

**Consideration of Change in Approval Status
From Conditional Approval to Initial Approval and
Findings from a Virtual Survey Visit
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 2021 NCLEX-PN® examination pass rate, findings in the 2021 Self-Study Report, and compliance with Rule 214; and the report of the March 1, 2022, virtual survey visit to the CIT VN Program in Austin, Texas, due to NCLEX-PN® pass rates for 2021 and 2020.

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 national accreditation from the Council on Occupational Education.
- At the time of initial approval, the CIT Program Director (PD) was Robbin Wilson, MSN, RN.
- Ms. Wilson resigned from the position in December 2018, and on December 7, 2018, Karen Knott-Anderson, MSN, RN, was approved as the CIT PD. Ms. Knott-Anderson resigned from the nursing leadership position on February 24, 2021.
- On March 10, 2021, Robbin Wilson, MSN, RN, was appointed by CIT administration and approved by Board Staff to serve as Interim PD.
- On March 2, 2022, Ms. Wilson resigned from the position as Interim PD; however, she will continue to serve as VN Program faculty and as CIT Coordinator of Nursing Program Development. Joely Schroder, MSN/Ed, RN, will assume the PD position. Ms. Schroder has served as VN faculty and Clinical Coordinator at CIT for one year; further, she has assisted Ms. Wilson with administrative duties.

- The NCLEX-PN® examination pass rates for the past six years are included in the table below:

Examination Year	BON Approval Status	NCLEX-PN® Examination Pass Rate	Number of First Time Candidates (Passed/Total)
2021	Pending	80.00%	12/15
2020	Conditional	52.94%	9/17
2019	Initial	82.86%	29/35
2018	Conditional	79.55%	35/44
2017	Initial	45.95%	17/37
2016	Initial	40%	4/10

- The following changes were formally considered and approved at quarterly Board meetings:
 - **October 2014** – Approved by the Board – Initial
 - **April 2018** – Board report requested change from Initial Approval to Initial with Warning; however, the Board voted to change from Initial to Conditional
 - **July 2018** – Report of survey visit; requirements issued
 - **April 2019** – Continue Conditional Approval
 - **January 2020** – Change from Conditional to Initial Approval
 - **October 2020** – Change from Initial to Conditional
- A detailed history describing issues and events at the CIT VN Program is provided as Attachment #1.
- At the time of the March 1, 2022, virtual survey visit, four VN students, all repeaters and all scheduled to graduate in May 2022, were enrolled in the CIT VN Program.

Recent Events:

September 27, 2021: Board Staff received a revised Student Handbook and Faculty Handbook, and an update to the Self-Study Report (SSR) with the following detailed Action Plans:

SSR Policy Changes:

- All of the VN Student, VN Faculty, and VN Program policies have been reviewed and revised, effective September 1, 2021.
- Minimum acceptable scores for the Kaplan Nursing Admission Test (KNAT) have been raised to a minimum of 65% on the five testing categories: Math, Science, Writing, Reading, and Critical Thinking. When CIT is allowed to enroll new students, each

prospective student will be limited to one initial test and one retake for each admission cycle during each year.

- The passing standard for all courses has been changed to 75%.
- Rounding of grades will no longer be utilized anywhere in the VN Program.
- A Remediation Opportunities Policy has been implemented throughout the program. Students failing an examination in a theory course or demonstrating weaknesses or inadequate knowledge in a clinical course, will be placed on an Academic Success Plan that must be met with specific goals, including a tutoring plan, and the student will be mentored by their nursing instructor.
- A formal Petition for Readmission policy has been implemented.
- A formal Petition for Grade Review policy has been implemented.
- The Academic Integrity policy has been strengthened.
- A nursing student who misses more than 20 hours of scheduled clinical rotation hours during a term will receive a failing grade for that clinical course and will be dismissed from the VN Program.
- A student is not allowed to fail more than two courses throughout the four-term CIT VN Program. The failure of the third course (including repeat courses) will result in the student's termination from the program and is subject to all the conditions that are applied to other terminations, including, but not limited to, appeal and review processes.

Summary of March 1, 2022, Survey Visit:

Individuals Coordinating the Virtual Survey Visit:

Robbin Wilson, MSN, RN, Interim Program Director

Joely Schroder, MSN/Ed, RN, Faculty and Clinical Coordinator

CIT Administrators:

- Mudassir Shaikh, CIT School Director
- Ali Azam, CIT Chief Administrative Officer

CIT VN Faculty:

- Joely Schroder, MSN/Ed, RN
- Andrea Curry, BSN, RN
- Carol Hergbert, MSN, RN (former faculty member who did not teach during this term)

CIT VN Students:

- Met virtually with four VN students, all repeaters and all scheduled to graduate in May 2022

Board Staff:

- Janice I. Hooper, PhD, RN, FRE, CNE, FAAN, ANEF, Lead Education Consultant
- Virginia D. Ayars, EdD, MS, RN, CNE, Education Consultant

Process for the Survey Visit:

- Ms. Wilson scheduled online meetings between Board Staff and CIT representatives and hosted the following meetings:
 - March 1, 2022, 8:30 am – 9:30 am – Meeting with Ms. Wilson and Ms. Schroder
 - March 1, 2022, 9:30 am – 10:30 am – Meeting with Nursing and CIT Administration
 - March 1, 2022, 10:30 am – 11:30 am – Meeting with Faculty
 - March 1, 2022, 1 pm – 2 pm – Meeting with Students
 - March 1, 2022, 3 pm – 4 pm – Exit Interview

Administration and Organization:

- CIT, a family owned and operated educational entity, operates two campuses, one in Austin and one in Killeen. The VN Program is only offered at the Austin campus.
- In addition to nursing, CIT offers certificate level programs in Internet Technology, Medication Assistant, and Heating, Ventilation, and Air Conditioning. At the time of the survey visit, approximately 200 students were enrolled in the various programs.
- The current administration has been in place since the VN Program was formally approved by the Board in October 2014 and has consistently responded to Board Staff's requests to provide information or to attend face-to-face or virtual meetings. Administration has followed Board Staff's guidance and has demonstrated ongoing financial support for the VN Program.
- Administration recognized the increased rigor needed in nursing programs as opposed to programs in other disciplines.
- CIT Administration recently awarded every staff member at CIT a cost of living award.
- Administration stated their immediate goal is to ensure the provision of a successful VN Program with the future goal to establish a Licensed Vocational Nurse (LVN) to Associate Degree Nursing (ADN) Education Program.
- CIT provides student services and financial services to assist VN students.
- The campus administrators meet with the nursing department weekly, on Mondays. In addition, administration is available when needed.
- The administration articulated that the mission of CyberTex is to allow underserved student populations to obtain an education.
- Administration articulated that the PD has the authority to direct the VN Programs in all phases. This statement was supported by the PD.

Nursing Administration:

- The following items were realized during COVID-19: the students were not prepared for online learning; a limited bandwidth created online access problems; a need to re-teach content was identified; students were underperforming on the standardized examinations; and students' knowledge of Anatomy and Physiology course content was weak.
- Following a deep dive into the program operation, nursing administration has implemented significant changes to: policies, curriculum, textbook vendor, and standardized testing.
- The nursing administration expressed excitement about the recently approved more rigorous policies, especially the increased admission and progression standards. They expressed the need to tightly enforce the policies in a consistent manner.

Faculty:

- The recently revised Faculty Handbook contains all essential elements set forth in Board Rule 214.7 Faculty.
- Faculty members exhibit a rich diversity in their professional backgrounds. Faculty experience in professional nursing ranges from five years to 45 years. Two are seasoned nurse educators while one is a novice.
- It was evident during the virtual survey visit that the faculty support one another and work collaboratively to achieve mutual goals.
- A structured on-boarding process is in place as well as opportunities for professional development.
- Faculty expressed they feel supported by CIT administration and the VN PD.
- Faculty stated they are encouraged by the recent changes to the admission and progression policies. Previously, faculty were challenged to overcome knowledge deficits identified in students who were admitted under the previous criteria.
- Faculty stated that as difficult as it may be, they must recognize that not all students will succeed in the nursing program. The recent admission and progression policy changes should lessen the impact of this issue.
- Faculty described how they have worked diligently to tutor and mentor students who may need extra time and attention. Any student who fails a test is immediately provided remediation.
- Faculty offer students their cell phone numbers to ensure availability.

Students:

- The CIT Student Handbook includes all required information. Eligibility information is provided with a form indicating receipt of the process.

- Revised student policies are well-written, straightforward, and will be provided to all students during orientation; they include all Board-required content.
- Interviewed students expressed a high degree of satisfaction with the program and gratitude to faculty members. When asked why they choose CIT, responses included the multiple admission periods and that no pre-requisite courses were required.
- Students stated the faculty are communicative and consistently available to timely respond to student questions and needs.
- Students further offered that faculty provide support to students with not only their academic concerns but life issues.
- Students shared that personal responsibilities for their own children's childcare and job duties were a significant part of their current student experiences. The students stated that faculty support has been ongoing as faculty has consistently provided rigorous and appropriate learning opportunities in a nurturing, supportive environment.
- Students explained that the initial change from virtual to face-to-face learning was challenging. However, faculty assisted them to be positive and work to meet the course objectives/outcomes.

Program of Study:

- CIT's 16-month program of study is comprised of 560 didactic hours, 370 nursing skills lab hours, and 480 clinical hours. The four-term curriculum is presented in an integrated format.
- The *Differentiated Essential Competencies (DECs) (2021)* have been incorporated into the curriculum.
- Syllabi are consistent in format and include appropriate content with clearly articulated learning objectives/outcomes.
- The nursing curriculum follows a linear progression making each term a prerequisite to the next. The curriculum indicates leveling of nursing content, advancing in difficulty from simple to complex.
- Standardized testing is utilized throughout the program to identify student progression as well as to timely identify remediation needs. The CIT VN Program conducted a thorough review of the use of the standardized examinations and changed to Kaplan products.
- The VN Program Department conducted a critical review of the textbook vendor's products and adopted the Wolters Kluwer suite of products.
- At the time of the visit, the preliminary pass rate for the VN program was 70% with 7 of 10 first-time candidates successfully completing the NCLEX-PN®.

Clinical Learning Experiences:

- Clinical Evaluation Tools are based upon the *DECs (2021)*.
- Progression in expectations of student performance and competence is seen in the clinical evaluation tools across the program.
- Students practice in the skills lab and demonstrate basic competency prior to providing hands-on direct patient care.
- During the time the campus was closed, students videotaped themselves performing physical assessments and uploaded them to the program's learning management system for faculty review and evaluation.
- Faculty provide direct supervision during all clinical learning experiences at the clinical sites. Preceptors are utilized during the final term of the program. Faculty indirectly supervise preceptor experiences and are responsible for evaluating students during the clinical learning experiences. Appropriate preceptor policies are in place.
- The PD has established strong relationships with clinical sites in the geographical area that led to a broad array of student learning experiences.
- At the time of the survey visit, Baylor Scott & White (BS&W) Clinics had reached out to the CyberTex VN PD to invite the VN students to rotate through the BS&W facilities for clinical learning experiences. Contract details were being negotiated during the time of the survey visit.

Pros and Cons of Program Review:

Pros:

- The consistent administrative support for the VN Program since 2014 is seen as a quality indicator of the CIT VN program.
- The PD who resigned on March 2, 2022, had served in the position from 2014 through December 2018, then returned to service from March 2021 to March 2022. This PD provided a strong institutional history, and will continue to serve as a faculty member and the Coordinator of Nursing Program Development.
- The newly-approved PD is familiar with the program, the curriculum, and faculty and is an accomplished nurse educator.
- The program analysis of the SSR received by Board Staff in 2021 identified key points for program improvement that should allow the program to flourish as additional quality indicators:
 - Revised admission and progression policies to ensure students who will be successful are carefully selected for admission;
 - Planning for faculty onboarding, mentoring, and development to strengthen the program of study;

- Revised curriculum to ensure currency and that graduates will be prepared to be successful on the Next-Gen NCLEX-PN®;
- Changes in textbook vendor and standardized examination vendor;
- Securing additional clinical affiliations for a variety of clinical experiences; and
- Identifying and remediating at-risk students.

Cons:

- The history of the CyberTex VN Program is concerning.

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 being placed on Initial Approval or Conditional Approval since its initial Board approval in October 2014; the 2021 NCLEX-PN® examination pass rate; findings in the Self-Study Report of 2021; and the report of the March 1, 2022, virtual survey visit. The program has achieved a pass rate for first-time candidates of above 80% on the 2021 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 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 30 students each during each calendar year for 2022 and 2023 for a total enrollment of no more than 60 students per 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 2021 NCLEX-PN® examination pass rate, findings in the 2021 Self-Study Report, and compliance with Rule 214; and

Move to accept the report of the March 1, 2022, virtual survey visit to the CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas, due to the NCLEX-PN® pass rate for 2021, and program strengths identified during the virtual survey visit, with conditions/requirements (See Attachment #2).

**CyberTex Institute of Technology (CIT) Vocational Nursing (VN)
Education Program Detailed History**

Examination Year	BON Approval Status	NCLEX-PN® Examination Pass Rate	Number of First Time Candidates (Passed/Total)
2021	Conditional	80.00%	12/15
2020	Conditional	52.94%	9/17
2019	Initial	82.86%	29/35
2018	Conditional	79.55%	35/44
2017	Initial	45.95%	17/37
2016	Initial	40%	4/10

- Due to the 2016 NCLEX-PN® examination pass rate of 40.00%, CIT was required to submit a Self-Study Report (SSR) by July 7, 2017. After several extensions to the due date were granted, the SSR was finally received in the Board office on March 5, 2018. This delay in response was an unprecedented exception granted by the Board.
- Although corrective measures were presumably 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 meet Board deadlines, two consecutive years of NCLEX-PN® pass rates below 80%, and failures to comply with Board requests. Under the Conditional Approval status, the program was restricted from enrolling new students.
- 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 Board considered the survey visit report and issued two requirements:
 - The program shall establish clinical agreements to ensure 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 ensure that student input into the program governance is encouraged and permitted without fear of retaliation.
- The Program Director (PD) responded on October 31, 2018, that attempts to secure new clinical affiliation agreements were not accepted by the clinical agencies. However, schedules to offer additional nursing skills lab and simulation activities for students were provided.
- In December 2018, a change in the PD position occurred, as Ms. Wilson resigned and Ms. Karen Knott-Anderson was appointed and approved by Board Staff to assume the role.
- On March 13, 2019, Board Staff met with Iqbal Sheikh, CIT President/CEO; Mudassir Sheikh, Campus Director; Ali Azam, Chief Administrative Officer; and the VN PD to discuss the status of the VN Program and Board Staff's proposed recommendation to Withdraw Approval. CIT representatives requested that the program be allowed to continue on Conditional Approval status until December 31, 2019, in order to appreciate the effects of program improvements. This would not disadvantage any current students since they would be engaged in the teach-out, and no new students would be admitted. The administration acknowledged the areas of deficiencies and accepted full responsibility for the situation, explaining that they had relied too heavily on the former PD and had not monitored her compliance with Board rules. This request to continue the program on Conditional Approval was honored by the Board.
- During the time period from March 13, 2019, through April 24, 2019, the new PD (Ms. Knott-Anderson), who assumed the role in December 2018, timely responded to Board Staff requests for information. In addition, the PD 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.
- Under the PD's guidance, an effort to increase student participation in the governance of the school was initiated.
- In March 2019, the PD 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. Other measures were taken, such as faculty's successful completion of continuing education courses to enhance their teaching abilities.

- As of December 10, 2019, 18 students were 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. There developed a new concern that many students had been enrolled for several years and were still working toward completion of graduation requirements.
- In 2018 and 2019, Board Staff received multiple emails and phone calls from CIT students and family members related to failures of students in VNSG 1205 NCLEX-PN Review Course, a final review course designed to prepare students for the NCLEX® examination. Students complained that faculty were not available during the class and that the course was self-directed involving watching videos, practicing test items, and taking standardized examinations. Board Staff notified CIT of the nature of the complaints and requested copies of the program policies that might justify or explain these practices. Five students submitted formal complaints to the Board, dated June 24 – 28, 2019, about the VNSG 1205 NCLEX-PN Review Course. Board Staff called the school and as the PD was out of the country, spoke with instructor Laurie Hall who stated she would update Ms. Knott-Anderson upon her return to the country. The PD called Board Staff on July 3, 2019, to discuss the complaints and stated the complaints were without basis. The PD advised Board Staff she would discuss these issues with students on the next class day, July 8, 2019. A similar complaint was received from one other student on July 10, 2019, and the PD was notified. No further communications from students were received until February 2020.
- At the January 2020 Board meeting, the Board, with the support of a majority of the quorum voting for, changed the approval status for the CIT VN Education Program in Austin, Texas, from Conditional Approval back to Initial Approval based upon the NCLEX-PN® examination pass rate of 82.86% for 2019, history of the program's compliance issues, and the number of at-risk students enrolled in the program, and imposed two conditions/requirements:
 - The program was to submit student information to Board Staff at the end of each course including: (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 were to be de-identified.)
 - The program was limited to no more than two cohorts of up to 30 students each during each calendar year.

Activities Subsequent to the January 2020 Board Meeting:

- During February 2020, three of the students who had previously submitted complaints to the Board provided written narrative statements alleging that the PD had changed the passing standards for completion of the VNSG 1205 NCLEX-PN Review Course. This course is the final course in the program of study and successful completion with a specific grade attained on a standardized examination is required for students to graduate. The students were re-admitted and allowed to re-take the course multiple times; it was evident that the passing standard and grading policies were inconsistent, thus resulting in student confusion and frustration. Staff sought CIT's response to these narrative statements, and again requested CIT provide the written policies that would address the readmission criteria and reasoning necessary to address this type of student complaint. The PD could not adequately explain the justification for these unusual practices, and did not provide any school policies to address these practices. This request for policies as well as a response providing clarification of the Board Order requirements was sent to the PD on February 27, 2020.
- On February 28, 2020, in response to requirements issued in the January 2020 Board Order that changed the program approval to Initial Approval, the PD provided a list of de-identified enrolled students and a comprehensive Remediation Plan to timely assist unsuccessful students. The other documents mandated by Board Order, a progress report for each enrolled student and the reported attrition of students, were not provided at this time.
- In mid-March 2020, the CIT campus was closed due to the coronavirus. On March 24, 2020, the PD submitted to Board Staff a report describing how the VN Program would be utilizing distance education to deliver didactic content via the Canvas Online Learning Platform. No face-to-face skills/simulation lab or clinical learning experiences were offered.
- A new cohort of 25 students began the CIT VN Program on April 13, 2020. As one student withdrew immediately, the Spring 2020 Cohort was comprised of 24 students.
- On April 23, 2020, the PD submitted an update to Board Staff about the students who repeated the VNSG 1205 NCLEX-PN Review Course; the course concluded on March 30, 2020. Two students were unsuccessful in the course and were dropped from the program; one other student withdrew from the program before completing the course.
- On August 20, 2020, three TWC representatives and Board Staff engaged in a conference call to discuss concerns about the long-standing student complaints to TWC specific to CIT's repeated re-admission to the final course and multiple failures of the final exam and course. TWC Staff and the Board Staff decided that a joint virtual survey visit was in order.
- In an effort to evaluate the overall health of the program, the Education Consultants examined the preliminary 2020 NCLEX-PN® pass rate for the CIT VN Program to discover

it was only 52.94%, significantly below the Texas benchmark of 80%. Based on known first-time test-takers still eligible to test, the CIT VN Program will not be able to meet the benchmark of 80% during the 2020 examination year (January 1 – December 31, 2020). A telephone conference was held on August 24, 2020, between Board Staff and the PD, to discuss the implications of the preliminary pass rate on the future of the VN Program. Due to technical issues, it was difficult to hear all participants, therefore, a list of 22 questions was provided to the PD via e-mail on August 24, 2020; a response to the list of questions was received by Board Staff on September 1, 2020. A request to “provide a copy of the most current program readmission policy with the date of implementation” was included among the list of 22 questions.

- On September 1, 2020, the PD submitted her response to the 22 questions. A current readmission policy was not provided, with the representation that it “would be sent at a later date.”
- Board Staff continued to have significant concerns about the admission and readmission policies. Again on September 8, 2020, a request for admission and readmission policies was requested primarily due to the lingering unanswered questions surrounding the purpose and use of the VNSG 1205 NCLEX-PN Review Course that continues to be a part of CIT curriculum. This item was part of a comprehensive list, compiled by both Board Staff and TWC Staff, to be timely provided prior to an upcoming virtual meeting; the responses would facilitate the group discussion during the meeting.
- A virtual survey visit was planned with Board Staff, TWC Staff, and CIT representatives for September 11, 2020, and an e-mail invitation was submitted to CIT on September 8, 2020. Board Staff also attempted to reach the PD by phone on September 9, 2020. The CIT administrative assistant who answered the call advised that the PD was unavailable and took a message for the PD to return Board Staff’s call. No call was received. Only Mr. Sheikh responded of his intent to attend; however, on September 10, 2020, at 4:31 pm, the PD sent an e-mail to Board Staff requesting a “deferral of the meeting or an excuse to be absent from it” as the PD would need to oversee “the clinical group for eight hours tomorrow” due to faculty staffing concerns. Board Staff reiterated the need for the PD’s presence to which the PD replied she would do her best to attend. As the meeting was scheduled and eight representatives from two state regulatory agencies as well as two CIT administrators were committed to attending, the meeting was conducted as scheduled. (In a pre-COVID world, this would have been an unannounced face-to-face visit to the CIT campus. Board Staff would have waited in the campus lobby until the PD became available.)
- On September 11, 2020, a virtual survey visit was conducted by Staff of the Texas Workforce Commission (TWC):

- Shamona Richard, Manager, Career Schools & Colleges;
- Bill Ard, ISAM Region III Manager; and
- Vangie Sandoval, Program Specialist II; and
- Texas Board of Nursing Staff:
 - Kristin K. Benton, DNP, RN, Director of Nursing;
 - Virginia D Ayars, EdD, MS, RN, CNE, Nursing Consultant for Education;
 - Janice I. Hooper, PhD, RN, FRE, CNE, FAAN, ANEF, Lead Nursing Consultant for Education;
 - Gayle P. Varnell, PhD, APRN, CPNP-PC, Nursing Consultant for Education; and
 - Beverly E. Skloss, MSN, RN, Nursing Consultant for Education.
- The visit was conducted by a WEBEX meeting to which the following CIT representatives were invited:
 - Karen Knott-Anderson, MSN, RN, RM, VN Program Director;
 - Mudassir Sheikh, Campus Director; and
 - Ali Azam, Chief Administrative Officer (CAO). Only Mr. Sheikh and Mr. Azam attended.
- The September 11, 2020, virtual survey visit was conducted from 10 am to 11:30 am via WEBEX. TWC representatives Shamona Richard, Bill Ard, and Vangie Sandoval, attended. The CIT administration representatives were Mudassir Sheikh, Campus Director; and Ali Azam, CAO. The purpose for the meeting was to discuss the 2020 NCLEX-PN® pass rate and future implications for the program of the below 80% pass rate and TWC's concerns about policy issues and unresolved student complaints.
- Since the PD did not attend the virtual meeting, the CIT administration stated they were unable to offer responses as all VN Program issues were addressed by the PD. At one point, Mr. Sheikh left to see if the PD could join the meeting. He returned stating that the PD would try to join the meeting, but she did not appear. The outcome of the meeting was inconclusive since the CIT representatives could not respond to the questions from Board Staff and the PD did not join the meeting.
- Lists of requested information and policies were again requested by Board Staff following the virtual survey visit on September 11, 2020, with a submission deadline of the end of the business day on September 14, 2020.
- Although the requested list of documents was not received in the Board office by the end of the business day on September 14, 2020, documents were received in the Board office on September 15, 2020.

- At the October 2020 quarterly Board meeting, the Board voted to change the approval status of CIT from Initial Approval to Conditional Approval and issued the following requirements:
 - The program shall not enroll students while on conditional status.
 - The program will remain on conditional approval status until the Board changes the program approval status, based on the program achieving at least an 80% pass rate for first-time candidates for the 2021 NCLEX-PN® examination year. The NCLEX-PN® examination year is January 1, 2021 through December 31, 2021.
 - The program must demonstrate full compliance with Rule 214 prior to consideration of a change in approval status.
 - Failure to comply with Requirements 1, 2, and 3 may result in withdrawal of program approval.
- On February 24, 2021, Ms. Knott-Anderson resigned from her position as Program Director. On March 10, 2021, Robbin Wilson, MSN, RN, was appointed as Interim Program Director and approved by Board Staff
- At the April 22, 2021, Board Meeting, the CIT 2020 NCLEX-PN pass rate of 52.94% was formally accepted. The Board did not consider a change in approval status and CIT remained on Conditional Approval.
- On April 26, 2021, Board Staff sent a letter sent to Ms. Wilson regarding the need to submit a Self-Study Report, due July 15, 2021.
- The CIT SSR was received in Board office on the approved extended due date of July 17, 2021. The SSR presented: (1) a list of factors that may have contributed to the low pass rate, (2) corrective measures already implemented, and (3) planned corrective measures.
- As presented in the SSR, the list of factors contributing to the low pass rate include, but are not limited to the following:
 - Low Kaplan Nursing Admission Test scores;
 - Poor attendance and excessive tardiness;
 - Working while enrolled in school;
 - Grade inflation;
 - Not practicing nursing skills that are used during clinical learning experiences;
 - Limited use by students of available resources that would increase the students' success in school;
 - Not completing homework assignments;
 - Poor grades on Unit and Final Examinations; and
 - Not utilizing opportunities for remediation, tutoring and/or mentoring.
- The SSR identified the following Corrective Measures as fully implemented:

- The required Kaplan Nursing Admission Test Scores were raised from a 33% overall score to a 45% overall score, and then to a 50% overall score. Finally, the required scores were raised to at least a 60% score on all five testing areas in the admission test.
- A Student Academic Success Program was piloted that included assigned faculty mentors with scheduled weekly meetings with the students to review their academic performance.
- Eliminated “Extra Credit”.
- Revised the Faculty Weekly Evaluation of VN Student Clinical Performance Tools.
- Revised the Making Up Missed Work Policy, the Professionalism Policy specifically targeting attendance and dress code, and the Testing and Grading Policy to increase pharmacology, alternate format questions, “Select All That Apply”, and calculation questions.
- The following Corrective Measures will be implemented:
 - Continue offering the geriatric nursing course in Term I.
 - Increase the VN Program’s overall Grading Scale to make 75% the minimum score for passing any course in the VN Program.
 - Permanently implement the Opportunities for Remediation Plan.
 - Eliminate the rounding of grades in the VN Program with a target date of 09/13/2021.
 - Employ or assign a current nursing faculty person to be the VN Compliance Officer.
- On July 30, 2021, Board Staff conducted a telephone conference with Ms. Wilson and Ms. Joely Schroder to discuss proposed corrective measures and the outcomes of implemented changes. Board Staff were advised that:
 - Continue offering the geriatric nursing course in Term I.
 - Increase the VN Program’s overall Grading Scale to make 75% the minimum score for passing any course in the VN Program.
 - Permanently implement the Opportunities for Remediation Plan.
 - Eliminate the rounding of grades in the VN Program.
 - Employ or assign a nursing faculty member to be the VN Compliance Officer.

DRAFT LETTER

April 21, 2022

Joely Schroder, MSN/Ed, RN, Director
Vocational Nursing Education Program
CyberTex Institute of Technology
6300 La Calma Drive, Suite 410
Austin, TX 78752

Dear Ms. Schroder:

At the April 21, 2022, hybrid meeting, the members of the Texas Board of Nursing (Board) considered the proposed change in approval status for the CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas, from Conditional Approval to Initial Approval based upon the 2021 NCLEX-PN® examination pass rate, findings in the 2021 Self-Study Report, and compliance with Rule 214; and, the report of the March 1, 2022, virtual survey visit to the CyberTex Institute of Technology Vocational Nursing Program in Austin, Texas, due to NCLEX-PN® pass rates for 2020 and 2021.

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 accept the report of the virtual survey visit conducted on March 1, 2022; and issue the requirements/conditions in the attached Board Order. A requirement is a mandatory criterion based upon program assessment that is directly related to the rules that must be addressed in the manner prescribed.

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

Sincerely,

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

Copy: Ali Azam, CIT Chief Administrative Officer
Mudassir Shaikh, CIT School Director
Texas Workforce Commission

BEFORE THE TEXAS BOARD

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 virtually on April 21, 2022, by a hybrid format at 333 Guadalupe, Tower III, Room 100, 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 NCLEX-PN® examination pass rate for 2021, findings in the 2021 Self-Study Report, and compliance with Rule 214; and, to consider the report of the March 1, 2022, virtual survey visit to the CyberTex Institute of Technology Vocational Nursing Education Program, pursuant to Section 301.157, Texas Occupations Code and 22 Tex. Admin. Code Chapter 214, due to NCLEX-PN® pass rates for 2020 and 2021.

After review and due consideration of the filed materials, 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 ACCEPTS the report of the virtual survey visit to CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas.

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 the 2022 and 2023 calendar years, for a total enrollment of sixty (60) students per year.

Entered this 21st day of April, 2022

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