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September 8, 2017

President Jason Shin
South Baylo University
2727 W. 6th Street
Los Angeles, CA 90057

Dear President Shin:

At its meeting of August 10-12, 2017, the Accreditation Commission for Acupuncture and Oriental Medicine (“ACAOM” or “Commission”) reviewed the status of the February 16, 2017 formal *Accusation* (Case #999965) against South Baylo University (SBU), dba South Baylo University School of Oriental Medicine, filed by the California Department of Consumer Affairs’ (DCA) Bureau for Private Postsecondary Education (BPPE).

The Commission also reviewed the accreditation status for South Baylo University’s Annandale, Virginia branch campus (SBU-Annandale); recent written communications including SBU’s July 10, 2017 response to ACAOM’s June 21, 2017 investigative report; and related documentation for its California campuses inclusive of the most recent Site Visit Report for SBU’s additional location in Los Angeles (SBU-LA).

The Commission was also made aware that the U.S. Department of Education placed SBU on heightened cash monitoring II status, and that SBU-Annandale recently participated in an informal fact finding conference with the Private and Out-of-State Postsecondary Education State Council of Higher Education for Virginia (SCHEV).

Commission Findings:

- I. The Commission found that information contained in the original *Accusation*, and its “Causes for Discipline,” is substantial, credible and contains allegations that, if proven, present non-compliance issues with ACAOM’s *Standards* and *Policies* including, but not limited to, the following:
 - a. **ACAOM Integrity in the Accreditation Process Policy**
 - b. **ACAOM Accreditation Procedures Policy**
 - c. **ACAOM Notification of Change Policy**
 - i. 3.1 External Agency Actions
 - d. **ACAOM Eligibility Requirements**
 - i. 4.0.3, 4.0.8, 4.0.10, 4.0.17
 - e. **ACAOM Standards**

i. Standard 2 – Legal Organization	Standard 3 - Governance
ii. Criterion 4.4 – Integrity	Standard 5 – Records
iii. Criterion 5.1 – Permanent Records	Standard 6 – Admissions
iv. Criterion 6.2 – Transfer Credit	Criterion 6.7 – Recruitment
v. Criterion 6.8 – English Language Competency	Criterion 13.8 – Financial Aid
vi. Criterion 13.10 – Refund Policy	
- II. SBU-Annandale was previously cited for the following thirteen (13) non-compliance findings as noted in ACAOM’s June 2-4, 2016 site visit report:
 1. Criterion 3.3 - Bylaws
 2. Standard 4 – Administration

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3. Criterion 4.1 – Chief Administrator
4. Criterion 4.2 – Organization of Staff
5. Criterion 4.3 – Academic Leadership
6. Criterion 5.3 – Data
7. Criterion 6.6 – Prerequisites
8. Standard 7 – Assessment
9. Criterion 7.1 – Programmatic Review
10. Criterion 7.2 – Measurement of Student Achievement
11. Criterion 7.3 – Assessment of Graduates Success
12. Criterion 8.1 – Program Length
13. Criterion 14.1 – Completeness and Accuracy

The institution submitted a Formal Institutional Response to this Site Visit Report.

The Commission reviewed the Formal Institutional Response and found that the institution had not demonstrated remediation of all Non-Compliance findings and determined that further information is warranted.

- III. SBU-LA was previously cited for the following (14) fourteen Non-Compliance findings as noted in ACAOM's May 27-29, 2015 site visit report.
1. Criterion 1.2 – Educational Objectives
 2. Standard 2 – Legal Organization
 3. Standard 4 – Administration
 4. Criterion 4.2 – Organization of Staff
 5. Criterion 4.3 – Academic Leadership
 6. Criterion 6.4 – Policy Planning
 7. Criterion 8.1 – Program Length / Min. Max. Time Frame / Clock to Credit
 8. Criterion 8.6 – Syllabi
 9. Criterion 8.7 – Clinical Training
 10. Criterion 8.8 – Clinical Observation
 11. Criterion 8.9 – Supervised Clinical Practice
 12. Criterion 9.5 – Communication
 13. Criterion 13.4 – Budgetary Process
 14. Criterion 14.4 – Status with ACAOM

The institution submitted a Formal Institutional Response to this Site Visit Report.

The Commission reviewed the accreditation record for SBU-LA and found that the institution had not demonstrated remediation of all non-compliance findings and determined further information was warranted.

- IV. The Commission reviewed and considered ACAOM's June 21, 2017 Investigative Report, and SBU's July 10, 2017 response thereto, and elected to defer action on the remaining unresolved findings pending the outcome of the aforementioned *Accusation*, and SBU's efforts to remediate the non-compliance findings for SBU-Annandale and SBU-LA.



Commission Action:

Consistent with ACAOM's *Commission Actions Policy*, the Commission took the following actions:

1. Based on the "Causes for Discipline" cited in the aforementioned *Accusation*, particularly those implicating institutional integrity and unethical behavior, it appeared to the Commission that SBU is seriously out of compliance with ACAOM Standard 4 (Criterion 4.4: Integrity). Consistent with ACAOM's *Commission Actions Policy* [{"Commission Sanctions," (Imposition of) Sanctions for Unethical Behavior, p.8)], the Commission issued an **Order to Show Cause** based on the "Causes for Discipline" outlined in the *Accusation*, the non-compliance findings and discrepancies among the SBU campuses. The Commission will terminate the accreditation status of SBU and all its locations unless SBU can "show cause" why accreditation status should not be terminated by demonstrating that it has responded satisfactorily to the Commission's concerns giving rise to the Order to Show Cause, and is in material compliance with all of the Commission's *Eligibility Requirements and/or Standards and Criteria for Accreditation* for all locations.
2. To require SBU to submit to ACAOM a **Supplemental Information Report** no later than October 13, 2017 addressing the status of the *Accusation* and Paragraph I of the "Commission Findings" outlined above – particularly ACAOM Criterion 4.4: Integrity.
3. To require SBU to submit to ACAOM a **Progress Report** no later than October 13, 2017 addressing the (13) thirteen non-compliance findings noted under Paragraph II of the "Commission Findings" outlined above for its SBU-Annandale branch campus location. Additionally, this Progress Report must address the outcome of the 3 August 2017 informal fact-finding conference with SCHEV.
4. To require SBU to submit to ACAOM a **Supplemental Information Report for its SBU-LA additional location** no later than October 13, 2017 updating the March 29, 2016 "First Candidacy Monitoring (Progress) Report" and any additional remediation actions taken to address the (14) fourteen non-compliance findings noted under Paragraph III of the "Commission Findings" outlined above for all of SBU's California campus locations.
5. To require SBU to host focused site visits to all California and Virginia campus locations during Fall 2017 to verify information that SBU is expected to submit in the above required reports due October 13, 2017. Reports from the focused site visit will be reviewed at the Commission's February 2018 meeting.

Please also note that SBU is under a continuing obligation to timely notify ACAOM of actions taken by external agencies. (See ACAOM's Notification of Change Policy, Paragraph 3.1, pages 9-10, attached).

Please note the Commission is not bound by a rigid sequence of actions nor precluded from taking actions at any time as warranted by evolving circumstances.

DISCLOSURES TO THE PUBLIC BY THE INSTITUTION

All disclosures about accreditation must truthfully and accurately represent the status. At this time, consistent with ACAOM Policies and *Standards*, SBU must publish the following public disclosure notification in its catalogue, on its website, and/or in any other public announcements that include accreditation information:

The Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) has placed South Baylo University and all its locations and programs, on *Show Cause* why its accreditation status should not be terminated effective March 2018. The institution retains accredited status during this period. The *Order to Show Cause* is subject to reconsideration and/or appeal consistent with



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ACAOM's *Commission Actions Policy*. ACAOM is the recognized accrediting agency for programs preparing acupuncture and Oriental medicine practitioners. ACAOM is located at 8941 Aztec Drive, Eden Prairie, Minnesota 55347; phone 952/212-2434; fax 952/657-7068.

In the event that SBU publishes any official documents in any language other than English, the public disclosure must also be included in the additional languages. Use of language other than that so designated is not permitted without prior written permission from Commission staff. The Commission must receive a copy of, or a link to, the public announcement of its accredited status with ACAOM within fifteen (15) calendar days of receipt of this *Action Letter*.

Programs and institutions are responsible for understanding and following ACAOM's current policies and procedures found at <http://acaom.org/policies/>. You and your staff are encouraged to contact ACAOM with any questions or need for further clarification.

Sincerely,



Mark S McKenzie, PhD (China), MSOM, L.Ac
Executive Director
Mark.McKenzie@acaom.org

Cc: Kathy Taromina, DACM, L.Ac, Chair

Attachments: See ACAOM's website for current versions of all policies.

