

Moved/Seconded: John Vertido/Mark Stanfield

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

11.B.6. Valley College of Medical Careers Vocational Nursing Program – Consideration of Request to Admit Students

Pam Hinckley, NEC, presented a report relative to the program's poor performance statistics. The program's licensure pass rates have been 13 to 43 percentage points below the state average annual pass rate since licensure data has been available for the program.

Program Representative:

Tricia Devin, Program Director

- Ms. Devin indicated that some students have moved to Texas due to economic conditions. The first class start under her supervision is doing well.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked about the students who have moved to Texas. Ms. Devin confirmed that fact and stated that Texas has more stringent requirements for science classes. Texas is denying reciprocity to these students.
- Mr. Vertido asked if the students who remain in the program are being neglected while the program works with the students who have relocated to Texas. Ms. Devin said no.
- Mr. King asked how many students have graduated, but not yet taken their boards. Ms. Devin was unable to answer the question and said she did not have that information with her.
- Mr. King determined that the students who have moved to Texas total less than five per cent of the total student population.
- Mr. King asked why documentation was seven weeks late after it was requested by the Board. Ms. Devin said it was due to a changeover from the last DON to her assuming the position. Mr. King asked when the data was requested. She said the data was requested in August. Mr. King asked when she came on board as director. Ms. Devin said she started in April of this year.
- Mr. Mah asked when the program is scheduled to come before the Board again. He was told November 2013.
- Mr. Stanfield asked if it's true the program currently has 21 students enrolled and asked how those students are doing. Ms. Devin confirmed the number, said they are now completing level IV and they are doing very well. Mr. Stanfield asked when the next class will graduate. He was told March 2013.

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

1. Deny the Valley College of Medical Careers' request to admit a class of 20 full-time, day students on November 12, 2012, graduating on February 1, 2014 to replace a class that graduated August 13, 2012.
2. Deny the program's request to admit a class of 20 full-time, evening students on November 12, 2012, graduating on February 1, 2014.
3. Continue the program's requirement to obtain approval by the full Board prior to the admission of additional classes.

Moved/Seconded: John Vertido/Eric Mah

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

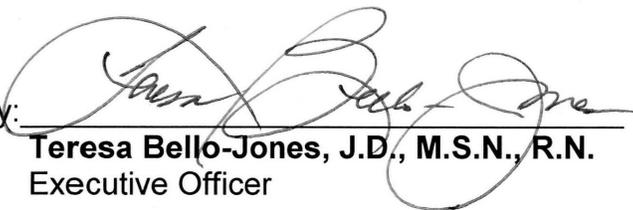
12. PUBLIC COMMENT PERIOD

- A woman who did not identify herself said she would like to hear feedback from Board members other than Victor and John. The same woman also asked if the Board will ever have more jurisdiction over the ownership of the schools. Mr. Vertido said the Board's jurisdiction is over the practice of vocational nursing and psychiatric technicians. Schools can go beyond that, but the Board would be outside its scope of practice, and scope of law, to try to influence the schools beyond what the law allows. Mr. Vertido said the Board is charged with licensing individuals for LVN and PT and approving schools that teach these vocations. This same woman also asked if program directors should take a more firm position before accepting leadership roles. Mr. Vertido said that would be up to the individual and their relationship with the people who are hiring them. Ms. Renteria commented that the Board was created by legislative action and therefore, cannot go beyond what is stated in that legislation.

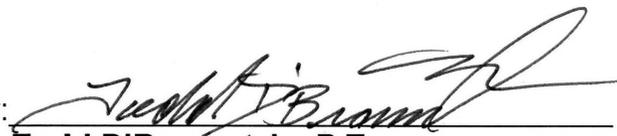
- A representative from Homestead Schools asked about the BreEZe program. He asked if it would be implemented in 2013 and would it improve the application process. The EO said we will be coming on line with BreEZe in April 2013 and it will help with the applicatic. process and many others.
- Mr. Mah asked if there are written procedures for the mail balloting. He also asked if Board staff could send to Board members a copy of the minutes from disciplinary hearings. Ms. Renteria suggested adding these procedural matters as an agenda item at the next Board meeting.

13. ADJOURNMENT

The meeting was adjourned at approximately 3:30 pm.

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

Date: February 22, 2013

Approved by: 
Todd D'Braunstein, P.T.
President

Date: 2-22-2013

(2/6/13)