



BOARD MEETING MINUTES

FEBRUARY 28, 2014

LOS ANGELES, CALIFORNIA

BOARD MEMBERS

PRESENT:

Todd D'Braunstein, P.T. Member, President
Eduardo Angeles, Public Member – arrived at 10:40 a.m.
Vivien Avella, Public Member
Tammy Endozo, L.V.N. Member
Samantha James-Perez, P.T. Member
Jessica Leavitt, Public Member
Andrew Moreno, Public Member
Donna Norton, L.V.N. Member
Susan Rubin, Public Member
John Vertido, L.V.N. Educator Member

BOARD MEMBERS

ABSENT:

Eric Mah, Public Member, Vice-President

STAFF PRESENT:

Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer
Cheryl Anderson, M.S.N., R.N., Supervising Nursing Education
Consultant
Pam Hinckley, M.S.N., R.N., Nursing Education Consultant
Suellen Clayworth, M.N., R.N., Nursing Education Consultant
Mark Ito, Licensing Program Analyst
Jay Prouty, Enforcement Program Analyst
Laura Freedman, 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., February 28, 2014, at the Radisson Hotel at Los Angeles Airport, 6225 West Century Boulevard, Los Angeles, California 90045.

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. ELECTION OF OFFICERS

MOTION: To elect Todd D'Braunstein as Board President.

Public Comment: None Received.

Board Discussion: None Received.

Moved/Seconded: Jessica Leavitt/Samantha James-Perez

Support: 8 **Oppose:** 0 **Abstain:** 1

MOTION: To elect John Vertido as Board Vice President.

Public Comment: None Received.

Board Discussion: None Received.

Moved/Seconded: Andrew Moreno/Vivien Avella

Support: 8 **Oppose:** 0 **Abstain:** 1

5. 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 Nursing School	Curam College of Nursing
Advanced Computing Institute	High Desert Medical College
Advanced Medical School of Nursing	Infotech Career College
Angeles College	Intercoast - Fairfield
Annenberg School of Nursing	Kaplan College- Modesto
Bay Area College of Nursing – Daly City	NCP College of Nursing
Bay Area College of Nursing – Palo Alto	North West College
California Career Institute	Santa Barbara Business College
Casa Loma College – Hawthorne	Stanbridge College
Casa Loma College – Van Nuys	Summit College – Anaheim
Charles A. Jones LVN School	Summit College – Colton
Charter College – Long Beach	
Clovis Adult and Vocational Education	

6. 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.

7. EXECUTIVE OFFICER'S REPORT

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

- Board Member Update
- Joint Informational Hearing: Oversight of Certified Nursing Assistants

- Internal Audit
- Examination Update
- Expert Witness Program
- Liaison Activity Update
- Personnel Update
- Customer Service Surveys

Public Comment: None received.

Board Discussion:

- Vivian Avella requested that the Board set tangible goals for processing the approved school applications and include the workload status in future Executive Officer's reports.
- Andrew Moreno asked the Board staff if the Senate gave any inclination on what the outcome of the Joint Informational Hearing would be. Ms. Bello-Jones responded that there is not any current legislation, but that a spot bill is a possibility.

8. CONSENT CALENDAR

- A. Adoption of November 21-22, 2013 Board Meeting Minutes.
- B. EO's Report on Decisions for Vocational Nursing (VN) and Psychiatric Technician (PT) Programs.

Public Comment: None received.

Board Discussion:

- Jay Prouty, Enforcement Program Analyst, stated that there is an error in the Disciplinary Board Meeting Minutes. The Board Member's decision regarding Heather Zander's Petition for Early Termination of Probation should state, "The Board denied the Petition for Early Termination of Probation of the vocational nurse license, but granted a modification of the conditions of probation."

MOTION: To accept the Consent Calendar items as amended.

Moved/Seconded: John Vertido/Vivien Avella
Support: 7 **Oppose:** 0 **Abstain:** 2

9. PRESENTATION OF 2013 ANNUAL REPORT

Teresa Bello-Jones, Executive Officer, presented the 2013 Annual Report with the following highlights:

- The Board continued its development of the Investigations Unit within the Enforcement Division.
- The Board continued to assist in the development, configuration and design of the BreZE system to meet the Board's business requirements and processes.
- Legislative and Regulatory actions.
- Statistical data and workload activities.
- Liaison activities.

Public Comment: None received.

Board Discussion: None received.

10. BreEZe UPDATE

Mark Ito, Licensing Analyst, provided an update to the status of the implementation of BreEZe, which will replace the existing Consumer Affairs System (CAS), Applicant Tracking System (ATS), and multiple workaround systems with a commercial off-the-shelf system for use by the DCA organizations.

Public Comment: None received.

Board Discussion:

- Andrew Moreno stated that he is aware of issues with BreEZe for the Board of Registered Nursing and inquired if the Board is aware of issues with other Boards. Mr. Ito responded that there have been issues for the Boards and Bureaus included in the first release of BreEZe. However, the Board is ensuring that all processes are provided to the BreEZe Team at a granular level and that the lessons learned from the first release of BreEZe will assist the Board in the development of our system.
- John Vertido asked Mr. Ito if there is a backup option in place for BreEZe if the system cannot manage the Board's business processes efficiently. His concern is that the Board encourages students to take the examination shortly after they graduate, but the system may not be able to approve them to take the examination in a timely manner. Mr. D'Braunstein responded that the Board's backlog on school application has been resolved. Additionally, Mr. D'Braunstein stated that the BreEZe system will not be implemented until all of the Boards and Bureaus are in agreement that the system meets their business needs. Ms. Bello Jones stated that the CAS and ATS computer systems will be available for staff.

11. PRESENTATION OF THE LEGISLATIVE REPORT

Mark Ito, Licensing Program Analyst, reported on 12 bills currently being tracked.

Public Comment: None received.

Board Discussion: None received.

12.A. UPDATE ON PROPOSED REGULATORY ACTION TO IMPLEMENT AB 1588, WAIVER OF RENEWAL REQUIREMENTS

Mark Ito, Licensing Program Analyst, presented a report relative to proposed regulatory action to implement AB 1588, waiver of renewal requirements. AB 1588 requires the Board to waive the license renewal requirements for any licensee who is called to active duty as a member of the United States Armed Forces or the California National Guard. The Board anticipates filing a Notice of Proposed Regulations with the Office of Administrative Law in March 2014.

Public Comment: None received.

Board Discussion:

- John Vertido asked Mr. Ito if subsection (d) of the language refers to licensees on active duty working in their military capacity as a nurse. He is concerned that there may be a conflict of interest between the federal and state.

- Donna Norton requested the Board to clarify the language regarding active duty in the proposed language. She stated that the intent of the regulation is clear, but the language is vague.
- Laura Freedman stated that she will work with the Board on the proposed language.

12.B. UPDATE ON PROPOSED REGULATORY ACTION TO IMPLEMENT SB 539, PERMISSIVE SITE VISITS.

Mark Ito, Licensing Program Analyst, presented a report relative to proposed regulatory action to implement SB 539, permissive site visits. Mr. Ito reported that a public hearing was held on August 5, 2013. The Board received no oral or written comments from the public. Subsequently, on August 19, 2013, the Board published a 15-day notice of proposed changes as advised by the Board's Legal Counsel. The notice specified changes recommended by the DCA Division of Legislative & Policy Review. On October 21, 2013, the Board approved the amended notice, proposed language, and Initial Statement of Reasons. Subsequently, DCA returned the Economic and Fiscal Impact Statement to the Board for correction. Preparation and submission of the Final Rulemaking File is anticipated to be completed in March 2014.

Public Comment: None received

Board Discussion: None received.

13. EDUCATION DIVISION REPORTS REGARDING VN & PT PROGRAMS

13.A.1. Medical Career College Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students.

Suellen Clayworth, Nursing Education Consultant (NEC), presented a report relative to reconsideration of provisional approval and consideration of the request to admit students for the Medical Career College, Fremont, Vocational Nursing Program. On February 18, 2010, the Board placed the program on provisional approval for the two-year period from February 18, 2010 through February 17, 2012, due to noncompliance with regulatory requirements relative to program pass rates. On February 24, 2012, the Board extended the program's provisional approval for the one-year period from February 18, 2012 through February 28, 2013. On February 6, 2013, the Board extended the program's provisional approval for the one-year period from February 22, 2013 through February 28, 2014.

Based on data from the 4th quarter of 2013, the program's average annual pass rate is 69%, which is seven (7) percentage points below the state average annual pass rate.

Program Representative:

Marilyn Castillo, Program Director

- Ms. Castillo thanked Cheryl Anderson for her continued support. She indicated that one of the students who took the licensure examination during the last quarter of 2013 was a student who graduated over a year ago.

Public Comment: None received.

Board Discussion:

- Vivien Avella asked Ms. Castillo when the most recent class graduated. Ms. Castillo responded that the 13 students graduated in September 2013. Ms. Avella stated that the Board should be more consistent on the decisions made regarding schools on provisional approval.
- Eduardo Angeles asked Ms. Castillo if she supported the recommendations in the program's report. Ms. Castillo confirmed that she is in support of the recommendations.
- John Vertido stated that the student that graduated over a year ago is still one of her school's candidates regardless of the time elapsed after the graduation date.

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

1. Extend the Medical Career College Vocational Nursing Program's provisional approval for the one-year period from February 28, 2014 through February 28, 2015, and issue a notice identifying specific areas of non - compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (See Attachment D)
2. Approve the program's request to admit 15 students into a day class commencing August 11, 2014, and graduating September 4, 2015, to **replace** students scheduled to graduate June 6, 2014.
3. Approve the program's request to admit 15 students into an evening class commencing October 13, 2014, and graduating November 5, 2015, to **replace** students scheduled to graduate on October 9, 2014.
4. Require the program to admit no additional students unless approved by the full Board.
5. Require the program to submit a follow-up report no later than **November 1, 2014**. The report must include a review of the comprehensive analysis submitted by the program including the effect of employed interventions and identification of revisions required to the program's plan of correction, and a timeline for implementation.
6. Failure to show progress shall constitute cause for revocation of provisional approval.
7. 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.
8. Require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
9. Require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
10. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
11. Place the program on the **February 2015** Board agenda for reconsideration of provisional approval.

Moved/Seconded: John Vertido/Eduardo Angeles

Support: 10 **Oppose:** 0 **Abstain:** 0

13.A.2. Valley College of Medical Careers Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students

Pam Hinckley, NEC, presented a report relative to reconsideration of provisional approval and consideration of the request to admit students for the Valley College of Medical Careers Vocational Nursing Program. On November 10, 2011, the Board placed the program on

provisional approval for the two-year period from November 10, 2011 through November 30, 2013, due to noncompliance with regulatory requirements relative to program pass rates. On November 22, 2013, the Board extended the program's provisional approval for the period from December 1, 2013 through February 28, 2014.

Based on data from the 4th quarter of 2013, the program's average annual pass rate is 69%, which is seven percentage points below the state average annual pass rate.

Program Representative:

Carol Williams, Program Director

- Ms. Williams thanked Ms. Clayworth and recommended that the Board approve the recommendations of the NECs.

Public Comment: None received.

Board Discussion: None received.

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

1. Extend provisional approval of Valley College of Medical Careers Vocational Nursing Program for the one (1) year period from February 28, 2014 through February 28, 2015 and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
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.
3. Approve Valley College of Medical Careers Vocational Nursing Program's request to admit a class of 20 full-time day students on May 19, 2014, graduating on August 18, 2015, to **replace** the day class that was graduated December 20, 2013.
4. Require the program to admit no additional classes without prior approval by the full Board.
5. Require the program to submit a follow-up report in nine (9) months but no later than **November 1, 2014**. The report must include a review of the prior comprehensive analysis, effectiveness of employed interventions, revisions to the original plan, and timeline for implementation and correction.
6. 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 2525.
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. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

Moved/Seconded: Eduardo Angeles/Samantha James-Perez

Support: 10 **Oppose:** 0 **Abstain:** 0

13.A.3. West Med College, Merced, Vocational Nursing Program – Reconsideration of Provisional Approval; Consideration of Request to Admit Students

Suellen Clayworth, NEC, presented a report relative to the reconsideration of provisional approval and consideration of the request to admit students for the West Med College, Merced, Vocational Nursing Program. On February 24, 2012, the Board placed the program on provisional approval for the two-year period from February 24, 2012 through February 28, 2014, due to noncompliance with regulatory requirements relative to program pass rates.

Based on data from the 4th quarter of 2013, the program's average annual pass rate is 64%, which is twelve (12) percentage points below the state average annual pass rate.

Program Representative:

Donna Chin, Program Director

- Ms. Chin thanked the Board for their support and stated that she supports the recommendations in the program's report.

Public Comment: None received.

Board Discussion:

- Ms. James-Perez stated that she is concerned with the results of the student surveys in the program's report. Ms. Chin responded that they reviewed the student surveys and made the necessary corrections.

MOTION:

1. Extend provisional approval for the West Med College, Merced, Vocational Nursing Program for one year from February 28, 2014 through February 28, 2015, and issue a certificate, and issue a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Approve the program's request to admit a class of 30 full-time students and three alternates on May 5, 2014, **only**, graduating June 25, 2015, to **replace** students that graduate on June 26, 2014
3. Require the program to admit no additional students unless approved by the full Board.
4. Require the program to submit a follow-up report no later than **November 1, 2014**. The report must include a review of the comprehensive analysis submitted previously by the program including the effect of employed interventions, identification of revisions required in the program's plan of correction, and timeline for implementation.
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 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.
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. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

9. Place the program on the **February 2015** Board agenda for reconsideration of provisional approval.

Moved/Seconded: Andrew Moreno/John Vertido

Support: 10 **Oppose:** 0 **Abstain:** 0

13.B.1. Career Colleges of America, Los Angeles, Vocational Nursing Program – Consideration of Inadequate Program Resources

Pam Hinckley, NEC, presented a report relative to the consideration of inadequate program resources for the Career Colleges of America, Los Angeles, Vocational Nursing Program. On November 14, 2013, the Board received electronic correspondence from Ron Schaechter, Chief Executive Officer (CEO) of the program, indicating that the school has stopped offering the vocational nursing program. On January 10, 2014, Mr. Schaechter emailed the Board and requested information on what the program would need to do should they decide to offer the vocational nursing program in the future. The Board advised Mr. Schaechter the program would need to get a Board-approved director and the director would need to complete and submit the program records survey which was due on June 3, 2013, and verify adequate staff and clinical facilities.

On January 28, 2014, the Board received information stating that Career Colleges of America, San Bernardino, South Gate, and Los Angeles, had ceased offering all classes at all campuses. Research into the status of the program substantiated that the Accrediting Council for Continuing Education and Training (ACCET) had withdrawn accreditation of all Career Colleges of America campuses effective January 9, 2014. The Bureau for Private Postsecondary Education (Bureau) confirmed that Career Colleges of America, Los Angeles, was approved by the Bureau by means of accreditation. Therefore, once the program lost their accreditation by ACCET, they also lost Bureau approval to operate.

Based on data from the 4th quarter of 2013, the program's average annual pass rate is 67%, which is nine (9) percentage points below the state average annual pass rate.

Program Representative: There was no program representative present.

Public Comment: None received.

Board Discussion:

- Ms. James-Perez asked if placing the program on provisional approval is necessary since their accreditation from the Accrediting Council for Continuing Education and Training (ACCET) has been taken away. Ms. Freedman stated that BPPE approval is a required condition for any private postsecondary program to operate in state, however BPPE does not require Board approval to operate.
- Ms. Norton asked the Board why Board staff is recommending provisional approval based on the school's history. Ms. Anderson stated that, to date, the Board has not given the school an official notice of identified deficiencies and required corrections. Pursuant to California Business and Professions Code Section 2883, the Board is required to issue the program an official written notice specifying identified deficiencies and required corrections. If the program fails to correct the deficiencies within a reasonable time, the Board may remove the program from its list of approved programs. Ms. Anderson stated that the recommendations will provide the school with the required official notice. The

program will be placed on the May 2014 agenda at which time the Board can reconsider the program's status and take final action.

MOTION:

1. Place the Career Colleges of America, Los Angeles, Vocational Nursing Program on provisional approval for a three (3) month period from February 28, 2014, through May 31, 2014 and issue a notice identifying 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 demonstrate approval by the Bureau for Private Postsecondary Education by March 31, 2014.
3. Require the program to obtain a Board – approved program director and faculty and submit the previously requested required reports by March 31, 2014.
4. Require the program to admit no additional classes without prior approval by the full Board.
5. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
6. Place the program on the **May 2014** Board agenda for reconsideration of provisional approval.

Moved/Seconded: John Vertido/Eduardo Angeles
Support: 10 **Oppose:** 0 **Abstain:** 0

13.B.2. Premiere College Vocational Nursing Program – Consideration of Placement on Provisional Approval.

Pam Hinckley, NEC, presented a report relative to the consideration of placement of provisional approval for the Premiere College Vocational Nursing Program. Based on data from the 4th quarter of 2013, the program's average annual pass rate was 56%, which is 20 percentage points below the state average annual pass rate.

Program Representative:

Zenaida Plata, Program Director

- Ms. Plata thanked Ms. Hinckley for her support and stated that she agrees with the recommendations in the program's report. She also stated that she will continue to work on the program's issues and improve the program's pass rate. She is requesting an additional class of thirty (30) students to replace a class graduating in March 2014.

Public Comment: None received.

Board Discussion:

- Mr. Vertido stated that it is inappropriate to add more students since the program has had poor pass rates for over eight (8) quarters. He added that the program needs to improve their current student's pass rates.
- Ms. Avella stated that the Board needs to be consistent with decisions that they have made regarding other programs on provisional approval. She indicated that the program has had recent graduates that have not had the opportunity to show that the school's new curriculum is working.

MOTION:

1. Place Premiere Career College on provisional approval for a two (2) year period from February 28, 2014, through February 28, 2016 and issue a notice to the program identifying specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Require the program to admit no additional classes without prior approval by the full Board.
3. Place the program on the May 2014 Board agenda for consideration of the request to admit additional students.
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.
5. Require the program to submit a follow-up report in nine (9) months but no later than **November 1, 2014**, and **21** months but no later than **November 1, 2015**. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.
 - e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.
 - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - o. Evaluation of Student Achievement.
6. 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 2525.
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. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
9. Place the program on the **February 2016** Board agenda for reconsideration of provisional approval.

Moved/Seconded: John Vertido/Eduardo Angeles

Support: 10 **Oppose:** 0 **Abstain:** 0

13.B.3. Prime Career 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 consideration of placement on provisional approval and consideration of the request to admit students for the Prime Career College Vocational Nursing Program. Based on data from the 4th quarter of 2013, the program's average annual pass rate was 46%, which is thirty (30) percentage points below the state average annual pass rate.

Program Representative:

Marivic Aquino, Program Director

- Ms. Aquino stated that she is in the process of resigning her position as the program director. The new program director will be hired prior to her resignation.

Public Comment: None received.

Board Discussion: None received.

MOTION:

1. Place the Prime Career College Vocational Nursing Program on provisional approval for a two (2) year period from February 28, 2014, through February 28, 2016 and issue a notice identifying specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Approve the program's request to admit 20 students into a full-time day class on March 10, 2014 only, with a projected graduation on April 10, 2015, to **replace** students who graduated on June 6, 2013, provided that the program has no more than ten (10) students per instructor during clinical experience.
3. Require the program to admit no additional classes without prior approval 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.
5. Require the program to submit a follow-up report in nine (9) months but no later than **November 1, 2014** and 21 months but no later than **November 1, 2015**. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.
 - e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.
 - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.

- o. Evaluation of Student Achievement.
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 2525.
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 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 **February 2016** Board agenda for reconsideration of provisional approval.

Moved/Seconded: Samantha James-Perez/Andrew Moreno

Support: 10 **Oppose:** 0 **Abstain:** 0

- 13.B.4. Saint Joseph's School of Nursing Vocational Nursing Program – Consideration of Placement on Provisional Approval; Consideration of Request to Admit Students
Pam Hinckley, NEC, presented a report relative to the consideration of placement on provisional approval and consideration of the request to admit students for the Saint Joseph School of Nursing Vocational Nursing Program. Based on data from the 4th quarter of 2013, the program's average annual pass rate was 57%, which is nineteen (19) percentage points below the state average annual pass rate.

Program Representative:

Adeniki Joseph, Program Director

- Ms. Joseph stated that she approves of the recommendations in the program's report. She also stated that she takes full responsibility for the program's poor pass rates and has made changes to the program's admission requirements.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked Ms. Joseph if the program's theory instructors are also the clinical instructors. Ms. Joseph responded that the theory instructors are not the clinical instructors. Mr. Vertido stated that it is very important that the theory and clinical instructors are on the same page.
- Mr. D'Braunstein asked Ms. Joseph if the program had sufficient clinical sites that will allow an instructor: student ratio of 1:15. Ms. Joseph affirmed sufficient clinical sites.

MOTION:

1. Place Saint Joseph's School of Nursing Vocational Nursing Program on provisional approval for the two-year period from February 28, 2014 through February 28, 2016 and issue a notice identifying specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Approve the program's request to admit 15 students only into a class commencing March 3, 2014 and graduating February 3, 2015, to **replace** students that graduated on September 10, 2013, provided that the program has no more than ten (10) students per instructor during clinical experience.

3. 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.
4. Require the program to submit follow-up reports in nine months, but no later than **November 1, 2014**, and 21 months, but no later than **November 1, 2015**. 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.
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. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
8. Require the program to admit no additional classes without prior approval by the full Board.
9. Place the program on the **February 2016** Board agenda for reconsideration of provisional approval.

Moved/Seconded: Samantha James-Perez/Donna Norton

Support: 10 **Oppose:** 0 **Abstain:** 0

13.C.1. Bethesda University of California Vocational Nursing Program – Consideration of Request to Admit Students.

Pam Hinckley, NEC, presented a report relative to the consideration of the request to admit students for the Bethesda University of California Vocational Nursing Program. On May 11, 2012, the Board placed the program on provisional approval for the two-year period from May 11, 2012 through May 30, 2014 due to noncompliance with regulatory requirements relative to program pass rates.

Based on data from the 4th quarter of 2013, the program's average annual pass rate was 54%, which is twenty two (22) percentage points below the state average annual pass rate.

Program Representative:

Nanyun Lee, Program Director

- Ms. Lee thanked the Board for their continued support. She stated that she agrees with the recommendations in the program's report and acknowledges that the program needs to improve.

Public Comment: None received.

Board Discussion: None received

MOTION:

1. Deny Bethesda University of California Vocational Nursing Program's request to admit 30 full-time students into a class commencing on May 6, 2014; graduating on April 10, 2015 to **replace** students that graduated on October 8, 2012.
2. Continue to require the program to obtain full Board approval prior to the admission of each class.

Moved/Seconded: John Vertido/Samantha James-Perez

Support: 10 Oppose: 0 Abstain: 0

13.C.2. Casa Loma College, Hawthorne, Vocational Nursing Program – Consideration of Request to Admit Students

Suellen Clayworth, NEC, presented a report relative to the consideration of the request to admit students for the Casa Loma College, Hawthorne, Vocational Nursing Program. On November 9, 2012, the Board placed the program on provisional approval for the two-year period from November 9, 2012 through November 30, 2014, due to noncompliance with regulatory requirements relative to program pass rates.

Based on data from the 4th quarter of 2013, the program's average annual pass rate was 53%, which is thirty three (33) percentage points below the state average annual pass rate.

Program Representative:

Billy Hutchison, Program Director

- Mr. Hutchison stated that he does not agree with the recommendations in the program's report. He stated that he had implemented actions to address the program's difficulties that were not corrected by the prior director. He stated that his program is a non-profit organization and will lose clinical sites if new classes are not granted. He indicated that a class of 15 students would sustain the program.

Public Comment: None received.

Board Discussion:

- Ms. James Perez asked Mr. Hutchison if the program has enough clinical sites to support fifteen (15) new students. Mr. Hutchison responded that the program has enough clinical sites to support thirty (30) new students.
- Mr. Vertido asked Mr. Hutchison what types of clinical sites do you have. Mr. Hutchison stated that he has clinics, skilled nursing facilities and sub-acute facilities.

- Mr. Vertido asked Ms. Clayworth if she would change her recommendation to adding a class of fifteen (15) students. Ms. Clayworth responded that the recommendation is based upon an objective assessment of the program's status and resources. Therefore, she would not change her recommendation.
- Ms. Avella responded that the Board recently approved a new class of 30 students and the program's average annual pass rate is 53%.
- Mr. Angeles stated that the Board's recommendations are based on the history of the school's pass rates and not the performance of the current director. He also stated that the Board was aware of the school's issues and cannot continue to allow a school to add students without improvement.

MOTION:

1. Deny the Casa Loma College Vocational Nursing Program's request to admit 30 students into a full-time class that would commence on March 24, 2014, to **replace** the class graduating on March 28, 2014.
2. Continue to require the program to admit no additional students unless specifically approved by the full Board.

Moved/Seconded: Jessica Leavitt/Tammy Endozo

Support: 9 **Oppose:** 1 **Abstain:** 0

13.C.3. Medical Allied Career Center Vocational Nursing Program – Consideration of Request to Admit Students.

Pam Hinckley, NEC, presented a report relative to the consideration of the request to admit students for the Medical Allied Career Center Vocational Nursing Program. On September 16, 2010, the Board placed the program on provisional approval for the two-year period from September 16, 2010 through September 30, 2012, due to noncompliance with regulatory requirements relative to program pass rates. On September 6, 2012, the Board extended the program's provisional approval from September 6, 2012 through September 30, 2013. On October 21, 2013, the Board extended the program's provisional approval from October 1, 2013 through September 30, 2014.

Based on data from the 4th quarter of 2013, the program's average annual pass rate was 100%, which is twenty four (24) percentage points above the state average annual pass rate.

Program Representative:

Alfie Ignacio, Program Director

- Mr. Ignacio thanked Ms. Hinckley for her support. He stated that he attempts to motivate students to take the examination as soon as possible.

Public Comment: None received.

Board Discussion:

- Mr. Vertido asked Mr. Ignacio if the program is prepping students to take the examination. Mr. Ignacio responded that the program tracks all graduates of the program.

MOTION:

1. Approve Medical Allied Career Center Vocational Nursing Program's request to admit a part-time, class of 30 students commencing on March 4, 2014, only. The class is projected to graduate October 30, 2015. This class will **replace** the class that graduated May 26, 2013.
2. Approve the program's request to admit a full-time, class of 30 students commencing May 19, 2014, only. The class is projected to complete program requirements August 27, 2015. This class will **replace** a class that scheduled to graduate April 20, 2014.
3. Require the program to admit no additional classes without prior approval by the full Board.

Moved/Seconded: Samantha James-Perez/Andrew Moreno

Support: 10 **Oppose:** 0 **Abstain:** 0

13.C.4. Valley School of Allied Health Vocational Nursing Program – Consideration of Request to Admit Students.

Pam Hinckley, NEC, presented a report relative to the consideration of request to admit students for the Valley School of Allied Health Vocational Nursing Program. On September 16, 2010, the Board placed the program on provisional approval for the two-year period from September 16, 2010, through September 30, 2012 due to noncompliance with regulatory requirements relative to program pass rates. On September 6, 2012, the Board extended the program's provisional approval for the two year period from September 6, 2012 through September 30, 2014.

Based on data from the 4th quarter of 2013, the program's average annual pass rate was 64%, which is twelve (12) percentage points below the state average annual pass rate.

Program Representative:

Cora Bajardo,

- Ms. Bajardo thanked Ms. Hinckley for her support and stated that Norma Jones was not able to attend the meeting.

Public Comment: None received.

Board Discussion: None received.

MOTION:

1. Approve Valley School of Allied Health Vocational Nursing Program's request to admit a full-time class of 20 students on March 3, 2014, only, graduating April 15, 2015, to **replace** students who graduated October 18, 2013.
2. Continue the program's requirement to obtain approval by the full Board prior to the admission of future classes.

Moved/Seconded: Samantha James-Perez/Jessica Leavitt

Support: 10 **Oppose:** 0 **Abstain:** 0

13.D.1. Summit College, Colton, Vocational Nursing Program – Consideration of Unauthorized Admissions; Consideration of Request to Admit Students.

Suellen Clayworth, NEC, presented a report relative to the consideration of unauthorized admissions and consideration of request to admit students for the Summit College, Colton, Vocational Nursing Program.

In January 2014, the Board was informed of action taken by the Accrediting Council for Continuing Education (ACCET) at its December 2013 Commission Meeting. Due to the program's ongoing poor graduate job placement rates, the commission limited the program to admit no more than 120 students between December 23, 2013, and the April Commission Meeting. At the April 2014 meeting, the Commission is scheduled to review the status of the vocational nursing program and decide whether to continue approval of the program.

While researching that information and analyzing its relevance to current Board decisions, staff discovered that the Summit Career College, Colton, Vocational Nursing Program had admitted eighteen (18) classes without prior approval as required by the Board.

Program Representative:

Renee Sheehan, Program Director; Nacio, Corporate Director of Education

- Ms. Sheehan apologized to the Board and NECs.

Public Comment: None received.

Board Discussion:

- Ms. James-Perez stated that she received the packet in advance and could not believe what she was reading. She asked Ms. Sheehan why the program deserves to remain open. Ms. Sheehan responded it was not the program's intent to disregard the Board. Ms. Nacio stated that there is evidence of class requests. Ms. Sheehan stated that communication was sent to and from the Board through the campus President.
- Ms. James-Perez asked the director if there are any other violations. Ms. Sheehan responded that the program operates with the assumption that they will give the most accurate information to the Board. Ms. Nacio stated that the program understands the gravity of the situation and the investigation shows that there was a miscommunication between the program and the Board.

MOTION:

1. Approve Summit Career College, Colton, Vocational Nursing Program's request to admit a full – time class of 60 students commencing March 3, 2014, **only**, graduating March 2015. The requested class will **replace** the class that graduated on January 7, 2014.
2. Issue a written notice to the program stating that future violations of California Code of Regulations Section 2530(k), as evidenced by the admission of classes without prior authorization by the Board, may result in placement of the program on provisional approval.
3. Continue to require the program to obtain Board approval prior to the admission of each class.

Moved/Seconded: Donna Norton/Vivien Avella

Support: 10 **Oppose:** 0 **Abstain:** 0

13.E.1. CET - Nursing, Formerly Center of Education and Technology, Vocational Nursing Program – Reconsideration of Revocation; Consideration of Request to Admit Students
Pam Hinckley, NEC, presented a report relative to reconsideration of revocation and consideration of request to admit students for the CET – Nursing. On October 21, 2013, the Board revoked the provisional approval of the program, due to noncompliance with regulatory requirements relative to program pass rates.

Program Representative:

Ronaldo Verian, Program Director; Angie Suh, Owner

- Mr. Verian thanked the Board for their support and concurs with Ms. Hinckley's report. He stated that the latest licensure examination data places them in compliance with the Rules and Regulations. He indicated that this pass rate was achieved due to the school not requesting additional students. He stated that his program has been prudent in their actions to not request additional students. He asked the Board Members to consider reinstating their program.
- Ms. Suh stated that the application process was 3-4 months so the program's students were not able to take the examination in time for their pass rates to be reflected in the report.

Public Comment: None received.

Board Discussion:

- Ms. James-Perez asked Mr. Verian how long the program was on provisional approval. Mr. Verian responded that the program was on provisional approval for three years.
- Ms. Avella stated that the program had a class of 13 graduates in May 2013. Mr. Verian stated that 6 out of 7 examination candidates from that class passed the licensure examination. He also stated that he is actively reviewing all of the programs past classes. Ms. Avella asked Mr. Verian if he knows which class the recent examinees were from. Ms. Suh responded that the recent examinees are from the May 2013 graduating class.
- Ms. Avella stated that there is not enough data to overturn the Board's prior decision, but is it possible to reconsider the program at a later date. Ms. Freedman responded that she doesn't recommend it because the Board needs finality to these type of situations.
- Mr. Vertido stated that the program pass rates have been consistently low due to 18 of the past 21 quarters being below the State average annual pass rate. He also stated that the program has good intentions but the pass rates are not good enough.
- Ms. Avella stated that the Board should pay closer attention to the pass rates of pre-probation and post probation classes.

MOTION:

Readopt the Board's decision of October 21, 2013, revoking the provisional approval of the CET Nursing, Vocational Nursing Program, effective November 30, 2013.

Moved/Seconded: John Vertido/Eduardo Angeles

Support: 10 **Oppose:** 0 **Abstain:** 0

14. PUBLIC COMMENT PERIOD

Public Comment:

- Brian Chilstrom thanked Board Members and staff. He stated that he is disappointed that current program directors are blaming prior program directors for their program's low licensure pass rates.

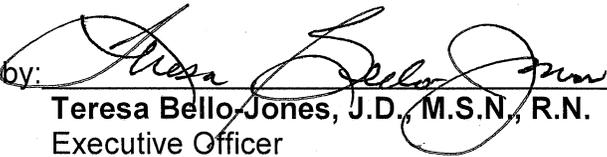
Board Discussion: None received.

15. AGENDA ITEMS FOR FUTURE MEETINGS

Public Comment: None received.

Board Discussion: None received.

16. ADJOURNMENT

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

Date: 9/12/14

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

Date: 9/12/14