



Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
P.O. Box 980818, West Sacramento, CA 95798-0818
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AMENDED NOTICE OF EMERGENCY DECISION

February 14, 2012

TO: Bindu Baburajan, Owner
Institute of Medical Education

Sunil Vethody, Agent for Service of Record
Institute of Medical Education

Pursuant to California Code of Regulations, Title 5, section 75150, subdivision (d) and Government Code section 11460.40, the Bureau for Private Postsecondary Education (Bureau) hereby notifies the Institute of Medical Education, Bindu Baburajan, Owner (Institute), located at 130 S. Almaden Blvd., San Jose, CA 95113 (School Code No. 69608217) and 7901 Oakport Street, Oakland, CA 94621 (School Code No. 81701347), that on February 16, 2012, at 12:01 a.m., the attached Emergency Decision will become effective. The Emergency Decision will order the Institute to:

- (1) Cease enrollment of new students in all of the Institute's programs;
- (2) Cease all instruction for all of the Institute's programs; and
- (3) Cease collection of tuition and fees for all of the Institute's programs.

You have the right to be heard before the Director of Consumer Affairs, or her designee, regarding the allegations in the Emergency Decision prior to the effective date of the Emergency Decision. If you would like to be heard before the Director, please submit a request by fax to Yvette Johnson, Enforcement Manager, Bureau for Private Postsecondary Education, 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, (916) 263-1895 (fax). Alternatively, you may request a hearing before the Director, or her designee, by telephoning Yvette Johnson at (916) 431-6915. Unless the Bureau receives your request by 3:00 p.m. on February 13, 2012, you will be deemed to have waived your right to be heard before the Director, or her designee.

If requested, the hearing before the Director of Consumer Affairs, or her designee, will be held on February 14, 2012, at 11:00 a.m. at the Department of Consumer Affairs Executive Office, located at 1625 North Market Blvd., Suite S-308, Sacramento, CA 95834.

Within 10 days after issuance of the Emergency Decision, the Bureau will file an accusation on the charges and allegations set forth in the Emergency Decision. The adjudicative proceedings shall be conducted in accordance with Article 10 (commencing with Section 11445.10) of Chapter 4.5 or Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, as requested by you.

Upon issuance of the Emergency Decision, you have the right under Government Code section 11460.80 to obtain judicial review of the Decision.

The Emergency Decision shall remain in effect until such time as the Accusation has been fully adjudicated or upon issuance of the final decision following judicial review.



Joanne Wenzel, Deputy Bureau Chief
Bureau for Private Postsecondary Education

2/14/12

Date



AMENDED EMERGENCY DECISION

Pursuant to Education Code section 94938, California Code of Regulations, Title 5, section 75150, and article 13 (commencing with section 11460.10) of Chapter 4.5 of Part 1 of Division 3 of Title 2 of the Government Code, the Bureau for Private Postsecondary Education (Bureau) issues the following Emergency Decision:

The Bureau hereby orders the Institute of Medical Education, Bindu Baburajan, Owner (Institute), located at 130 S. Almaden Blvd., San Jose, CA 95113 (School Code No. 69608217) and 7901 Oakport Street, Oakland, CA 94621 (School Code No. 81701347), to:

- (1) Cease enrollment of new students in all of the Institute's programs;
- (2) Cease all instruction for all of the Institute's programs; and
- (3) Cease collection of tuition and fees for all of the Institute's programs.

This order is based on an immediate danger to the public health, safety, and welfare. Specifically, the Bureau has determined that:

- The Institute is not an accredited institution. Nonetheless, the Institute is advertising, or indicating in promotional material, that it is accredited;
- The Institute is no longer financially viable in that it has withdrawn from the Federal Financial Aid Program. The Institute relies on student federal financial aid in order to operate;
- The Institute is in default of its enrollment agreement under Education Code section 94927 in that the junior class of the Institute's Dental Hygiene Program was discontinued on February 3, 2012. Also, on February 6, 2012, the Institute's Dental Hygiene Program Director resigned. In addition, on February 2, 2012, the Commission on Dental Accreditation (CODA) withdrew its accreditation of the Institute's Dental Hygiene Program;
- Most of the Institute's financial aid staff have left the Institute or been terminated; and
- The Institute has enrolled students in its MRI and Ultrasound programs even though the Bureau has not approved these programs.

As a result of the Institute's financial difficulties and the loss of its Dental Hygiene Program Director and financial aid staff, the Institute can no longer provide adequate educational and administrative services to the students enrolled in its programs, including those students enrolled in the Institute's Dental Hygiene Program who are still receiving instruction. In addition, the Institute is misrepresenting to its students and the public that it is an accredited institution. Also, because the Institute's MRI and Ultrasound programs are not approved by the Bureau, they are being operated unlawfully. Finally, the Bureau has reason to believe that despite the Institute's misrepresentations and unapproved MRI and Ultrasound programs, the Institute continues to enroll students in its programs and accept tuition payments.

These circumstances require immediate action by the Bureau to protect students, prevent misrepresentations to the public, and prevent the loss of public funds or monies paid by students.

You have the right to be heard before the Director of Consumer Affairs, or her designee, regarding the allegations in the Proposed Emergency Decision prior to the effective date of the Emergency Decision. If you would like to be heard before the Director, please submit a request by fax to Yvette Johnson, Enforcement Manager, Bureau for Private Postsecondary Education, 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, (916) 263-1895 (fax). Alternatively, you may request a hearing before the Director, or her designee, by telephoning Yvette Johnson at (916) 431-6915. Unless the Bureau receives your request by 3:00 p.m. on February 13, 2012, you will be deemed to have waived your right to be heard before the Director, or her designee.

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Joanne Wenzel, Deputy Bureau Chief
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