

**Consideration of Change in Approval Status  
From Conditional Approval to Initial Approval  
CyberTex Institute of Technology in Austin, Texas  
Vocational Nursing Education Program**

**Summary of Request:**

Consider the proposed change in approval status for the CyberTex Institute of Technology (CIT) Vocational Nursing (VN) Education Program in Austin, Texas, from Conditional Approval to Initial Approval based upon the 2019 NCLEX-PN® examination pass rate and compliance with Rule 214.

**Historical Perspective:**

- The CIT VN Program was approved at the October 2014 Board meeting to begin operation.
- CIT is licensed as a career school and approved to offer educational programs by the Texas Workforce Commission (TWC) and holds accreditation from the Council on Occupational Education.
- Karen Knott-Anderson, MSN, RN, was appointed by CIT administration and approved by the Board on December 7, 2018, as the Program Director following the resignation of the previous director. Ms. Knott-Anderson had served as a faculty member at CIT since August 2017.
- The NCLEX-PN® examination pass rates for the past four years are provided in the following table:

<b>Examination Year</b>	<b>BON Approval Status</b>	<b>NCLEX-PN® Examination Pass Rate</b>	<b>Number of First Time Candidates (Passed/Total)</b>
2019	Conditional	82.86%	29/35
2018	Conditional	79.55%	35/44
2017	Initial	45.95%	17/37
2016	Initial	40.00%	4/10

- Due to the 2016 NCLEX-PN® examination pass rate of 40.00%, the previous Program Director and faculty were required to submit a Self-Study Report (SSR) by July 7, 2017, that would evaluate factors that may have contributed to the graduates' performance on the NCLEX-PN® examination and offer a description of the corrective measures to be implemented. A number of extensions were granted over the next eight months and the SSR was finally received in the Board office on March 5, 2018. This delay was under the purview of the previous Program Director.

- Although corrective measures were implemented during 2017, the 2017 NCLEX-PN® pass rate was 45.95%.
- The approval status for the program was changed from Initial Approval to Conditional Approval at the April 2018 Board meeting due to concerns about failure of the program to submit reports to the Board in a timely manner, significant failure to achieve an 80% pass rate for two consecutive years, and failure to establish activities or situations that would demonstrate that the program had implemented measures to meet the Board's requirements. Under the Conditional Approval status, the program was restricted from enrolling new students until the NCLEX-PN® examination pass rate for 2018 could be determined. The program was also required to submit an evaluation of the effectiveness of corrective measures implemented. (This requirement was met when documents were received in the Board office on June 29, 2018). The decision to place the program on Conditional Approval rather than Initial Approval with Warning at the April 2018 Board meeting did not follow the usual step-wise process for changes in approval status that allows a program four years to demonstrate improvement in performance.
- Board Staff and representatives from TWC conducted a joint survey visit to CIT on May 14, 2018. Board Staff identified the following areas of concern for immediate attention by the program:
  - Lack of hands-on clinical learning experiences for Nursing Care of Children and Maternity Nursing;
  - Ineffective utilization of the skills/simulation lab; and
  - Lack of student involvement in student governance to provide an avenue to resolve student issues identified during the survey visit.
- At the July 2018 Board meeting, the report of the survey visit was considered with two requirements issued:
  - The program shall establish clinical agreements that will ensure students are provided clinical learning experiences in a variety of clinical settings including opportunities for nursing care of children and maternity clients. In addition, students shall be provided opportunities to practice nursing skills in the skills lab and simulation setting. The program shall provide copies of new clinical contracts with appropriate affiliating agencies, and schedules for hands-on clinical practice as well as skills lab and simulation activities to Board Staff no later than October 31, 2018.
  - The program shall ensure that student input into the program governance is encouraged and permitted without fear of retaliation. Student policies shall be developed to permit and encourage students to have a class organization that will allow for student feedback related to program issues. The program shall provide student governance policies, and evidence of student involvement in faculty/student governance (e.g., meeting minutes) to Board Staff no later than October 31, 2018.

- The previous Program Director's responses to the Board Ordered requirements were received on October 31, 2018. The response to Requirement #1 documented that attempts were made to secure new clinical agreements; however, without success, and no new signed clinical contracts were submitted. Thus, the VN students were not being provided opportunities for actual hands-on nursing care of children and maternity clients during the program of study. Schedules for nursing skills lab and simulation activities were included in the packet. The Program Director's response to Requirement #2 validated the requirement was met as policies about student input into the program governance were provided.
- On March 13, 2019, Board Staff met with CIT President/CEO Iqbal Sheikh, Campus Director Muddasir Sheikh, Chief Administrative Officer Ali Azam, and Program Director Karen Knott-Anderson, MSN, RN, to discuss the status of the VN Program and potential Board action. In order to realize the full effects of improvements initiated by Ms. Knott-Anderson, the CyberTex representatives requested that the program be allowed to continue Conditional Approval status until December 31, 2019, with no new students to be enrolled. This would not disadvantage any current students since they would be engaged in the teach-out. The administration stated they understood the areas of deficiencies and accepted full responsibility for the situation. Further, the administration expressed that they had relied too heavily on the former Program Director and had not monitored her compliance with Board rules. By the time they realized that the Board requirements had not been timely addressed, administration met with the previous Program Director to discuss the situation and the Program Director resigned.
- Karen Knott-Anderson, Program Director, has consistently and timely responded to Board Staff requests for information. In addition, Ms. Knott-Anderson submitted an initial and ongoing revision of the student success plan and the assessment tools used for formulating a baseline on which to improve staff and student satisfaction. She has focused on understanding the needs of the current group of learners, their learning styles, and how to motivate these learners to achieve success.
- Under Ms. Knott-Anderson's leadership, an effort to increase student participation in the governance of the school was initiated. Students were encouraged to meet with their identified student leader and share concerns regarding the operations of the nursing program; they were urged to speak with their instructor or Program Director about these concerns. Student/Faculty meetings were held periodically to discuss such issues as: communication between students and faculty, incivility, grading practices, perceived retaliation by faculty after course/faculty evaluations, student work load, use of standardized examinations, and remediation.
- In March 2019, Ms. Knott-Anderson submitted to Board Staff signed clinical affiliation agreements with the following entities: Panda Pediatrics in Leander; Birthwise Birth and Family Center in Austin; and Windsor Nursing and Rehabilitation Center in Austin. During March 2019, Ms. Knott-Anderson revised the *VNSG 1205 NCLEX-PN Review Course*

syllabus to include more gerontology content as the majority of the VN Program graduates work in the long-term care setting. Further, she provided documentation of faculty's successful completion of the following continuing education courses: class management strategies, student communication, effective teaching strategies, student learning and assessment, and managing diversity.

- As of December 10, 2019, 18 students are enrolled in the program with an anticipated graduation date of December 30, 2019. Two of these students began the program in 2016 (one in February and one in October); five of the students began in 2017 (one in February and four in June); and 11 students began in 2018 (two in February and nine in July).
  - The CIT VN Program is designed for students to complete the program in 16 months. It is concerning that students have been enrolled for almost four years and are still working toward completion of graduation requirements.
- Ms. Knott-Anderson's response to the Board report that describes strategies employed by the school to enhance performance and growth is provided in Attachment #2.

#### **Staff Rationale for Requirement #1:**

Board Rule 214.4(c)(3)(D) states "The Board may consider a change in approval status at a regularly scheduled Board meeting for a program on full approval with warning or conditional approval if the program's pass rate for first-time NCLEX-PN candidates during the examination year is at least 80%; and the program has met all Board requirements".

Board Rule 214.4(c)(3)(F) sets forth "The Board may change the approval status of a program on conditional approval to full approval, full approval with restrictions or conditions, full approval with warning, or impose a monitoring plan. The Board may restrict enrollments".

Staff recommendation is based upon the history of the program on Conditional Approval since April 2018; the 2019 NCLEX-PN® examination pass rate; findings in the Self-Study Report of 2017; the report of the May 14, 2018, survey visit; the March 13, 2019, meeting with CIT representatives; documentation subsequently provided to Board Staff; and the number of repeating and readmitted students in the program. The program has achieved a pass rate for first-time candidates of above 80% on the 2019 NCLEX-PN® examination and is currently making concerted efforts to remain in compliance with Rule 214.

In view of the findings and evidence in this report, Board Staff recommends a change in the approval status from Conditional Approval back to Initial Approval to reflect a return to the previous approval status of the program. The stipulations would require regular monitoring during the next year regarding the numbers of students enrolled, progress reports for each student, and specific remediation plans for unsuccessful students. Confidentiality of student names must be assured.

**Requirement #1:**

The program shall submit for Board Staff approval no later than ten (10) days following the date of the end of each course: (1) a list of de-identified enrolled students, (2) a progress report for each enrolled student, (3) a comprehensive Remediation Plan to timely assist unsuccessful students, and (4) any attrition of students. (All lists of student names are to be de-identified.)

**Staff Rationale for Requirement #2:**

The program's enrollment pattern in the original Board Order (October 2014) allowed two admission cohorts of not more than 30 students each during each calendar year.

**Requirement #2:**

The program may not admit more than two cohorts of up to thirty (30) students each during each calendar year.

**Staff Recommendation:**

Move to change the approval status for the CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas, from Conditional Approval to Initial Approval based upon the NCLEX-PN® examination pass rate for 2019, history of the program's compliance issues, and the number of at-risk students enrolled in the program, and impose the conditions/requirements indicated in the attached letter and Board Order (Attachment #1).

DRAFT LETTER

January 23, 2020

Karen Knott-Anderson, MSN, RN, Director  
Vocational Nursing Education Program  
CyberTex Institute of Technology  
6300 La Calma Drive, Suite 350  
Austin, TX 78752

Dear Ms. Knott-Anderson:

At the January 23-24, 2020 meeting, members of the Texas Board of Nursing (Board) considered the approval status for the CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas, considering the 2019 NCLEX-PN® examination pass rate, history of the program's compliance issues, and the number of at-risk students enrolled in the program.

Based upon the discussion and review of information, it was the decision of the Board to change the approval status for the CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas, from Conditional Approval to Initial Approval and to issue the conditions/requirements in the attached Board Order.

A requirement is a mandatory criterion based upon program assessment directly related to the rules that must be addressed in the manner prescribed.

If you have questions or if we may offer assistance, please contact Board Staff at [Virginia.ayars@bon.texas.gov](mailto:Virginia.ayars@bon.texas.gov) or 512-305-7660.

Sincerely,

Katherine A. Thomas, MN, RN, FAAN  
Executive Director

Copy: Iqbal Sheikh, President/CEO  
Texas Workforce Commission

**BEFORE THE TEXAS BOARD OF NURSING**

\*\*\*\*\*

**ORDER OF THE BOARD**

In the Matter of  
CyberTex Institute of Technology  
Vocational Nursing Education Program  
In Austin, Texas

A public meeting of the Texas Board of Nursing, hereinafter referred to as the Board, was held on January 23, 2020, 333 Guadalupe, Tower II, Room 225, Austin, Texas, to consider the approval status for the CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas, pursuant to Section 301.157, Texas Occupations Code and 22 Tex. Admin. Code Chapter 214, based upon the 2019 NCLEX-PN® examination pass rate, history of the program's compliance issues, and the number of at-risk students enrolled in the program.

After review and due consideration of the filed materials, as well as the presentation by representatives from CyberTex Institute of Technology in Austin, Texas, and other interested parties, if any, the Board hereby CHANGES the approval status for the CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas, from CONDITIONAL APPROVAL to INITIAL APPROVAL and imposes the following conditions/requirements:

Requirements:

1. The program shall submit for Board Staff approval no later than ten (10) days following the date of the end of each course: (1) a list of de-identified enrolled students, (2) a progress report for each enrolled student, (3) a comprehensive Remediation Plan to timely assist unsuccessful students, and (4) any attrition of students. (All lists of student names are to be de-identified.)
2. The program may not admit more than two (2) cohorts of up to thirty (30) students each during each calendar year.

Entered this 23<sup>rd</sup> day of January, 2020

\_\_\_\_\_  
Katherine A. Thomas, MN, RN, FAAN  
Executive Director  
On Behalf of the Texas Board of Nursing

## **Strategies Employed by Cybertex Institute of Technology Vocational Nursing Program to Enhance Performance and Growth of the School**

### **Improvement of Admissions Criteria**

- Upgraded the admission standards to 60 % in all four areas tested on.
  - Will help us to accept students that are better able to withstand the rigors of VN training.
- Introduced a personal admissions interview with the Nursing Faculty to better determine the suitability of the individual for the field of nursing while emphasizing the characteristics and requirements (time, effort) of our program.

### **Changes leading to Improvement Faculty- Student Relationship**

- Sensitized faculty/ staff regarding the importance of building a mutually respectful relationship with students, marked by effective communication through meetings, in house seminars.
- Conducted Extensive Faculty/ Staff Training (Certified Higher Education Professionals) in Topics such as:
  - Students as Customers
  - Student Retention
  - Supporting Diverse Student Population
  - Classroom Management
- Conducted Student- faculty Meetings with the entire student population once per semester and another meeting with student representatives, faculty and administration once per semester to have students air their concerns and offer suggestions.
- Encouraged faculty members to continue to have an open door policy where students can access them if needed.
- Continued faculty mentorship program while placing emphasis on confidentiality, trust and student development.

### **Improving Academic Performance of Students and eventually NCLEX- PN pass rate**

- Utilized standard protocols methods of screening staff e.g. conduct interview using tested interview tool customized for CVNP
- Conducted Extensive Faculty/ Staff Training (Certified Higher Education Professionals) in Topics relevant to :
  - Instructional Planning and Design
  - Instructional Delivery and Assessment
  - Instructional Theories and Application

- Updated Grading Policy to effect: Stringent Documentation and Reporting of Grades that Facilitate:
  - Early detection of students that are lagging behind academically
  - Compulsory faculty- student one on one remediation when a unit exam is failed.
- New Campus management software Campus Nexus is currently being installed.
  - Will address the grade management system to improve efficiency.
- Revised curriculum and reallocated teaching hours of content that was repeated and replaced it with content that was in.
  - Revised NCLEX- PN review course to closer resemble NCLEX preparation syllabi to include that of National Council of State Boards of Nursing (NCSBN).
  - Replaced Nursing Leadership course content that was previously covered in Foundations of Nursing course with Gerontological Nursing content that prepares the students for NCLEXPN Exam and the graduates for care of elderly patients in the long term facilities ( which a large number of graduates seek employment).
  - Ongoing Curriculum review is conducted by faculty (Course Syllabi updated at least once per year).
- Re-structured teaching-learning and assessment tools in a manner that adequately prepare students for the NCLEX- PN exams.
  - Currently using Kaplan Testing Software (each student provided with a login).
  - Currently utilizing NCSBN Testing Software (each student provided with a login).
  - Currently testing the Nurse Think software and for possible inclusion in curriculum
  - Extended free tutoring program access to all students on Saturdays and Tuesdays
  - Now evaluating e-books (that are in closer alignment with preparation requirements for current work setting and the NCLEX-PN Exam) use as content resource in the curriculum.
- To commence a student mentorship program

### **Improved the Clinical Skill/Experience for Students**

- Students have being rotated through a Maternal Birthing Center in their Junior Semester throughout 2019.
- Students received Pediatric clinical experience in the final semester throughout 2019.
- Students are acquiring clinical experience from a pediatric clinic during Senior Semester (March, 2019).
- Students are getting acute care experience from one of Austin' s largest long term care rehabilitation units from March, 2019 for the next 3 years.
- Now testing simulation software with plans to include adult, pediatric and maternal-neonatal simulation to lab/ clinical experience for students.

- New grading policy makes it compulsory that clinical instructors do one on one clinical skills remediation with students once the formative clinical assessment is unsatisfactory or student noted to be attempting to render unsafe care.

**Measures have been put in place to ensure fairness in the treatment of all students in an Environment that is free from retaliation.**

- Conducted staff training in modelling and teaching professionalism.
- Reinforcement of policy sanctions that apply to faculty/ staff members found to be in breach of policies regarding discrimination, fairness and retaliation.
- Currently revising school's policies on discrimination, fairness and retaliation.

**Put measures in place that ensures past students of Cybertex VN program (unsuccessful exam or have never sat the NCLEX-PN) are given another chance at preparing for and pass NCLEX- PN exam.**

- Past students were sent emails, called and invited to NCLEX- PN preparation classes on Saturdays
- Past students are offered NCSBN Software access both at no charge for those who don't want to attend review classes.
- Four past students from the class of past students were successful in the NCLEX-PN in 2019.

**Put measures in place to address computer malfunctioning**

- Hardware upgrades done to Vocational Nursing network & computers.
- Software upgrades students' computers done and is ongoing
- Upgraded all faculty software and hardware.
- Provided improved infrastructure for eLearning for faculty.