

**NEW OPERATING AND/OR DEGREE-GRANTING AUTHORITY
FOR INDEPENDENT INSTITUTIONS**

Submitted for: Action.

Summary: New independent institutions, institutions planning to operate at a new location, including a location outside the higher education region of original operating authority, and out-of-state institutions planning to operate in Illinois for the first time are required to obtain authorization to operate. These institutions are also required to obtain authorization for each new degree program.

Action Requested: That the Illinois Board of Higher Education deny the following:

Southwest University of Naprapathic Medicine

- Operating Authority in the North Suburban Region



STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

**NEW OPERATING AND/OR DEGREE-GRANTING AUTHORITY
FOR INDEPENDENT INSTITUTIONS**

The Illinois Board of Higher Education (IBHE) has responsibility for administration of The Private College Act (110 ILCS 1005) and The Academic Degree Act (110 ILCS 1010). Under these statutes, new independent institutions, institutions planning to operate at a new location, including a location outside the higher education region of original operating authority, and out-of-state institutions planning to operate in Illinois for the first time are required to obtain authorization to operate. These institutions also are required to obtain authorization for each new degree program.

Applications for new operating and degree-granting authority submitted by independent Illinois institutions and out-of-state institutions are reviewed by the staff. Recommendations are developed by applying criteria for operating and/or degree-granting authority, which are defined in the rules adopted for administration of the statutes and Board policies on assessment of student learning and specialized accreditation requirements for student licensure. These criteria encompass educational objectives, institution and degree titles, curricula, facilities, faculty and administrator qualifications, student policies, publications, records, compliance with pertinent laws, and fiscal stability. Staff recommendations are based on analyses of application materials, responses to questions, and site visits. Out-of-region sites are defined as sites located within an IBHE approval region other than the region within which an institution's original operating authority was granted. There are ten IBHE approval regions; each is coterminous with one or more community college districts. Approval to operate within a new approval region entitles an institution to operate throughout the region, and not solely at the site at which the institution initially applied. In addition to the approval criteria in rules, each new program was reviewed for its contributions to the goals of the higher education strategic plan, *A Thriving Illinois: Higher Education Paths to Equity, Sustainability, and Growth*, which sets forth priorities to guide Illinois higher education. Staff recommendations are based on analyses of application materials and responses to staff questions.

This item includes a recommendation to deny operating authority to one institution.

Staff Recommendation and Rationale

1030.30 (b)(8) The Executive Director of the Board will submit the staff recommendation for action to the Board at a regular meeting. The Chief Executive Officer of the institution, or a designee, will be invited to attend and may be asked to respond to Board questions. In the event the staff recommendation is negative, the applicant shall be given an opportunity to respond in writing. This response shall be transmitted to the Board at the same time as the staff recommendation.

The staff of the Illinois Board of Higher Education has reviewed the application for authorization to operate in the Chicago Region submitted by Southwest University of Naprapathic Medicine and recommends that the Board deny the application. The following is a discussion regarding the institution's failure to meet specific criteria provided in the Private College Act (110

ILCS 1005), Academic Degree Act (110 ILCS 1010), and the related Administrative Code (Admin. Code) (Ill. Admin. Code tit. 23, § 1030(2017)).

Staff Conclusion: Staff recommends denial of the application for operating authority.

Southwest University of Naprapathic Medicine
2006 Botolph Suite A
Santa Fe, NM 87505
President: Patrick Nuzzo, DN

Southwest University of Naprapathic Medicine

- Southwest University of Naprapathic Medicine requests authorization to operate in the North Suburban Region.

Background and History

Southwest University of Naprapathic Medicine (SUNM or the University) is a for-profit postsecondary institution that offers graduate level education in naprapathic medicine at its main campus located in Santa Fe, New Mexico. SUNM was established in 2006 by Patrick Nuzzo, in Santa Fe, New Mexico, and officially opened its doors in 2010. Since 2010, the institution reports that 67 students have enrolled at SUNM, and in the 12 years of the institution's operation 33 individuals have graduated from the three-year accelerated program. The institution reported in October 2022 that a total of 22 students were enrolled at the Santa Fe campus. SUNM seeks to establish a school of naprapathic medicine in Chicago, Illinois, for adults who have received their bachelor's degree and are interested in pursuing a degree in naprapathic medicine. SUNM leaders anticipate that applicants to the proposed Illinois institution will already have obtained licensure in other forms of manual or alternative medicine, such as chiropractic medicine, physical therapy, and sports medicine.

According to the SUNM application materials, naprapathy was founded by Oakley Smith in 1905. The Illinois Naprapathic Practice Act (225 ILCS 63/1 *et seq.*) defines naprapathic practice as the "identification, evaluation, and treatment of persons with connective tissue disorders through the use of naprapathic case history and palpation or treatment of persons by the use of connective tissue manipulation, therapeutic and rehabilitative exercise, postural counseling, nutritional counseling, and the use of the effective properties of physical measures of heat, cold, light, water, radiant energy, electricity, sound and air, and assistive devices for the purpose of preventing, correcting, or alleviating a physical disability" (225 ILCS 63/15). The act further provides that "a naprapath licensed under this Act who is not also licensed as a physical therapist under the Illinois Physical Therapy Act shall not hold himself or herself out as qualified to provide physical therapy or physiotherapy services" (225 ILCS 63/15). Additionally, "A naprapath shall refer to a licensed physician, dentist, or podiatric physician any patient whose medical condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the naprapathy. A naprapathy shall order additional screening if the patient does not demonstrate measurable or functional improvement after six visits and continued improvement thereafter" (225 ILCS 63/15).

Two states in the U.S. offer licensure for the Doctor of Naprapathic (DN) medicine – New Mexico and Illinois. The state of Ohio also references naprapathy in regulations for "Limited Branches of Medicine or Surgery" (Chapter 4731-01-06 Ohio Administrative Code). However, it appears that Ohio has not issued licensure since 1992 (Section 4731.151 Ohio Revised Code). The Illinois Department of Financial and Professional Regulation (IDFPR) oversees the Illinois Naprapathic Practice Act (225 ILCS 63/10). As of October 6, 2022, IDFPR reports there are 153 active licenses for Naprapathy, and only one license was issued in the last calendar year. Provisions in the Illinois

Naprapathic Practice Act were slated to be repealed in January 2023. Illinois Senate Bill 4016 extended the Naprapathic Practice Act with a sunset date of January 1, 2028.

Southwest University of Naprapathic Medicine submitted an application to the IBHE for operating authority on September 30, 2020. Staff review of Southwest University of Naprapathic Medicine's application began in January 2021. The application materials were incomplete and missing multiple required elements as follows:

- Part3: Academic Programs and Curriculum
- Part4: Facilities
- Part5: Faculty and Staff
- Audited financial statement

Staff requested missing information through a series of technical questions and phone interactions with institutional leaders. In a call with institutional leaders on August 27, 2021, IBHE staff reiterated that all application materials must be submitted to enable full review of the proposal. While the institution submitted some of the missing application materials upon subsequent prompts, SUNM requested an extension to submit its most recent audited financial statement. The application remained incomplete until October 12, 2021 at which point the 2020 audited financial statement was provided. Subsequently, SUNM also submitted 2021 audited financial statement in October 2022 for consideration.

Additionally, at the time of application in September 2020, SUNM did not have institutional accreditation, nor had it sought required recognition through the Illinois Department of Financial and Professional Regulation. SUNM was initially unaware of the IDFPR requirement to approve their curriculum. In response to Technical Questions in January 2021, SUMN stated that IDFPR only "discloses the approval process for continuing education courses for Naprapaths. However, there is no disclosure of approval for a degree program." The Illinois Naprapathic Practice Act requires graduates seeking licensure must have "graduated from a curriculum in naprapathy approved by the Department." Similarly, 68 Illinois Administrative Code 1295, administered by IDFPR provides "The Department shall, upon the recommendation of the Committee, approve a naprapathy program if it meets the following minimum criteria." IBHE staff issued technical questions on these matters. SUNM staff subsequently sought and achieved these recognitions in the intervening period. Despite these developments, the University's application for operating authority does not meet IBHE requirements.

Institutional Data

1030.30(a)(3)(F): Success in student progression and graduation across all existing approved programs, and success rates in programs preparing students for certification and licensure, shall be consistent with expectations in higher education and the appropriate related field of study. At a minimum, the Board shall consider the following factors, based on results for similar institutions: (i) Graduation rates, certificate and degree completion rates, retention rates, and pass rates for licensure and certification aligned with thresholds set by State or national regulatory bodies; and (ii) Success rate, which shall be, at a minimum, higher than that of the lowest quartile of these measures for similar Illinois institutions defined as open versus competitive enrollment institutions and primarily associate versus primarily baccalaureate granting institutions. Exceptions may be made to the lowest quartile if an institution is above the national average for these measures using the same comparison categories of institutions.

1030.30(a)(3)(G): Additional student success measures shall be considered in the review of applications for authorization. The Board shall establish minimum rates of success based on results for similar institutions or thresholds set by State or federal regulatory bodies. i) At a minimum, these data shall include student loan default rates, student indebtedness rates, job placement rates, student learning measures and other success indicators. ii) Institutions that participate in Federal Student Loan programs shall have 3-year Official Cohort Default rates no higher than 25 percent. Institutions with Federal Financial Responsibility Composite Scores shall have a score that is no lower than 1.0. Institutions that fail to meet these thresholds may be restricted from implementing new certificate or degree programs. iii) The success rate shall be, at a minimum, higher than that of the lowest quartile of these measures for similar Illinois institutions defined as open versus competitive enrollment institutions and primarily associate versus primarily baccalaureate granting institutions. Exceptions may be made to the lowest quartile if an institution is above the national average for these measures using the same comparison categories of institutions.

Since the institution offers its program at the graduate level and does not participate in Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 et seq. (Title IV, HEA programs), there are no federally available outcomes data. However, staff requested SUNM's data on enrollment and graduation rates and SUNM reported graduation rates ranging from 44 percent to 88 percent from 2017 through 2022. A breakdown of the five-year enrollment and graduation rates is presented in Table 1 below:

Table 1: Cohort Enrollment and Graduation Rates Academic Year 2016-2022, New Mexico Campus

Year	Enrollment	Withdrawal	Graduation rate (%)
2017	5	3	60
2018	8	2	50
2019	9	3	44
2020	9	1	88
2021	9	1	88
2022	9	2	N/A

Note: SUNM reports that a total of 22 students are currently pursuing studies as of October 2022.

Need

Public Act 102-1046, 110 ILCS 1005/4, Sec. 4 (7): That the proposed degree program is educationally and economically consistent with the educational priorities and needs of this State and meets a need that is not currently met by existing institutions and is supported by clear evidence of need. If the examination shows that the applicant has such qualifications a certificate of approval shall be issued.

Staff Conclusion: SUNM's proposal does not provide sufficient evidence to demonstrate the need for the Doctor of Naprapathy program in the State of Illinois.

Illinois has one institution - National College of Naprapathic Medicine - that offers a Doctor of Naprapathy program. In fact, SUNM is using the curriculum from the National College of Naprapathic Medicine for its own proposed operations in Illinois. Chartered in 1908 in Chicago, the National College of Naprapathic Medicine existed prior to the establishment of the Illinois Board of Higher Education and is exempt from various regulatory provisions as outlined in the

statute and administrative rules. A review of National College of Naprapathic Medicine website shows that another school, the National College of Naprapathy, was founded in Chicago in 1949, but subsequently merged with the National College of Naprapathic Medicine in 1971.

As part of this review, staff evaluated the need and demand for the SUNM proposal by assessing employment projections and job postings in the naprapathy field. No information was found specific to the field on the U.S. Bureau of Labor Statistics (BLS) website, and a search of “Napropathy” job postings on popular job sites — Indeed.com, Glassdoor, and Monster yielded no results. In addition, staff reviewed enrollment data for the existing National College of Naprapathic Medicine’s DN program which trends in the single digits. The National College of Naprapathic Medicine reported enrollment of nine students in 2017 and two students in 2020.

While SUNM suggests that the institution's program may be appealing to prospective applicants as the only naprapathy school with accreditation, the proposal failed to provide evidence of demand for a second school in Illinois. Graduates of the existing National College of Naprapathic Medicine are eligible for licensure through IDFPR, and no specialized institutional accreditation is currently available in the naprapathy field. Further, staff analysis has yielded no evidence to suggest that the existing institution has not met the need for licensed naprapaths in Illinois. According to IDFPR, there are 153 active licenses for naprapathy in Illinois, and only one license was issued in the last calendar year.

A Thriving Illinois: Higher Education Paths to Equity, Sustainability, and Growth

110 ILCS 205/6) (from Ch. 144, par. 186) Sec. 6: The Board, in cooperation with the Illinois Community College Board, shall analyze the present and future aims, needs and requirements of higher education in the State of Illinois and prepare a strategic plan for the development, expansion, integration, coordination and efficient utilization of the facilities, curricula and standards of higher education for public institutions of higher education in the areas of teaching, research and public service.

Staff Conclusion: Southwest University of Naprapathic Medicine failed to provide sufficient evidence to support alignment of its proposed operations in Illinois with the goals of “A Thriving Illinois.”

SUNM provided limited information about how their proposal for a school of naprapathic medicine aligned with the goals and strategies of the higher education strategic plan, “A Thriving Illinois.” When asked to provide information in response to technical questions on this matter, the institution replied, “We cannot affirmatively respond to the questions related to Equity and some within Growth, as this is a very specific medical degree, offered by only two U. S. schools, Southwest University of Naprapathic Medicine in Santa Fe, New Mexico and the National College of Naprapathic Medicine in Chicago Illinois.” Upon IBHE staff further clarification that the questions were asked of all institutions seeking IBHE approval, the institution subsequently submitted responses in February 2022.

The University’s response to questions relating to Goal 1, Equity, *to close the equity gaps for students who have historically been left behind*, provides that the institution targets “a broad demographic of potential students” and currently serves students who are mostly Hispanic in background. The institution indicated that its marketing strategies will help achieve a diverse student population. However, little or no evidence was provided about how the institution will ensure that

Illinois students receive academic and other holistic supports for their success in the proposed program.

Staff reviewed SUNM's proposal to determine if its program will contribute to Goal 2, Sustainability, *to build a stronger financial future for individuals and institutions*. SUNM reports that tuition and fees are \$65,600 for total program cost, noting these figures are slightly more than the tuition level at the existing National College of Naprapathic Medicine (\$62,280). The University also noted that the institution offers students a 36-month "Individualized Student Payment Plan that enables students to enroll in the Doctor of Naprapathy program." However, no details are provided about the payment plan, including risks or liabilities assumed by students who may not be able to make payment or who have to stop out of the program. Earnings potential for individuals with the DN designation are difficult to ascertain beyond claims on the website of the National College of Naprapathic Medicine that graduates might earn \$75,992 or more annually. Moreover, considering that SUNM does not currently participate in Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 et seq. (Title IV, HEA programs), unanticipated withdrawal of students due to financial burden may further exacerbate the financial position of the institution as the school depends mainly on tuition revenue.

With only two free-standing institutions in the country that offers naprapathic medicine program and no specialized accreditation for the field, it is unclear how the proposal contributes to Goal 3, Growth, *to increase talent and innovation to drive economic growth*. The proposal does not include clear evidence of supply and demand in the field of naprapathic medicine. In response to technical questions related to this part of the Illinois higher education strategic plan, the University cited demand in the broad area of healthcare writ large and provided that "graduates of SUNM may also choose to add additional specialties to their practices in areas such as nutrition, chiropractic, and others, to best serve their clients."

Fiscal and Personnel Resources

1030.30(a)(11): *The institution should be financially stable and capable of assuring the revenues needed for meeting stated objectives and fulfilling commitments to students.*

Staff Conclusion: Southwest University of Naprapathic Medicine lacks financial capacity to support a school in Illinois.

While SUNM submitted its application to IBHE in September 2020, it failed to submit at the time the required most recent audited financial statement. This information was not provided until many months later. Upon request by IBHE staff through a series of technical questions and phone conversations with institutional leaders, SUNM initially submitted audited the financial statement for fiscal year end 2019 in April 2021, and subsequently submitted the required most recent audited financial statement for fiscal year 2020 in October 2021.

The University's audited financial statement for 2020 shows a net loss of \$59,952 and net income of \$7,189 in 2019. Total revenue for 2020, including tuition (\$324,799) and "other revenue" (\$55,677) was \$380,476 and total expenses were \$440,428, with a net operating loss of \$59,952. With the 2020 total revenue of \$380,476 and total expenses of \$440,428, the net operating margin was -14 percent. Likewise, with the total net asset of \$515,735, the return on asset was calculated to be -12 percent. The liability ratio of 33 percent for the 2020 audit reviewed indicates that the company has more liabilities than its current assets. Subsequently, SUNM

also submitted their 2021 audited financial statement in October 2022, and the net income was \$20,116. It is unclear how the planned expansion of mission to operate in Illinois requiring additional expenses is to be adequately supported.

In addition, the IBHE application requires the submission of a planning and budgeting spreadsheet for the newly proposed site in Illinois. The institution reported a disproportional increase in projected revenue from \$88,680 to \$898,500 from the first to second year of operations respectively, which was not supported by other evidence reviewed. In a phone call with the institution on September 6, 2022, IBHE staff highlighted the discrepancy in revenue projections. The institutional representatives in this call responded that they could make up the revenue as presented when they become eligible for Title IV funding administered by the U.S. Department of Education.

Overall, the current financial status as presented on the audited financial statements and the tuition revenue projections based on current analysis of enrollment in similar operations of the existing National College of Naprapathic Medicine institution in Illinois as well as SUNM's operation in New Mexico, do not support a financially sustainable operation in Illinois.

Tuition and Enrollment

Staff Conclusion: *With the institution dependent mainly on tuition revenue for its operation, staff are concerned about the sustainability of the proposed school in Illinois should enrollment not meet the institution's projected values.*

Institutional data provided below, show marginal enrollments in the degree program at the University in New Mexico. These marginal enrollments, and the persistent annual student withdrawal from 2018 to 2020 impacts revenue and concomitant increases in tuition. As provided in the Planning and Budgeting spreadsheet application material, tuition per course is projected to increase from \$972 in the first year to \$1,204 per course in the fifth year, representing a 23.8 percent increase in tuition. Table 1 above presents the enrollment and graduation rates for the New Mexico campus for academic year 2017 through 2021.

The institution indicated that there were 22 active students at the New Mexico campus as of October 15, 2021, and the number remained the same as of the update provided by the institution on October 11, 2022. Table 2 includes the University's projected enrollments for Years Two through Five in Illinois.

Table 2: SUNM Projected Headcount Enrollment for Illinois

First Year	Second Year	Third Year	Fourth Year	Fifth Year
12	36	60	72	84

The enrollment projections for Illinois as provided in the Projected Annual Headcount Enrollment application material and as shown in Table 2 indicate enrollment will increase from 12 in the first year to 84 by the fifth year of operation. It is unclear how the institution arrived at these enrollment figures as SUNM has never had any cohort of newly enrolled students above ten for any academic session. The plan to meet the target enrollment as reflected in different sections of the proposal is not supported by other evidence reviewed. Moreover, the existing National College of Naprapathic Medicine in Chicago reported low enrollment of nine students in 2017 and two

students in 2020. In addition, the discrepancy in the number of courses to be offered skewed the number of course enrollments reported and resulted in an unrealistic overestimation of tuition revenue from \$87,480 in the first year to \$896,100 in the second year.

Curriculum/Assessment

1030.30(a)(3): The caliber and content of each course or program of instruction, training or study shall be reasonable and adequate for achieving the stated objectives for which the course or program is offered. An undergraduate curriculum shall include general education in alignment with the degree level and objectives.

Staff Conclusion: The institution has not provided sufficient evidence to demonstrate that faculty will participate in developing or implementing the curriculum for achieving the objectives of the proposed program of study in Illinois operations.

With the proposal for operating authority, the institution provided that “SUNM adopted its Doctor of Naprapathy curriculum through an affiliation agreement with the National College of Naprapathic College Medicine,” which “articulates the use of the Doctor of Naprapathic Medicine curriculum including course listings, descriptions, sequencing, and syllabi.” The curriculum for the DN program requires 190 quarter credit hours to be completed in three years. The program will be offered in a hybrid format with 75 percent of the curriculum online. Students will meet once a week to practice hands-on techniques using naprapathic treatment tables in a shared conference room. The curriculum also includes required internships in which students will enroll during each academic quarter. In addition to coursework, interns are required to work a minimum of 12 hours weekly for 50 weeks in the SUNM Intern Clinic providing naprapathic treatments. The income generated from treatments performed by interns is paid directly to the SUNM Intern Clinic.

Upon initial application to the IBHE in September 2020, SUNM did not provide evidence that the school’s curriculum is aligned with Illinois Department of Financial and Professional Regulation requirements for licensure. Following IBHE staff technical questions on the matter, SUNM submitted its curriculum to the IDFPR and subsequently received IDFPR approval on May 12, 2022.

IBHE administrative rules require faculty teaching in online programs to have involvement in the development, implementation of online programs and to have methods for assessing and supporting student learning. SUNM clarified in response to technical questions on October 15, 2021, that existing faculty participated in the revision of the curriculum after it was adopted. However, it is not clear how other faculty in the Illinois school, whom the institution indicates will all be initially adjunct faculty, will participate in developing and implementing the curriculum. It is not clear what supervisory role faculty will provide during internship or what assessment methods and other supports will be implemented to improve students’ learning.

Of note, it is also not clear what administrative staff will be available to provide support for the delivery of the program in Illinois. In its application, the institution noted that, “all administrative staff will initially be located at SUNM’s main campus in Santa Fe.” Relatedly, no administrative expenditures or compensation are outlined in the application Planning and Budgeting spreadsheet. This raises further questions about the level of support Illinois students will receive while they are on site in Chicago.

Faculty and Staff

1030.30(a)(5): *The education, experience and other qualifications of directors, administrators, supervisors and instructors shall ensure that the students will receive education consistent with the objectives of the program*

Staff Conclusion: *Southwest University of Naprapathic Medicine failed to provide evidence that the faculty are sufficient to deliver the program planned for the institution's operation in Illinois.*

SUNM provided in its application that, "Initially, all faculty members will be adjunct" and "while hiring full time faculty remains a goal, the nature of the institution lends itself to the use of adjunct faculty." Staff review of the faculty resumes provided by the University in its application materials show that three proposed faculty do not meet the qualification requirement. Resumes for two of the three listed faculty indicated that the required doctoral degree was in view; however, no update was provided by the institution that these individuals had earned the requisite degrees. Consequently, it is unclear how potential Illinois students will be taught by qualified faculty and, further, how advising and support of students will be addressed with continuity.

Staff concern with the capacity of faculty for the Illinois operation is also compounded with the discrepancy on the Planning and Budgeting spreadsheet application material on faculty compensation. On the projected budgeted expenditure section, the institution showed that only two courses will be taught by adjunct faculty in the first year of operations in Illinois, and the total compensation will be \$4,200 (\$2,100 per course). This contradicts the course projections provided in the revenue section as well as the faculty scheduling document, which indicates 24 courses will be taught by seven faculty in the first year. These multiple discrepancies regarding faculty and planning for faculty instruction at the proposed Illinois school raise concerns about the readiness of SUNM to expand operations.

Facilities (space, equipment, instructional materials)

1030.30(a)(4): *The institution shall have adequate and suitable space, equipment and instructional materials to support institutional programs.*

Staff Conclusion: *SUNM failed to provide sufficient evidence to show that the facilities are sufficient for the delivery of program in the Illinois operation.*

The institution provided that for the first year or two of operation, an office space in Chicago was leased, which “includes one administrative office and shared facilities such as a conference room, copy machine, restrooms, and reception areas.” The location is at 8745 West Higgins Road, Suite 110, Chicago, Illinois 60631. This space appears to be owned by Office Evolution, a business that provides office rentals and co-working spaces. The month-to-month lease agreement is missing key information such as the start and end date as well as rental amount. The lease agreement includes provisions for shared workspace use as follows:

“Members are entitled to unlimited use of the Shared Workspace area at all qualifying Business Centers. Shared workspace is limited to Members (not clients or other guests), cannot be reserved, and is on a space available basis in designated areas at each qualifying Business Center...If all available facilities are in use, the Member who has been using shared workspace for the longest period that day must vacate the space within 15 minutes of being notified....Shared Workspace use is intended as a convenience for Members and is not intended to be used as a permanent or semi-permanent substitute for paid workspace. The Business Center, will in its sole judgment, notify a Member if it believes that this policy is being abused and may then limit or rescind the Member’s Shared Workspace use, or terminate the member agreement in accordance with the Terms & Conditions.”

The provisions of SUNM’s lease with Office Evolution appear to run counter to the basic and necessary operations of a postsecondary institution.

SUNM noted in its application that the temporary space will serve a maximum of 15 students. This stands in contrast to the University’s projections that 36 students will be enrolled at the Illinois location in the second year. According to SUNM, students are required to meet once a week in-person to practice hands-on clinical techniques. It is unclear from the application materials how in-person learning requirements and other in-person activities requiring privacy, such as advising, will be adequately accommodated for 15-36 students in the leased space. In addition, the application notes that “during the second year, a larger space will be leased to house at least one full classroom and will share space with the SUNM Naprapathic Intern Clinic,” which the students will use “to treat patients during the internship portion of the program,” hence staff is concerned about the lack of adequate space for this internship portion of the program during the first year.

The University indicated in the application “Planning and Budgeting” spreadsheet that the Chicago space was rented at an annual rate of \$8,700. It is not clear if rental fees for the Illinois operation are accounted for in the Operating Lease Commitment in Note 5 of the 2020 audited financial statement. Note 5 of the 2020 audited financial statement provides that SUNM “entered into a noncancelable lease agreement for its facility space for three years,” with an annual rent of \$35,085 for the year ending December 31, 2020, and \$40,170 for the year ending December 31, 2019. These rental fees do not seem to include the Illinois operation, as the audited financial statement references one lease agreement. Moreover, it is unclear if the University could manage the associated facilities costs if enrollment differs from the institution’s projections.

The University provided limited information about library resources or appropriately qualified library personnel. In response to Technical Questions on October 15, 2021, relating to access to library resources for students, the school responded that “SUNM provides students with resources to support their academic program and students utilize these resources on a daily basis” and that a physical learning resource center is available for students. No details were included about the nature of the resources or how students in Illinois would have access to these learning resources or qualified personnel who could assist them in accessing the same.

Accreditation / Licensure

1030.30(a)(16): Any institution applying for a Certificate of Approval or authorization to operate in the State of Illinois must specify its accreditation status. New institutions without accreditation from an accrediting authority recognized by the U.S. Department of Education or the Council for Higher Education Accreditation shall provide a clearly defined plan to move from candidate to affiliate status.

SUNM received institutional accreditation from the Distance Education Accrediting Commission (DEAC) in June 2021. DEAC institutional accreditation is specifically for institutions offering distance education.

Two states in the U.S. offer licensure for the Doctor of Naprapathic (DN) medicine – New Mexico and Illinois. The Illinois Department of Financial and Professional Regulation oversees the Illinois Naprapathic Practice Act (225 ILCS 63/10). As of October 6, 2022, the Illinois Department of Financial and Professional Regulation reports there are 153 active licenses for Naprapathy, and only one license was issued in the last calendar year.

Provisions in the Illinois Naprapathic Practice Act were slated to be repealed in January 2023. Illinois Senate Bill 4016 extended the Naprapathic Practice Act with a sunset date of January 1, 2028. In addition, 68 Illinois Administrative Code 1295, administered by IDFPR references the professional body, the American Naprapathic Association (ANA). However, staff review of the ANA website indicates that the organization has not implemented institutional membership processes for naprapathy schools. According to the review of ANA website as of September 28, 2022, individual membership is currently open for licensed Doctor of Naprapathy, graduate interns, student interns, and students. Institutional membership was indicated as “coming soon”, and “Institutional representatives for schools or programs are encouraged to participate in “institutional committees” of the ANA.”

Staff Conclusion

The staff concludes that Southwest University of Naprapathic Medicine does not meet the criteria in Section 1030.30 of the rules to implement The Private College Act (110 ILCS 1005) and The Academic Degree Act (110 ILCS 1010) and the relating Illinois Administrative Code (Title 23 Section 1030) pertaining to the assessment and licensure of a post-secondary institution.