

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

CAROLYN WRIGHT and DEBBRA KENNEDY,)
INDIVIDUALLY AND ON BEHALF OF ALL OTHERS)
SIMILARLY SITUATED,)

Plaintiffs,)

v.)

CAPELLA EDUCATION COMPANY, and)
CAPELLA UNIVERSITY, INC.,)

Defendant.)

Case No.: _____

Judge: _____

JURY TRIAL DEMANDED

CLASS ACTION COMPLAINT

Plaintiffs Carolyn Wright and Debbra Kennedy (“Plaintiffs”), by and through their undersigned counsel, bring this Class Action Complaint (“Complaint”) on behalf of themselves and all others similarly situated against Defendants Capella Education Company and Capella University, Inc. (collectively “Capella”).

NATURE OF THE ACTION

1. This action seeks redress for Plaintiffs and potentially thousands of similarly situated doctoral students who were harmed by Capella’s deceptive doctoral degree process– a process intended to ensure that it would be difficult, if not impossible, for students to timely complete, or complete at all, their doctoral programs.

2. Capella essentially operated a “bait and switch” program. The bait was displayed when Capella’s marketing materials and recruiters misled prospective and current students making misleading statements about the time to completion and cost of their mostly student-loan financed doctoral degrees: Plaintiff Wright was told her Doctor of Nursing Practice degree would

take two years and cost approximately \$35,000, and Plaintiff Kennedy was told that PhDs in Education or Doctoral Degrees in Education would cost approximately \$45,000-\$55,000 and take three to three-and-a-half years to complete.

3. Capella's marketing materials, recruiters, and student handbooks (upon information and belief all prepared and/or located in Minnesota) also reassured prospective students that after their doctoral course work, colloquium, and/or field hours were completed, they would be awarded a doctoral degree.

4. Capella doctoral students signed up for the program and completed their classes, colloquium, and/or field hours. Once the doctoral students were committed, having invested significant amounts of time and money in the program completing their coursework, problems began.

5. Instead of completing the promised doctoral degree program requirements and being awarded a doctoral degree in the advertised time, Capella employed the "switch." Capella created an endless routine of hurdles and benefitted from additional tuition payments.

6. Students who believed they were getting ever closer to obtaining their doctoral degree were in fact stuck with decreasing resources, faculty turnover, disorganization and a lack of oversight, all of which increased the length of the doctoral students' enrollments at Capella.

7. Frustrated, Plaintiffs, and upon information and belief thousands of other doctoral students, realized that contrary to Capella's promises, they did not have control over the time it would take to complete their doctoral degree program; they were at the mercy of Capella advisors who can and did ensure that doctoral students would be misled, confused, and ultimately cheated out of their money to the benefit of Capella.

8. While students reasonably believed they were taking the necessary steps to obtain their doctoral degrees, weeks stretched into months, then into semesters, and then into years of continuing tuition payments and student loans.

9. Capella's promises of approximately \$35,000 and two years, and \$50,000 and 3 years to complete a doctoral degree were replaced by skyrocketing student-loan debt, while the degree programs dragged on far past Capella's promised timelines.

10. Finally, most students' debt would grow so large, they would have no choice but to un-enroll so they could dedicate themselves to working to pay back their crushing student loans ... without degrees to show for their work.

11. In reality, Capella later admitted that its doctoral programs were designed to take much longer than prospective students were promised.

12. These facts, inconsistent as they may seem, were withheld from Plaintiffs prior to their enrollment at Capella, or while they attended for that matter.

13. With these false promises and misleading statements, Capella ensnared thousands of doctoral students, including Plaintiffs.

14. Universities exist to educate and grant degrees. However, Capella – a for-profit corporation -- created a smoke-and-mirrors doctoral degree process to receive ever-increasing amounts of money in the form of tuition payments and fees.

15. The longer a student was kept in pursuit of their degree, the more tuition payments and fees that student would pay, and, importantly, the more money Capella would make.

16. Further, having already paid tens of thousands of dollars to get “half way” through the program or potentially further (*i.e.*, completing the classroom work and colloquium), most

students would understandably be compelled to continue pursuing their degree despite Capella's hurdles, feeling they have what it takes if they just keep working.

17. It was nearly a perfect plan. Given that the Capella doctoral program was mostly online, students were isolated from the vast majority of their peers, unable to see whether others faced the same challenges. Instead, the students would assume it was just them, and continue a fight they could not win.

18. Capella intended to (and did) generate substantial additional profits by way of additional tuition and fees. The practice resulted in the members of the Class and Subclasses (defined below) paying substantially more for Capella's doctoral degree programs than promised by Capella (or reasonably anticipated by the students).

19. Capella's acts caused substantial damage to Plaintiffs and Class and Subclass members. If Capella had not misrepresented the time – and therefore, the true cost – of its doctoral degree programs, Plaintiffs, and upon information and belief, Class and Subclass members would not have attended Capella, made tuition and fee payments, or borrowed any amount including but not limited to student loans for tuition and fees, room and board charges, costs of books and supplies and other expenses.

20. Further, had Capella not misrepresented the timelines, real-world costs, and realities of its doctoral degree process, Plaintiffs and Class and Subclass members would not have registered for the program or paid for the educational services offered by Capella.

21. Instead, Plaintiffs and those similarly situated relied upon Capella's misrepresentations and omissions when enrolling at Capella and when they continue term to term, and are now saddled with crippling debt, bad credit, inability to obtain additional student loans, useless course credits that will not transfer to other institutions, and most times, no doctoral degree.

THE PARTIES

22. Plaintiff Carolyn Wright is, and has been at all relevant times, a resident and citizen of the State of Kansas. She enrolled in Capella's doctoral program in 2013.

23. Plaintiff Debbra Kennedy is, and has been at all relevant times, a resident and citizen of the State of Tennessee. She enrolled in Capella's doctoral program in 2014.

24. Capella Education Company is a corporation organized under the laws of the State of Minnesota. Capella Education Company is publicly traded on the Nasdaq under ticker symbol CPLA. Further, Capella Education Company maintains its principal place of business at Capella Tower, 225 South Sixth Street, 9th Floor, Minneapolis, Minnesota 55402.

25. Capella University, Inc. is a corporation organized and operating under the laws of the State of Minnesota.

26. According to public disclosures made by Capella Education Company, Defendant Capella University is a wholly owned subsidiary of Capella Education Company.

27. Capella University, Inc. shares its Minnesota address with its parent, Capella Education Company. A principal-agent relationship exists between Capella Education Company and Capella University, Inc.

28. Upon information and belief, Capella University, Inc. also operated and operates a call center for enrollment from Minnesota as well.

29. Capella Education Company is liable for the wrongful acts of its subsidiary-agent.

30. Alternatively or additionally, the acts of the Defendants Capella Education Company and Capella University, Inc. were conducted in concert pursuant to an express or implied agreement amongst themselves to act in this collective manner. Defendants Capella Education

Company and Capella University, Inc. (collectively referred to herein as “Capella”) are therefore jointly and severally liable for the acts complained of herein.

JURISDICTION AND VENUE

31. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(d)(2) because the matter in controversy, upon information and belief, exceeds \$5,000,000, exclusive of interest and costs, and this is a class action in which certain members of the Class and Defendant are citizens of different states.

32. This Court has personal jurisdiction over Defendants because they are headquartered and conduct significant business in Minnesota.

33. Venue is proper in this district, pursuant to 28 U.S.C. § 1391, because Defendants reside in, transact business in, are found within, and have agents in this District and a substantial part of the events giving rise to Plaintiff’s claims arose in this District.

34. Due to Capella’s location in Minneapolis, the state of Minnesota is unique compared to other states where its students reside. Under SARA,¹ an agreement the state of Minnesota has nearly every U.S. state, the District of Columbia, and the U.S. Virgin Islands, out-of-state complaints that arise due to educational institutions that conduct programs via the internet are principally handled in the state where the educational institution resides.² Because of this, Minnesota, as the site of the home state portal agency under SARA, has authority to resolve

¹ “The members of SARA are states, not institutions or students. Therefore, a state “joins” or becomes a “member” of SARA while a college or university “operates under” or “participates in” SARA.” See, Basic Questions About SARA, available from: <http://nc-sara.org/content/basic-questions-about-sara#who>).

² SARA “[s]hifts principal oversight responsibilities from the state in which the distance education is being received to the ‘home state’ of the institution offering the instruction.” Key Attributes of Sara, available from: <http://nc-sara.org/about/key-attributes-sara>.

complaints from other SARA member states. For Capella, this means complaints from its students will principally be heard by the Minnesota Office of Higher Education.

CAPELLA, ITS GROWTH AND FUNDING

35. Capella was founded in 1991 as a Minnesota corporation.

36. In 1993, Capella established a wholly-owned university subsidiary, then named The Graduate School of America, to offer doctoral and master's degrees through distance learning programs in management, education, human services and interdisciplinary studies.

37. In 1995, Capella launched online doctoral and master's degree programs over the Internet.

38. In 1997, Capella's university subsidiary received accreditation from the North Central Association of Colleges and Schools (later renamed The Higher Learning Commission).

39. In 1998, Capella expanded its original portfolio of academic programs by introducing doctoral and master's degrees in psychology and a master of business administration degree.

40. In 1999, to expand the reach of Capella's brand in anticipation of moving into the bachelor's degree market, Capella changed its name to Capella Education Company and the name of its university to Capella University.

41. This helped Capella University, a for-profit corporation, seem like a legitimate educational institution.

42. In 2004, Capella began offering four-year bachelor's degree programs in business and information technology.

43. In November 2006, Capella completed an initial public offering, becoming not only a for-profit company, but additionally a publicly traded company with stockholders to appease.

44. Capella has continued to create new programs and specializations, including the launch of doctoral, master's and bachelor's level programs.

45. Currently, Capella offers approximately 1,840 online courses, 48 academic programs, and 163 specializations.

46. Capella offers a number of online, doctorate level degrees: Doctor of Philosophy in Human Services, Doctor of Philosophy in Public Safety, Doctor of Public Administration (DPA), Doctor of Social Work (DSW), Doctor of Health Administration (DHA), Doctor of Public Health (DrPH), Doctor of Nursing Practice (DNP), Doctor of Philosophy in Advanced Studies in Human Behavior, Doctor of Philosophy in Counselor Education and Supervision, Doctor of Philosophy in Psychology, Doctor of Psychology (PsyD), Doctor of Psychology (PsyD) in School Psychology, Doctor of Business Administration (DBA), Doctor of Philosophy in Information Technology, Doctor of Philosophy in Business Management, Doctor of Education (EdD), Doctor of Philosophy in Education (PhD),

47. Given the number of degrees offered and the large sums spent on marketing, enrollment at Capella has increased significantly over the last 15 years. In 2001, Capella had an enrollment of 3,759 students. On the last day of the quarter ended December 31, 2015, Cappella had 36,976 students.

48. Of the approximately 36,000 students attending Capella on the last day of the quarter ended December 31, 2015, doctoral students made up 26.1%, or a total of 9,645 doctoral students.³

49. Not surprisingly, the increased enrollment has led to a similar trajectory for Capella's profits. In 2007, Capella had profit of approximately \$30,000,000. In 2010, Capella's profit had more than tripled to approximately \$95,000,000.

50. The vast majority of Capella's revenue is derived from federally funded student loans. In 2010, 80.8% (\$338,000,000) of Capella's revenue was derived from federal education funds.

51. As a for-profit college, Capella devotes substantial portions of revenue to both marketing and profit. As of 2009, Capella spent approximately 29.8% of its revenue (\$100,000,000) on marketing and recruitment of new students. Likewise, in 2009, Capella allocated approximately 19.1% of its revenue (\$64,000,000) to profit. The amount that Capella spends on marketing and recruitment, as well as amounts allocated to profit, is higher than average for other for-profit colleges.

52. In just four years between 2006 and 2010, the profit generated by Capella increased by approximately \$65,000,000 – from \$30,000,000 to \$95,000,000.

53. In 2009, Capella spent only \$1,650 per student on instruction compared to \$4,538 per student on marketing. Even more striking, Capella realized \$2,912 in profits per student. By way of comparison, the University of Minnesota spent \$13,247 per student on instruction during the same time period.

³ See, <https://www.sec.gov/Archives/edgar/data/1104349/000110434916000042/form10-k2015.htm>.

54. Capella students carry some of the highest student loan debts in the country. A 2015 Brookings Institution study found that by 2014, students had accumulated over \$8 billion in debt while at Capella. This was the fifth largest amount of debt out of the more than 3,000 schools in the report.

55. Capella doctoral students (like all students) are required to pay back their student loan debt regardless as to whether they receive the degree they sought or not... and many do not.

56. The problem, however, as described in United States Senate Report on For-Profit Universities is:

[w]hile aggressive recruiting and high cost programs might be less problematic if students were receiving promised educational outcomes, committee staff analysis showed that tremendous numbers of students are leaving for-profit colleges without a degree.

Exhibit A, at 324.

57. According to the Senate's 2012 investigation of For Profit Colleges, in the 2008-2009 timeframe, 5,018 doctoral students enrolled at Capella.⁴

Degree Level	Enrollment	Percent Completed	Percent Still Enrolled	Percent Withdrawn	Number Withdrawn
Bachelor's Degree	5,602	1.4%	38.3%	60.3%	3,378
Masters	11,867	3.5%	52.1%	44.3%	5,262
Doctorate	5,018	0%	58.0%	42.0%	2,107
All Students	22,487	2.2%	50%	47.8%	10,747

Id. Senate Report on For-Profit Universities, Capella at 325.

⁴ Although unclear from the 2012 Senate Report, in the best light for Capella, it appears this information corresponds to students who newly enrolled in 2008 and 2009, given the 0% completion rate for doctoral students. If, however, this information corresponds to all doctoral students at Capella, then it had a 0% graduation rate for doctoral students.

58. Furthermore, within two years, 42% of Capella's 2008-2009 enrollees had withdrawn without receiving a doctoral degree, despite committing countless hours and paying large sums of money (most likely via student loans) for tuition.

CAPELLAS' NEVER-ENDING DOCTORAL PROGRAMS

59. Through recruiting and marketing, Capella promises that obtaining a Doctor of Nursing Practice ("DNP") from Capella is not only feasible, it is relatively inexpensive and relatively quick. In fact, Capella uniformly told prospective and current students that the DNP program would take two years.

60. For example, in at least its 2015 and 2016 webpages for the DNP program actively marketed to entice prospective students to enroll, Capella stated the DNP was a two-year degree:

The Most Direct Path to Your Doctoral Degree

Reach your goals faster. Capella provides three pathways to your DNP degree:

DNP Program: In just two years you can earn your DNP and prepare to manage complex health care challenges in a program that focuses on practical nursing rather than research and theory.

See, Exhibit B, Archived Capella DNP Webpage.⁵

61. Further, as described below, recruiters from Capella's call center would tell prospective students that the DNP program was a two-year program.

⁵ This DNP webpage for Capella marketed its program as a two-year program for at least 2015 and 2016. Such materials, however, were obtained from archive.org which is not a complete archive of all webpages or timeframes, so the full timespan that Capella made these misrepresentations (on this webpage of others) will need to be determined in discovery.

62. Even after students enrolled, Capella would send materials re-enforcing its two-year promise. For example, Capella’s “Doctor of Nursing Practice (DNP) Degree Program” document reiterates the DNP program is a two-year program, with “Year 1” and “Year 2” mapped out for students.

Course Sequence

This course sequence assumes learners pursue a full-time course of study. Some learners may elect to take fewer courses per quarter based on workload and the amount of time available for graduate study.

YEAR 1	COURSES	RESIDENCIES
Q1	DNP8000 Theoretical Foundations and Applications DNP8001 DNP Field Experience 1*	
Q2	DNP8002 Contemporary Issues in Advanced Nursing Practice DNP8003 DNP Field Experience 2*	
Q3	DNP8004 Investigation, Discovery, and Integration DNP8005 DNP Field Experience 3*	
Q4	DNP8006 Policy and Advocacy in Advanced Nursing Practice DNP8007 DNP Field Experience 4* DNP8008 Executive Leadership and Ethics in Health Care DNP8009 DNP Field Experience 5*	
YEAR 2	COURSES	RESIDENCIES
Q5	DNP8010 Management in Advanced Contemporary Nursing DNP8011 DNP Field Experience 6* DNP8012 Nursing Technology and Health Care Information Systems DNP8013 DNP Field Experience 7*	
Q6	DNP8014 Global Population Health DNP8015 DNP Field Experience 8*	
Q7	DNP8016 DNP Capstone 1 DNP8017 DNP Field Experience 9*	
Q8	DNP8018 DNP Capstone 2 DNP8019 DNP Field Experience 10*	DNP-R8016 DNP Residential Colloquium [†]

Ex. C at 10.⁶

⁶ The final page of this document confirms it was created and sent from Capella’s headquarters in Minnesota.

63. Capella's repeated claims that the DNP program could be completed in "just two years," are false.

64. In December 2014, Capella admitted the DNP program was actually "designed to take 30 months," (Ex. D) although only 13% of the students that completed the program did so in 30 months.

The screenshot displays the Capella University website for the Doctor of Nursing Practice program. The header includes the university name, program title, level (Doctoral degree), and length (30 months). A 'PRINT' icon is visible in the top right. The main content is divided into two columns. The left column, titled 'Cost', lists tuition and fees at \$39,945, books and supplies at \$1,490, and on-campus room & board as 'not offered'. It also includes a link for further cost information and a disclaimer that the amounts are for the entire program and subject to change. The right column, titled 'SUCCESS', lists two questions: 'How long will it take me to complete this program?' and 'What are my chances of getting a job when I graduate?'. The first question is answered by stating the program is designed for 30 months and that 13% of students completed it in that time. The second question is answered by stating the job placement rate is '%'. A disclaimer at the bottom of the right column states that the institution is not currently required to calculate a job placement rate for program completers.

Capella University
Doctor of Nursing Practice
 Program Level - Doctoral degree
 Program Length - 30 months

Cost How much will this program cost me?*

A. Tuition and fees: \$39,945
 Books and supplies: \$1,490
 On-campus room & board: *not offered*

What other costs are there for this program?

For further program cost information [click here](#).

* The amounts shown above include costs for the entire program, assuming normal time to completion. Note that this information is subject to change.

SUCCESS

Q. How long will it take me to complete this program?

A. The program is designed to take 30 months to complete. Of those that completed the program in 2013-2014, 13% finished in 30 months.

Q. What are my chances of getting a job when I graduate?

A. The job placement rate for students who completed this program is "%."

* This institution is not currently required to calculate a job placement rate for program completers.

With only 13% of students *that graduated* completed the program in 30 months, the other 87% of students *that graduated* take even longer. And with Capella's focus on *graduating* students, Capella is silent on the number of enrolled students who did not complete the program, meaning even the 13% number is higher than it should be.

65. Despite the actual "design" of its DNP program, Capella misrepresented that its students could complete the program in "just two years" which according to its own facts would be the exception to the rule.

66. Further, with a program lasting well over 30 months (again, for *graduates* only), the estimated tuition of \$39,945 was also understated. Upon information and belief, the calculated tuition would only reflect the 13% of students who graduated in 30 months ... not the 87% of students that took longer or the students who were forced to unenroll with no degree.

67. Remarkably, two years later, Capella updated this page to report a suspicious increase to an 84% graduation rate, though within a longer 39-month timespan.

The screenshot displays the Capella University website for the Doctor of Nursing Practice (DNP) program. The header includes the university name, program title, level (Doctoral degree), and length (39 months), along with a print icon. The main content is divided into two columns: 'COST' and 'SUCCESS'.

COST Column:

- Q. How much will this program cost me?*
- A. Tuition and fees: \$40,350
Books and supplies: \$1,190
On-campus room & board: *not offered*
- What other costs are there for this program?
- For further program cost information [click here](#).
- * The amounts shown above include costs for the entire program, assuming normal time to completion. Note that this information is subject to change.

SUCCESS Column:

- Q. How long will it take me to complete this program?
- A. The program is designed to take 39 months to complete. Of those that completed the program in 2014-2015, 84% finished in 39 months.
- Q. What are my chances of getting a job when I graduate?
- A. The job placement rate for students who completed this program is *%.
- * This institution is not currently required to calculate a job placement rate for program completers.

Ex. E.

While this jump in graduation rate is suspect, it still confirms that Capella's DNP program is not a two-year program.

68. Plaintiff Kennedy was interested in pursuing either a PhD or EdD in Education. She was initially interested, and enrolled in, the PhD program. Capella's course materials and descriptions led Plaintiff Kennedy, and other prospective students, to believe they could complete a PhD in three years.

Recommended Course Sequence

This recommended course sequence assumes learners transfer in 48 quarter credits of previous graduate course work and they take two courses per quarter. Some learners elect to take fewer or more based on workload and the amount of time available for graduate study. On-time completion for this specialization is 18 active quarters.

YEAR 1	COURSES	RESIDENCIES
Q1	ED8002 Foundations of Theory and Practice in Doctoral Studies	
Q2	ED7311 Theory and Methods of Educating Adults ED7314 International and Multicultural Perspectives in Postsecondary and Adult Education	ED-R8921 PhD Colloquium Track 1
Q3	ED8112 Educational Research Methods ED7312 Teaching Adults	
Q4	ED7712 Classroom Assessment in Education ED8117 Advanced Qualitative Research Methods	ED-R8922 PhD Colloquium Track 2
YEAR 2	COURSES	RESIDENCIES
Q5	ED7310 Evaluating the Effectiveness of the Educational Process ED7590 Critical Thinking in Adult Education	
Q6	ED8444 Higher Education Curriculum Development and Teaching Strategies ED7716 Faculty Leadership	
Q7	ED8122 Statistics for Educational Research I	ED-R8923 PhD Colloquium Track 3
Q8	ED9919 Doctoral Comprehensive Examination	
YEAR 3	COURSES	RESIDENCIES
Q9	ED9919 Doctoral Comprehensive Examination	
Q10	ED9921 Dissertation Research 1 ED9920 Dissertation Courseroom	
Q11	ED9922 Dissertation Research 2 ED9923 Dissertation Research 3 ED9920 Dissertation Courseroom	
Q12	ED9924 Dissertation Research 4 ED9920 Dissertation Courseroom	

Ex. F, at 8.

69. However, Capella disclosed in June 2017 that the program was actually designed to take 84 months.

Capella University
Doctoral degree in PhD Education Instructional Design
for Online Learning
Program Length: 84 months

[Print](#)

Students graduating on time

N/A* of Title IV students complete the program within 84 months [i](#)

*Fewer than 10 students enrolled in this program. This number has been withheld to preserve the confidentiality of the students.

Program Costs*

\$107,455 for tuition and fees

\$4,900 for books and supplies

\$34,350 for off-campus room and board

Other Costs

Visit website for more program cost information

*The amounts shown above include costs for the entire program, assuming normal time to completion.

Note that this information is subject to change.

Students Borrowing Money

84% of students who attend this program borrow money to pay for it [i](#)

The typical graduate leaves with

N/A* in debt [i](#)

*Fewer than 10 students completed this program within normal time. This number has been withheld to preserve the confidentiality of the students.

The typical monthly loan payment

N/A* per month in student loans with **N/A*** interest rate. [i](#)

*Fewer than 10 students completed this program within normal time. This number has been withheld to preserve the confidentiality of the students.

The typical graduate earns

\$86,333 per year after leaving this program [i](#)

See, https://www.capellaresults.com/content/dam/vc/capella-results/gainful-employment/education/doctoral/PhD_Ed_IDOL_gedt.html, visited Jan. 11, 2018.

70. Plaintiff Kennedy ultimately decided to enroll in the university's Doctor of Education capstone program (EdD), specializing in Adult Education. The capstone program was also advertised as being able to complete in three years.

EdD program

Capella University's online EdD degree provides a structured doctoral program focused on practical knowledge and applied research that contributes to the solution of a recognized problem in the field. The curriculum was designed around the standards of a number of respected P–12 organizations and is aligned with the Competencies for Community College Leaders developed by the American Association of Community Colleges. The program is designed to be completed in less than 3 years, with all courses taken in sequence, allowing you to learn and build professional relationships with the same cohort of students. People likely to be interested in this degree program include higher education and P–12 administrators; higher education faculty and P–12 teachers transitioning to administrative or leadership positions; and government, corporate, and nonprofit leaders whose organization or position is focused on education. This degree program does not satisfy licensure requirements for P–12 public school teachers or administrators.

Ex. G.

71. However, as with the PhD program, the EdD program was also designed to take much longer than advertised. Plaintiff Kennedy was led to believe she could complete the program and graduate within three years (36 months). However, Capella recently disclosed that the program was actually designed to take 45 months. More egregiously, Capella admitted that fewer than 10 students enrolled in the program were able to complete it even in this expanded time frame. However, as with the PhD program, the EdD program was also designed to take much longer than advertised. Plaintiff Kennedy was led to believe she could complete the program and graduate within three years (36 months). However, Capella recently disclosed that the program was actually designed to take 45 months. As of January, 2018, Capella's website stated:

Capella University
Doctoral degree in Doctor of Education Adult Education
Program Length: 45 months

[Print](#)

Students graduating on time

N/A* of Title IV students complete the program within 45 months [i](#)

*Fewer than 10 students enrolled in this program. This number has been withheld to preserve the confidentiality of the students.

Program Costs*

\$42,140 for tuition and fees

\$2,940 for books and supplies

\$20,610 for off-campus room and board

Other Costs

Visit website for more program cost information

*The amounts shown above include costs for the entire program, assuming normal time to completion.

Note that this information is subject to change.

Students Borrowing Money

78% of students who attend this program borrow money to pay for it [i](#)

The typical graduate leaves with

N/A* in debt [i](#)

*Fewer than 10 students completed this program within normal time. This number has been withheld to preserve the confidentiality of the students.

The typical monthly loan payment

N/A* per month in student loans with **N/A*** interest rate. [i](#)

*Fewer than 10 students completed this program within normal time. This number has been withheld to preserve the confidentiality of the students.

The typical graduate earns

\$75,800 per year after leaving this program [i](#)

Graduates who got jobs

N/A* of program graduates got jobs

*We are not currently required to calculate a job placement rate for program completers.

Program graduates are employed in the following fields:

Adult Basic and Secondary Education and Literacy Teachers and Instructors

Self-Enrichment Education Teachers

Licensure Requirements [i](#)

*Program has no licensure requirements in any state.

Additional Information

Date Created 6/26/2017

These disclosures are required by the U.S. Department of Education

See https://www.capellaresults.com/content/dam/vc/capella-results/gainful-employment/education/doctoral/EdD_Adult_Ed_gedt.html, visited Jan. 11, 2018.

PLAINTIFF WRIGHT'S EXPERIENCE AT CAPELLA

72. When Plaintiff Wright began looking at obtaining her DNP, it was imperative that she complete her degree within 2 years. Plaintiff Wright called many different schools that offered DNP programs, and found Capella's was the quickest to completion at 2 years (the other schools were three years).

73. On or about Dec. 2013, Plaintiff Wright spoke via telephone with Ben Groff, an enrollment counselor at Capella. Upon information and belief, Mr. Groff was located in a Capella call center in Minnesota. Mr. Groff confirmed the DNP was a two-year program. After speaking, Mr. Groff and/or Capella emailed Plaintiff Wright materials which included a two-year timeline for program completion. Upon information and belief, these materials were created in Minnesota.

74. Plaintiff Wright chose to enroll in Capella's DNP program because of Capella's two-year promise to completion. Plaintiff Wright's father was a sixth-grade graduate, who could not read or write, and had been diagnosed with bone cancer. It was important for Plaintiff Wright when she enrolled to be able to complete her degree within the promised timeframe so her father could see her graduate.

75. Plaintiff Wright enrolled in the DNP program at Capella and began her classes in the Spring Quarter of 2014.

76. When enrolling, she relied upon Capella's promises that the DNP program was a two-year program. In fact, this was the reason she chose Capella over other schools that offered DNP programs.

77. While attending, she took five course classes (receiving an A in each) and five DNP Practice Immersion classes earning a grade of S for satisfactory in each (the highest grade allowed).

78. For all of the quarters she attended, Plaintiff Wright paid about \$53,000.

79. Well into her DNP project, Capella changed Plaintiff Wright's instructor, and although her DNP project had been approved for over a year, her new instructor informed her she would "have to start over." This was devastating to Plaintiff Wright as 1) her DNP project was previously approved by her prior instructor (Dr. Bressie) who previously called it a "great project," 2) her DNP project was already researched and 3) her preceptor hours were completed.

80. After receiving this news, Plaintiff Wright emailed a letter to Capella explaining her situation.

After many hours of research, meetings, calls, papers, notes and even interviews I am being told the college will not allow me to continue with this topic. Not only have I been told this today, but every term has been changed somehow leaving me with the lack of understanding of what is due, what needs to be done, changes in forms I must now use and even the fact that I might be dropped from the program if I obtain an unsatisfactory in 2 of the classes. Know when I enrolled I had enrolled under other expectations and now they are changing leading me to possible program failure. Why was I not grandfathered in? I have worked extremely hard given the circumstances and now I am faced with starting from square 1 when I should be heading towards the end of the program. Thousands of dollars have been spent on this program and now I am looking at thousands more only if I can start over and find a project to do which may be acceptable, make the extremely hard timeline set up for me, obtain a new preceptor, do extensive research, compile evidence, complete the smart form by the end of the term and be able to go forward next semester.

81. After Plaintiff Wright expressed concern about this change, Capella falsely alleged that Plaintiff Wright forged her preceptor's signature. Despite Plaintiff Wright providing proof that Capella's accusations were false (including a letter a letter from her preceptor-physician and an actual script from the physician showing her signature), Capella ignored such evidence. Upon information and belief, Capella created these false accusations to retaliate against Plaintiff Wright.

82. Rather than restart her DNP project and continue at a now-hostile school, Plaintiff Wright unenrolled and transferred to another school. At the time she unenrolled, she was a straight-A student.

83. Despite being promised it would take two years to complete her degree, at the time she unenrolled from Capella, she was not near completion. Plaintiff Wright estimates it would have taken her at least another year to complete her program.

84. Unfortunately, Plaintiff Wright's father passed away on February 11, 2018, without seeing his daughter graduate with her doctoral degree. Had Capella complied with its two-year promise (or actually offered a two-year program), Plaintiff Wright would have graduated within the promised time frame, and her father would have seen his daughter obtain a doctoral degree. Capella's falsely representing a significantly-longer, DNP program as a two-year program deprived Plaintiff Wright from this opportunity.

85. Had Plaintiff Wright been made aware of Capella's abysmally low completion rate, she would not have enrolled in the doctoral program or paid the tuition, supply costs, and other fees charged by Capella, or incurred student loans. Further, had Capella not misrepresented the timeline, costs, hurdles to obtaining a doctoral degree, or had it actually disclosed its true scheme, Plaintiff Wright would not have agreed to pay for the educational services offered by Capella.

86. Capella has intentionally and unjustly prolonged Plaintiff Wright's work toward her doctoral degree and extracted extra tuition payments and costs from her for coursework that would never have been necessary but for Capella's scheme to generate additional tuition revenue. As a result of the scheme, Plaintiff Wright had to withdraw, knowing that to complete the educational process, at a minimum, would require more time and more tuition payments beyond what she had reasonably anticipated she would have had Capella not engaged in its illegal conduct.

PLAINTIFF KENNEDY'S EXPERIENCE AT CAPELLA

87. In 2013, Plaintiff Kennedy began researching schools that offered advanced degrees in education and was considering pursuing either a PhD or EdD degree.

88. She spoke with two recruiters or advisors by telephone (Anne Hile and Mary Shustarich) to discuss the programs and the time required to complete her degree. Upon information and belief, Ms. Hile and Ms. Shustarich were located in a Capella call center in Minnesota. Plaintiff Kennedy was told that the EdD program would approximately take 3 years (for the Capstone which is intended to an accelerated program) and that the total cost would be no more than \$50,000 by graduation.

89. In order to entice her to select Capella, she was told that the cost to obtain the same degree at other Universities would be twice that as Capella. She was essentially told that she would save money and graduate in much shorter time frame at Capella, and that she could expect to graduate in the summer of 2017.

90. Plaintiff Kennedy enrolled in her program in late 2013 or early 2014, and began her studies in the winter quarter (February) of 2014. She successfully completed all required coursework with an A grade point average.

91. Plaintiff Kennedy began working on her dissertation in the winter quarter of 2016-17, continuing with spring 2017, summer 2017, into fall 2017. Due to continued delays in her dissertation progress and continually mounting student loan debt, Plaintiff Kennedy withdrew from Capella.

92. As of now, Plaintiff Kennedy paid well over \$100,000.00 for her time at Capella working on her degree. Despite being promised it would take three years, at the time she stopped enrolling at Capella, she was still only 1/5 of the way towards completion of her dissertation.

93. Had Plaintiff Kennedy been made aware of Capella's low completion rate, she would not have enrolled in the doctoral program or paid the tuition, supply costs and other fees charged by Capella, or incurred student loans. Further, had Capella not misrepresented the timeline, costs, and undisclosed hurdles she would face in obtaining her degree or had it actually disclosed its true scheme, Plaintiff Kennedy would not have agreed to pay for the educational services offered by Capella.

94. Capella has intentionally and unjustly prolonged Plaintiff Kennedy's work toward her doctoral degree and extracted extra tuition payments from her for coursework that would never have been necessary but for Capella's scheme to generate additional tuition revenue. As a result of the scheme, Plaintiff Wright had to withdraw, knowing that to complete the educational process, at a minimum, would require more time and more tuition payments beyond what she had reasonably anticipated she would have had Capella not engaged in its illegal conduct.

CLASS ACTION ALLEGATIONS

95. The experiences of Plaintiffs at Capella were substantially similar to those experienced by numerous other students attempting to navigate the process across Capella's doctoral degree programs.

96. Plaintiffs requests the Court certify this lawsuit as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure.

97. Plaintiffs bring this case as a class action pursuant to Fed. R. Civ. P. 23(b)(2) and (b)(3), on behalf of a nationwide Class under Minnesota law defined as follows:

All current or former students within the United States who enrolled in and paid tuition for a doctoral degree program at Capella University from 2006 until the present and did not receive full reimbursement for tuition, costs and student loans from Defendants (the "Class").

Excluded from the Class are: (i) Defendants and their officers and directors, agents, employees, affiliates, and subsidiaries; (ii) all Class members that timely and validly request exclusion from the Classes; and (iii) the Judge presiding over this action.

98. Alternatively, Plaintiffs bring this case as a class action pursuant to Fed. R. Civ. P. 23(b)(3), on behalf of the following subclasses:

a) Kansas Class, by Plaintiff Wright (the “Kansas Class”):

All current or former students within the State of Kansas who enrolled in and paid tuition for a doctoral degree program at Capella University from 2006 until the present and did not receive full reimbursement for tuition, costs and student loans from Defendants.

b) Tennessee Class, by Plaintiff Kennedy (the “Tennessee Class”):

All current or former students within the State of Tennessee who enrolled in and paid tuition for a doctoral degree program at Capella University from 2006 until the present and did not receive full reimbursement for tuition, costs and student loans from Defendants.

Excluded from the Classes are: (i) Defendants and their officers and directors, agents, employees, affiliates, and subsidiaries; (ii) all Class members that timely and validly request exclusion from the Classes; and (iii) the Judge presiding over this action.

99. Further, as discovery unfolds, additional classes or modified classes might be possible or necessary, perhaps by doctoral program. However, as it appears Capella’s fraudulent representations and omissions were made to students of all degree programs (e.g., quicker times to completion that conflicted with actual design times and failure to inform of abysmally low doctoral graduation rate), a single nationwide class is best-suited for this action and places Capella on notice of the broadest possible class that Plaintiffs could move for, as contemplated by the Federal Rules’ notice-pleading standard.

100. **Numerosity:** Upon information and belief, the members of the Class number in at least the thousands. As a result, the Class is so numerous that joinder of all members in a single action is impracticable. The members of the Class should be readily identifiable from academic records and enrollment records of Capella. The disposition of these claims will provide substantial benefits to the Class.

101. **Commonality and Predominance:** There is a well-defined community of interest and common questions of law and fact which predominate over any questions affecting only individual members of the Class. These common legal and factual questions, which will generate common answers which are apt to drive the resolution of the litigation, do not vary between members of the Class. These common questions may be determined without reference to individual circumstances and will provide common answers. The following represent a non-exhaustive list of common questions:

- a. Whether Capella maintains institutional control over its doctoral programs;
- b. Whether, with knowledge of its abysmally low doctoral program completion rate, Capella promised potential and current students unrealistic timelines to completion of its doctoral programs;
- c. Whether, with knowledge of its abysmally low doctoral program completion rate, Capella made false representations to its students about their actual chances of even completing a doctoral program at Capella;
- d. Whether Capella constructed and implemented a system which caused the doctoral program to last longer than represented so that Capella could generate additional revenue through tuition payments;
- e. Whether Capella have been unjustly enriched by their conduct at the expense of the Class;
- f. Whether Capella breached its contracts with the Class;
- g. Whether Capella violated consumer protection statutes by virtue of its conduct toward the Class; and

h. Whether, as a result of Capella's conduct, Plaintiffs and the Class are entitled to damages, restitution, equitable relief and/or other relief, and, if so, the amount and nature of such relief.

102. **Typicality:** The representative Plaintiffs' claims are typical of the claims of the Class. Plaintiffs and all members of the Class were injured by the same wrongful practices in which Capella has engaged. Further, the Plaintiffs and members of the Class seek relief based on the same legal theories. There may be differences in the amount of damages sustained by each member of the Class; however, Class-wide and individual damages can be determined readily. Individual damages issues will not bar Class certification.

103. **Adequacy of Representation:** Plaintiffs will fairly and adequately protect and pursue the interests of the Class. Plaintiffs understand the nature of the claims herein, their role in the proceedings, and have and will vigorously represent the Class. Plaintiffs have retained Class counsel who are experienced in and qualified in prosecution of consumer protection class actions and other forms of complex litigation. Neither Plaintiffs, nor their attorneys, have interests which are contrary to or conflict with those of the Class.

104. **Superiority and Manageability:** A class action is superior to all other available methods of adjudication of this lawsuit. Because individual litigation of the claims of Class members is economically infeasible and judicially impracticable, the class action device is the only way to facilitate adjudication of Plaintiffs' and the Class' claims. Although the aggregate damages sustained by the Class are in the millions of dollars, the individual damages incurred by each member resulting from Capella's wrongful conduct are not significant enough for experienced counsel to handle on an individual basis. Further, due to the conduct of Capella, Plaintiffs and members of the Class have significant debt burdens from their time at Capella and cannot afford

to hire counsel to pursue their claims on an hourly-fee basis. Even assuming individual Class members could afford it, the likelihood of individual claims being pursued by the Class members is remote. Even then, the burden on the judicial system would be unjustifiable in light of the class action device. Individual members of the Class do not have significant interest in individually controlling the prosecution of separate actions and individualized litigation could result in varying, inconsistent or contradictory judgments. Plaintiffs know of no reason that this litigation should not proceed as a class action.

105. The nature of notice to the Class is contemplated to be by direct mail upon certification of the Class or, if such notice is not practicable, by best notice possible under the circumstances including, inter alia, email, publication in major newspapers, and maintenance of a website.

TOLLING AND ESTOPPEL

106. Plaintiffs' causes of action did not arise until Plaintiffs discovered, or by the exercise of reasonable diligence should have discovered, that they were injured by Capella's intentional and deliberate scheme. Plaintiffs did not and could not have discovered the intentional scheme through reasonable diligence. For example, only Capella was in possession of the length of time its doctoral programs actually lasted. Further, given Capella is an online university, students were unaware that others were having similar experiences (delays in education).

107. The applicable statutes of limitations have been tolled by Capella's knowing and active concealment of the material facts regarding its scheme to intentionally prolong the doctoral program and theses process. Capella kept Plaintiffs and the members of the Class ignorant of the vital information essential to pursue their claims, without any fault or lack of diligence on the part of Plaintiffs and Class members.

108. Capella was and is under a continuous duty to disclose to Plaintiffs and the members of the Class the true nature of the scheme that they have implemented to prolong the doctoral process. At all relevant times, and continuing to this day, Capella knowingly, affirmatively, and actively misrepresented and concealed the true character, quality and nature of its scheme.

109. Based on the foregoing, Capella is estopped from relying on any statutes of limitation in defense of this action. Capella is also estopped from relying on any statutes of limitation in defense of this action because they failed to disclose the scheme prior to accepting each and every tuition payment in exchange for the provision of educational services.

110. Pursuant to the doctrines of Equitable Tolling, Equitable Estoppel, Fraudulent Concealment and the Discovery Rule, the period for bringing claims shall not be barred due to any statute of limitations or statute of repose. With respect to each and every cause of action asserted herein, Plaintiffs expressly plead Equitable Tolling, Equitable Estoppel, Fraudulent Concealment and the Discovery Rule and their application thereto.

111. All conditions precedent to the filing of this Complaint have been satisfied. This action has been filed prior to the expiration of any applicable statute of limitations or statute of repose.

FIRST CAUSE OF ACTION
Fraud in the Inducement
(Nationwide Class)

112. Plaintiffs bring this cause of action on behalf of a nationwide Class under Minnesota common law.

113. Plaintiffs reallege and incorporate the preceding allegations by reference as if set forth fully herein.

114. Capella made actual or implied false representations concerning the timing and cost of a doctoral degree, while concealing the truth from prospective and actual students.

115. Capella had a duty to disclose that Capella's doctoral programs were designed to take much longer than they represented.

116. Capella concealed and is still concealing how long Capella's doctoral programs actually take to complete.

117. Capella intentionally misled Plaintiffs with promises that their programs would take a shorter time than the programs actually took.

118. Similar, if not identical, false representations and omissions were made to other members of the Class about their degree programs as well either via recruiters, in Capella marketing materials and on Capella webpages.

119. Capella also concealed the actual percentage of students who graduated with doctoral degrees from Capella.

120. Further, Capella informed prospective students and current students they would have resources available to them, when Capella knew full well that such resources would not be available.

121. These representations were material to Plaintiffs and the members of the Class agreeing to attend Capella.

122. Capella was aware of the falsity of its representations, or at a minimum had an utter disregard for their truthfulness. For example, they purposefully designed Capella's doctoral programs to last a certain, longer time frame, but told students it would take less time.

123. Capella intended students to rely upon these representations because they were included in marketing materials and on their websites.

124. Plaintiffs and members of the Class were justified in relying upon these representations.

125. Plaintiffs and members of the class were injured by relying on these false representations and omissions because had Capella been truthful about the timelines and costs for Capella's doctoral programs, as well as graduation rates and resources actually available, doctoral students would not have enrolled.

SECOND CAUSE OF ACTION
Unjust Enrichment
(Nationwide Class)

126. Plaintiffs reallege and incorporate the preceding allegations by reference as if set forth fully herein.

127. Plaintiffs bring this cause of action on behalf of a Nationwide Class under Minnesota common law. Capella has engaged in unjust conduct, to the detriment of Plaintiffs and each member of the Nationwide Class.

128. Plaintiffs and each member of the Nationwide Class provided significant value to Capella in the form of tuition payments for doctoral courses.

129. Capella appreciated or had knowledge of the benefit received by retaining the money paid by Plaintiffs and each member of the Nationwide Class.

130. Although Capella accepted the tuition payments and retained and received benefit therefrom, it did not provide students with the doctoral process that was promised and expected in connection with the payment of the tuition. On the contrary, Capella intentionally and deliberately extracted tuition and generated revenue and on information and belief eventually profit. Capella has intentionally and knowingly created and implemented a doctoral program that is fraught with inefficiencies, meant to ensure that students do not receive the timely responses and attention that

they were promised. All of this is done without any honesty or transparency by Capella regarding the actual time and expense that doctoral students will incur in an effort to complete their degrees.

131. This unjust conduct on the part of Capella has resulted in its doctoral students enrolling in more terms than would be necessary had Capella not acted unjustly and incurring significant additional tuition and costs (including costs for books, technology fees, and student loans for tuition and fees, room and board charges, costs of books and supplies and other expenses, etc.), and student loans to pay the same. It has also caused certain Nationwide Class members to stop pursuing the process altogether.

132. Despite their inequitable conduct, Capella has retained the tuition payments (including costs for books, technology fees, etc.) made by Capella doctoral students pursuing coursework and the profits therefrom.

133. As a result, Capella has been unjustly enriched, to the detriment of Plaintiffs and the members of the Nationwide Class.

THIRD CAUSE OF ACTION
Breach of Contract
(Nationwide Class)

134. Plaintiffs reallege and incorporate the preceding allegations by reference as if set forth fully herein.

135. Plaintiffs bring this cause of action on behalf of a nationwide Class under Minnesota common law. Capella has systematically violated its contracts with Plaintiffs and each member of the Class.

136. Plaintiffs and each member of the Class contracted with Capella to obtain doctoral educational services. Implied in each and every contract was a covenant of good faith and fair dealing.

137. As part of the contract, Capella promised, inter alia, that, in connection with providing doctoral educational services: 1) students had control over how long it would take to obtain their doctoral degree and 2) that their degrees would be obtained or obtainable in a set amount of time.

138. Rather than provide doctoral educational services as per its contractual agreement, Capella knowingly and intentionally directed and implemented a doctoral process fraught with inefficiencies, meant to ensure that students do not receive adequate resources, the timely responses and attention that they were promised. All of this is done without honesty or transparency by Capella regarding the actual time and expense that its doctoral students will incur in an effort to complete their degrees. The policy implemented by Capella breaches its contracts with Plaintiffs and the Class.

139. Plaintiffs and each member of the Class provided significant value to Capella in the form of tuition payments and fees for doctoral courses as contracted.

140. Furthermore, Plaintiffs and each member of the Class complied with their obligations under the contract. To the extent that they did not comply with their obligations under the contract, it was solely the result of conduct engaged in by Capella.

141. The breach of contract on the part of Capella has resulted in Capella's doctoral students enrolling in courses that would not be necessary if Capella had honored its contract and, in many instances, caused Class members to stop pursuing their education altogether.

142. Despite its knowing and intentional breaching of the contracts, Capella has retained the tuition payments made by the members of the Class.

143. Capella has breached its contracts for doctoral education services with Plaintiffs and each member of the Class. Capella's breach has caused damage to Plaintiffs and each member

of the Class in the form of additional tuition payments for doctoral courses and, in many instances, to stop pursuing their education altogether, causing them to be damaged in the amount of tuition payments they made and loans incurred before being forced to stop pursuing their education.

144. Moreover, Capella has breached its contracts for doctoral educational services with Plaintiffs and each member of the Class by engaging in systematic conduct whereby it has failed to honor the covenant of good faith and fair dealing implied in every contract. Capella has engaged in unreasonable conduct that was entirely inconsistent with the reasonable expectations of Plaintiffs and each member of the Class. Capella's breach has caused damage to Plaintiffs and each member of the Class in the form of additional tuition payments for doctoral courses and, in many instances, to stop pursuing their education altogether, causing them to be damaged in the amount of tuition payments they made and loans incurred before being forced to stop pursuing their education.

FOURTH CAUSE OF ACTION
Violation of Minnesota Uniform Deceptive Trade Practices Act §325D.44
(Nationwide Class)

145. Plaintiffs reallege and incorporate the preceding allegations by reference as if set forth fully herein.

146. Plaintiffs bring this cause of action on behalf of a Nationwide Class. Capella has engaged in unfair, unlawful, and fraudulent business practices, as set forth above.

147. Minnesota Stat. §325D.44 specifically prohibits the use of unfair or deceptive trade practices in connection with a consumer transaction. For example, Minnesota Stat. §325D.44 prohibits deceptive trade practices which occur when a person "(5) represents that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that

the person does not have;” “(7) represents that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;” “(9) advertises goods or services with intent not to sell them as advertised” and “(13) engages in any other conduct which similarly creates a likelihood of confusion or of misunderstanding.”

148. Students paying tuition so as to enroll or re-enroll each semester in an institution is a consumer transaction.

149. By engaging in the acts and practices described in this complaint, Capella has committed one or more acts of unfair and deceptive trade practices. For example, Capella represented that its doctoral services 1) have characteristics that they do not have and 2) are of a particular standard, quality, or grade of which they are not. Capella also 3) advertised Capella’s doctoral services with intent not to sell them as advertised and 4) engaged in conduct which similarly creates a likelihood of confusion or of misunderstanding.

150. Specifically, Capella misrepresented that: 1) students had control over how long it would take to obtain their doctoral degree and 2) that their degrees would be obtained or obtainable in a set amount of time.

151. Capella also knowingly concealed, omitted and otherwise failed to state material facts about Capella’s doctoral education services that would tend to, and did, in fact, deceive students. Specifically, Capella falsely represented the time and tuition costs of obtaining a doctoral degree, not only knowing that such representations were false, but also with no intent to offer such services to its students. Capella also failed to disclose that it intentionally and deliberately used Capella’s doctoral programs as a means of improperly extracting tuition and generating revenue. Capella further failed to disclose that it knowingly created and implemented a doctoral program

that is fraught with inefficiencies, meant to ensure that students do not receive the timely responses and attention that they were promised.

152. Capella knew that its doctoral programs was and continues to be systematically prolonged by the violations set forth herein.

153. The misrepresentations and omissions were material to Plaintiffs and the members of the Class.

154. Capella's unfair and deceptive trade practices and acts occurred and continue to occur repeatedly during the course of its business. These actions constitute unfair and deceptive trade practices.

155. Plaintiffs and members of the Class relied on these representations and omissions in the course of pursuing their doctoral degrees. Furthermore, Capella intended that Plaintiffs and members of the Class would rely on the representations and omissions.

156. As a direct and proximate result of Capella's unfair and deceptive practices and acts, Plaintiffs and the Class have suffered and will continue to suffer actual damages. Had Plaintiffs and the members of the Class been aware of the misrepresentations and omissions, they would not have paid tuition to Capella or incurred additional costs including costs for books, technology fees, and student loans for tuition and fees, room and board charges, costs of books and supplies and other expenses, etc. for the educational services that Capella purported to provide.

FIFTH CAUSE OF ACTION
Breach of Implied Covenant of Good Faith and Fair Dealing
(Nationwide Class)

157. Plaintiffs reallege and incorporate the preceding allegations by reference as if set forth fully herein.

158. Plaintiffs bring this cause of action on behalf of a Nationwide Class under Minnesota common law. Capella has systematically violated its contracts with Plaintiffs and each member of the Nationwide Class.

159. Plaintiffs and each member of the Nationwide Class contracted with Capella to receive doctoral education services.

160. Implied in each contract was a covenant of good faith and fair dealing.

161. Plaintiffs and each member of the Nationwide Class provided value to Capella in the form of tuition payments for doctoral courses as contracted.

162. By the scheme and conduct detailed herein, Capella has breached the implied duty of good faith and fair dealing implied in its contracts.

163. This breach on the part of Capella has resulted in Capella doctoral students being damaged because they were required to enroll in doctoral courses that would not have otherwise been necessary, thereby necessitating substantial additional tuition payments and costs , and student loans for tuition and fees, room and board charges, costs of books and supplies and other expenses. In addition, many students have been forced to stop pursuing their education.

**SIXTH CAUSE OF ACTION
Fraud in the Inducement
(Alternative Kansas Sub-Class)**

164. Plaintiff Wright brings this cause of action, in the alternative, on behalf of a Missouri Sub-Class under Kansas common law.

165. Plaintiff realleges and incorporates the preceding allegations by reference as if set forth fully herein.

166. Capella made actual or implied false representations concerning the timing and cost of a doctoral degree, while concealing the truth from prospective and actual students.

167. Capella had a duty to disclose that Capella's doctoral programs were designed to take much longer than they represented.

168. Capella concealed and is still concealing how long Capella's doctoral programs actually take to complete.

169. Capella also concealed the actual percentage of students who graduated with doctoral degrees from Capella.

170. Further, Capella informed prospective students and current students they would have resources available to them, when Capella knew full well that such resources would not be available.

171. These representations were material to Plaintiff Wright and the members of the Class agreeing to attend Capella.

172. Capella was aware of the falsity of its representations, or at a minimum had an utter disregard for their truthfulness. For example, they purposefully designed Capella's doctoral programs to last a certain, longer time frame, but told students they would take less time.

173. Capella intended students to rely upon these representations because they were included in marketing materials and on their websites.

174. Plaintiff and members of the Class was justified in relying upon these representations.

175. Plaintiff and members of the class were injured by relying on these false representations and omissions because had Capella been truthful about the timelines and costs for Capella's doctoral programs, as well as graduation rate and resources actually available, doctoral students would not have enrolled.

SEVENTH CAUSE OF ACTION
Breach of Contract
(Alternative Kansas Sub-Class)

176. Plaintiff realleges and incorporates the preceding allegations by reference as if set forth fully herein.

177. Plaintiff Wright brings this cause of action, in the alternative, on behalf of a Kansas Sub-Class under Kansas common law. Capella has systematically violated its contracts with Plaintiff Wright and each member of the Kansas Sub-Class.

178. Plaintiff Wright and each member of the Kansas Sub-Class contracted with Capella to obtain doctoral educational services. Implied in each and every contract was a covenant of good faith and fair dealing.

179. As part of the contract, Capella promised, inter alia, that, in connection with providing doctoral educational services: 1) students had control over how long it would take to obtain their doctoral degree and 2) that their degrees would be obtained or obtainable in a set amount of time.

180. Rather than provide doctoral educational services as per its contractual agreement, Capella knowingly and intentionally directed and implemented a doctoral program process fraught with inefficiencies, meant to ensure that students do not receive adequate resource, the timely responses and attention that they were promised. All of this is done without honesty or transparency by Capella regarding the actual time and expense that its doctoral students will incur in an effort to complete their degrees. The policy implemented by Capella breaches its contracts with Plaintiff and the Kansas Sub-Class.

181. Plaintiff and each member of the Kansas Sub-Class provided significant value to Capella in the form of tuition payments and fees for doctoral courses as contracted.

182. Furthermore, Plaintiff and each member of the Kansas Sub-Class complied with their obligations under the contract. To the extent that they did not comply with their obligations under the contract, it was solely the result of conduct engaged in by Capella.

183. The breach of contract on the part of Capella has resulted in Capella's doctoral students enrolling in courses that would not be necessary if Capella had honored its contract and, in many instances, caused Kansas Sub-Class members to stop pursuing their education altogether.

184. Despite its knowing and intentional breaching of the contracts, Capella has retained the tuition payments made by the members of the Kansas Sub-Class.

185. Capella has breached its contracts for doctoral education services with Plaintiff and each member of the Kansas Sub-Class. Capella's breach has caused damage to Plaintiff and each member of the Kansas Sub-Class in the form of additional tuition payments for doctoral courses and, in many instances, to stop pursuing their education altogether, causing them to be damaged in the amount of tuition payments they made and loans incurred before being forced to stop pursuing their education.

186. Moreover, Capella has breached its contracts for doctoral educational services with Plaintiff and each member of the Kansas Sub-Class by engaging in systematic conduct whereby it has failed to honor the covenant of good faith and fair dealing implied in every contract. Capella has engaged in unreasonable conduct that was entirely inconsistent with the reasonable expectations of Plaintiff and each member of the Kansas Sub-Class. Capella's breach has caused damage to Plaintiff and each member of the Kansas Sub-Class in the form of additional tuition payments for doctor courses and, in many instances, to stop pursuing their education altogether, causing them to be damaged in the amount of tuition payments they made and loans incurred before being forced to stop pursuing their education.

EIGHTH CAUSE OF ACTION
Unjust Enrichment
(Alternative Kansas Sub-Class)

187. Plaintiff realleges and incorporate the preceding allegations by reference as if set forth fully herein.

188. Plaintiff Wright brings this cause of action, in the alternative, on behalf of an Kansas Sub-Class under Kansas common law. Capella have engaged in unjust conduct, to the detriment of Plaintiff Wright and each member of the Kansas Sub-Class.

189. Plaintiff and each member of the Kansas Sub-Class provided significant value to Capella in the form of tuition payments for doctoral courses.

190. Capella appreciated or had knowledge of the benefit received by retaining the money paid by Plaintiff and each member of the Kansas Sub-Class.

191. Although Capella accepted the tuition payments and retained and received benefit therefrom, they did not provide students with a doctoral process that was promised and contemplated in connection with the payment of the tuition. On the contrary, Capella intentionally and deliberately used the doctoral program process as a means of improperly extracting tuition and generating revenue. Capella have intentionally and knowingly directed and implemented a doctoral process that is fraught with inefficiencies, meant to ensure that students do not receive the timely responses and attention that they were promised, and creates inordinate turnover of faculty and supervisory committee chairs and members. All of this is done without any honesty or transparency by Capella regarding the actual time and expense that Capella's doctoral students will incur in an effort to complete their degrees.

192. This unjust conduct on the part of Capella have resulted in Capella doctoral students enrolling in courses that would not be necessary if Capella had not acted unjustly and in incurring

significant additional tuition costs and students loans. It has also caused certain Kansas Sub-Class members to stop pursuing the process altogether.

193. Despite their inequitable conduct, Capella have retained the tuition payments made by Capella doctoral students pursuing coursework and the profits therefrom.

194. As a result, Capella have been unjustly enriched, to the detriment of Plaintiff Wright and the members of the Kansas Sub-Class.

NINTH CAUSE OF ACTION
Violation of Kansas KS Stat. §50-626(a) & (b) (Kansas Unfair Trade and Consumer
Protection Act)
(Alternative Kansas Sub-Class)

195. Plaintiff realleges and incorporate the preceding allegations by reference as if set forth fully herein.

196. Plaintiff brings this cause of action on behalf of a Kansas Sub-Class. Capella have engaged in unfair, unlawful, and fraudulent business practices, as set forth above.

197. Through the actions described above, Capella has violated KS Stat. §50-626(a) & (b).

198. In violation of KS Stat. §50-626(a), Capella is a supplier that engaged in a deceptive act or practice in connection with a consumer transaction with Plaintiff Wright and Class members.

199. In violation of KS Stat. §50-626(b)(1), Capella's deceptive acts and practices include, but are not limited to, making knowing representations that 1) the services it offers have characteristics that they do not have; 2) the services it offers are of particular standard, quality, grade, style or model, when they are actually of another which differs materially from the representation; 3) the services it offers has characteristics that Capella did not have a reasonable basis for making such representations; and 4) that its services have characteristics allegedly

substantiated by Capella when it has no proof to substantiate such representations. Such representations include, but are not limited to, Capella's representations of an earlier graduation date/faster time to completion than possible.

200. In violation of KS Stat. §50-626(b)(2) Capella also willfully 1) used oral and written representations that exaggerated, were false and made false innuendoes of material fact and 2) failed to failure to state material facts, and willfully concealed, suppressed or omitted material facts. Such representations include, but are not limited to, Capella's representations of an earlier graduation date/faster time to completion than possible, and omissions include, but are not limited to, its longer times to graduate, slower completion times, and low graduation rates.

201. Capella made false and misleading statements about the nature, quality, style and model of Capella's doctoral education services. Further, the subject of the Capella doctoral transaction had been supplied in accordance with previous representations made by Capella to Plaintiff Wright and members of the Kansas Sub-Class, and those representations were not performed. Specifically, Capella misrepresented that: 1) students had control over how long it would take to obtain their doctoral degree and 2) that their degrees would be obtained or obtainable in a set amount of time.

202. Capella also knowingly concealed, omitted and otherwise failed to state material facts about Capella's doctoral education services that would tend to, and did, in fact, deceive students. Specifically, Capella failed to disclose that they intentionally and deliberately used Capella's doctoral process as a means of improperly extracting tuition and generating revenue. Capella further failed to disclose that they knowingly directed and implemented a doctoral program process that is fraught with inefficiencies, meant to ensure that students do not receive the timely responses and attention that they were promised, and creates inordinate turnover of faculty and

supervisory committee chairs and members. Capella also knowingly withheld its low graduation rate and actual times to graduation of its doctoral students.

203. Capella knew that the doctoral coursework was and continues to be systematically prolonged by the violations set forth herein.

204. The misrepresentations and omissions were material to Plaintiff and the members of the Class.

205. Capella's unfair and deceptive trade practices and acts occurred and continue to occur repeatedly during the course of its business. These actions constitute unfair and deceptive trade practices, in violation of KS Stat. §50-626(a) & (b).

206. Plaintiff and members of the Class relied on these representations and omissions in the course of pursuing their doctoral degrees. Furthermore, Capella intended that Plaintiff and members of the Class would rely on the representations and omissions.

207. As a direct and proximate result of Capella's unfair and deceptive practices and acts, Plaintiff and the Class have suffered and will continue to suffer actual damages. Had Plaintiff and the members of the Class been aware of the misrepresentations and omissions, they would not have paid tuition to Capella for the educational services that Defendant purported to provide or incurred students to attend Capella (including for room and board).

**TENTH CAUSE OF ACTION
Fraud in the Inducement
(Alternative Tennessee Sub-Class)**

208. Plaintiff Kennedy brings this cause of action on behalf of a nationwide Class under Tennessee common law.

209. Plaintiff realleges and incorporates the preceding allegations by reference as if set forth fully herein.

210. Capella made actual or implied false representations concerning the timing and cost of a doctoral degree, while concealing the truth from prospective and actual students.

211. Capella had a duty to disclose that Capella's doctoral programs were designed to take much longer than they represented.

212. Capella concealed and are still concealing how long Capella's doctoral programs actually take to complete.

213. Capella also concealed the actual percentage of students who graduated with PhDs from Capella.

214. Further, Capella informed prospective students and current students they would have resources available to them, when Capella knew full well that such resources would not be available.

215. These representations were material to Plaintiff Kennedy and the members of the Class agreeing to attend Capella.

216. Capella was aware of the falsity of its representations, or at a minimum had an utter disregard for their truthfulness. For example, they purposefully designed Capella's doctoral programs to last a certain, longer time frame, but told students they would take less time.

217. Capella intended students to rely upon these representations because they were included in marketing materials and on their websites.

218. Plaintiff and members of the Class was justified in relying upon these representations.

219. Plaintiff and members of the class were injured by relying on these false representations and omissions because had Capella been truthful about the timelines and costs for

Capella's doctoral programs, as well as graduation rate and resources actually available, doctoral students would not have enrolled.

ELEVENTH CAUSE OF ACTION
Breach of Contract
(Alternative Tennessee Sub-Class)

220. Plaintiff realleges and incorporates the preceding allegations by reference as if set forth fully herein.

221. Plaintiff Kennedy brings this cause of action, in the alternative, on behalf of a Tennessee Sub-Class under Tennessee common law. Capella has systematically violated its contracts with Plaintiff Kennedy and each member of the Tennessee Sub-Class.

222. Plaintiff Kennedy and each member of the Tennessee Sub-Class contracted with Capella to obtain doctoral educational services. Implied in each and every contract was a covenant of good faith and fair dealing.

223. As part of the contract, Capella promised, inter alia, that, in connection with providing doctoral educational services: 1) students had control over how long it would take to obtain their doctoral degree and 2) that their degrees would be obtained or obtainable in a set amount of time.

224. Rather than provide doctoral educational services as per its contractual agreement, Capella knowingly and intentionally directed and implemented a doctoral process fraught with inefficiencies, meant to ensure that students do not receive adequate resource, the timely responses and attention that they were promised. All of this is done without honesty or transparency by Capella regarding the actual time and expense that its doctoral students will incur in an effort to complete their degrees. The policy implemented by Capella breaches its contracts with Plaintiff and the Tennessee Sub-Class.

225. Plaintiff and each member of the Tennessee Sub-Class provided significant value to Capella in the form of tuition payments and fees for doctoral courses as contracted.

226. Furthermore, Plaintiff and each member of the Tennessee Sub-Class complied with their obligations under the contract. To the extent that they did not comply with their obligations under the contract, it was solely the result of conduct engaged in by Capella.

227. The breach of contract on the part of Capella has resulted in Capella's doctoral students enrolling in doctoral courses that would not be necessary if Capella had honored its contract and, in many instances, caused Tennessee Sub-Class members to stop pursuing their education altogether.

228. Despite its knowing and intentional breaching of the contracts, Capella has retained the tuition payments made by the members of the Tennessee Sub-Class.

229. Capella has breached its contracts for doctoral education services with Plaintiff and each member of the Tennessee Sub-Class. Capella's breach has caused damage to Plaintiff and each member of the Tennessee Sub-Class in the form of additional tuition payments for doctoral courses and, in many instances, to stop pursuing their education altogether, causing them to be damaged in the amount of tuition payments they made and loans incurred before being forced to stop pursuing their education.

230. Moreover, Capella has breached its contracts for doctoral educational services with Plaintiff and each member of the Tennessee Sub-Class by engaging in systematic conduct whereby it has failed to honor the covenant of good faith and fair dealing implied in every contract. Capella has engaged in unreasonable conduct that was entirely inconsistent with the reasonable expectations of Plaintiff and each member of the Tennessee Sub-Class. Capella's breach has caused damage to Plaintiff and each member of the Tennessee Sub-Class in the form of additional

tuition payments for doctoral courses and, in many instances, to stop pursuing their education altogether, causing them to be damaged in the amount of tuition payments they made and loans incurred before being forced to stop pursuing their education.

TWELFTH CAUSE OF ACTION
Unjust Enrichment
(Alternative Tennessee Sub-Class)

231. Plaintiff realleges and incorporate the preceding allegations by reference as if set forth fully herein.

232. Plaintiff Kennedy brings this cause of action, in the alternative, on behalf of an Tennessee Sub-Class under Tennessee common law. Capella have engaged in unjust conduct, to the detriment of Plaintiff Kennedy and each member of the Tennessee Sub-Class.

233. Plaintiff and each member of the Tennessee Sub-Class provided significant value to Capella in the form of tuition payments for doctoral courses.

234. Capella appreciated or had knowledge of the benefit received by retaining the money paid by Plaintiff and each member of the Tennessee Sub-Class.

235. Although Capella accepted the tuition payments and retained and received benefit therefrom, they did not provide students with a doctoral process that was promised and contemplated in connection with the payment of the tuition. On the contrary, Capella intentionally and deliberately used the doctoral process as a means of improperly extracting tuition and generating revenue. Capella have intentionally and knowingly directed and implemented a doctoral process that is fraught with inefficiencies, meant to ensure that students do not receive the timely responses and attention that they were promised, and creates inordinate turnover of faculty and supervisory committee chairs and members. All of this is done without any honestly or

transparency by Capella regarding the actual time and expense that Capella's doctoral students will incur in an effort to complete their degrees.

236. This unjust conduct on the part of Capella have resulted in Capella doctoral students enrolling in courses that would not be necessary if Capella had not acted unjustly and in incurring significant additional tuition costs and student loans. It has also caused certain Tennessee Sub-Class members to stop pursuing the process altogether.

237. Despite their inequitable conduct, Capella have retained the tuition payments made by Capella doctoral students pursuing doctoral coursework and the profits therefrom.

238. As a result, Capella have been unjustly enriched, to the detriment of Plaintiff Kennedy and the members of the Tennessee Sub-Class.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs and members of the Class request that the Court enter an Order or judgment against Capella as follows:

- A. Certifying this case as a class action and appointing Plaintiffs and their counsel to represent the Class;
- B. Awarding Plaintiffs and other members of the Class damages and all other relief available under the claims alleged;
- C. Awarding Plaintiffs and other members of the Class pre-judgment and post judgment interest as a result of the wrongs complained of herein;
- D. Requiring Capella to disgorge the revenue earned through the excessive doctoral program coursework;
- E. Enjoining Capella from engaging in the conduct described herein;

- F. Awarding Plaintiffs and other members of the Class restitution;
- G. Awarding Plaintiffs and other members of the Class their costs and expenses in this litigation, including reasonable attorneys' fees and other costs of litigation; and
- H. Awarding such other relief as the Court deems just and proper.

JURY DEMAND

Plaintiffs demand a trial by jury on all issues so triable.

Dated: April 20, 2018

REINHARDT WENDORF & BLANCHFIELD

By: s/Roberta A. Yard
Garrett D. Blanchfield (MN#209855)
Roberta A. Yard (MN#322295)
E-1250 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101
Telephone: (651) 287-2100
Facsimile: (651) 287-2103
g.blanchfield@rwblawfirm.com
r.yard@rwblawfirm.com

PEIFFER ROSCA WOLF ABDULLAH
CARR & KANE

By: s/Paul Lesko
Paul Lesko (*pro hac vice forthcoming*)
818 Lafayette Avenue
Second Floor
St. Louis, MO 63010
Telephone: (314) 833-4826
plesko@prwlegal.com

Exhibit A

Capella Education Company

Introduction

Like many for-profit education companies, Capella Education Company experienced steady growth in student enrollment, Federal funds collected, and profit realized in recent years. While the company's performance in graduate degree fields, measured by student withdrawal and loan default rates, is better than many companies examined, students are faring far less well in its undergraduate degree programs.

Company Profile

Capella Education Company ("Capella") is a publicly traded, for-profit education company headquartered in Minneapolis, MN. Capella Education Company owns Capella University, a university that operates exclusively online and offers Doctoral, Master's, Post-baccalaureate Certificates and Bachelor's degree programs in business, information technology, education, psychology, public health, public safety and human services. In 2011, 22 percent of Capella students enrolled in Bachelor's programs, 45 percent in Master's programs and 31 percent in Doctoral programs.

Founded in 1991 by Stephen Shank, former CEO of Tonka Corporation, Capella Education Company established Capella University in 1993 and went public in 2006 (NASDAQ: CPLA). J. Kevin Gilligan is the current CEO and chairman of the board of directors for Capella.¹²⁶⁶

Like more than half of the regionally accredited brands the committee examined, Capella University is regionally accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools (HLC).¹²⁶⁷ At the time HLC first accredited Capella in 1997, the company enrolled fewer than 1,000 students.¹²⁶⁸ Capella's Master's of Science degree programs in Mental Health Counseling, Marital, Couple, and Family Counseling, and School Counseling are accredited by The Council for Accreditation of Counseling and Related Educational Programs CACREP. Capella's Bachelor of Science in Information Technology programs are accredited by ABET.

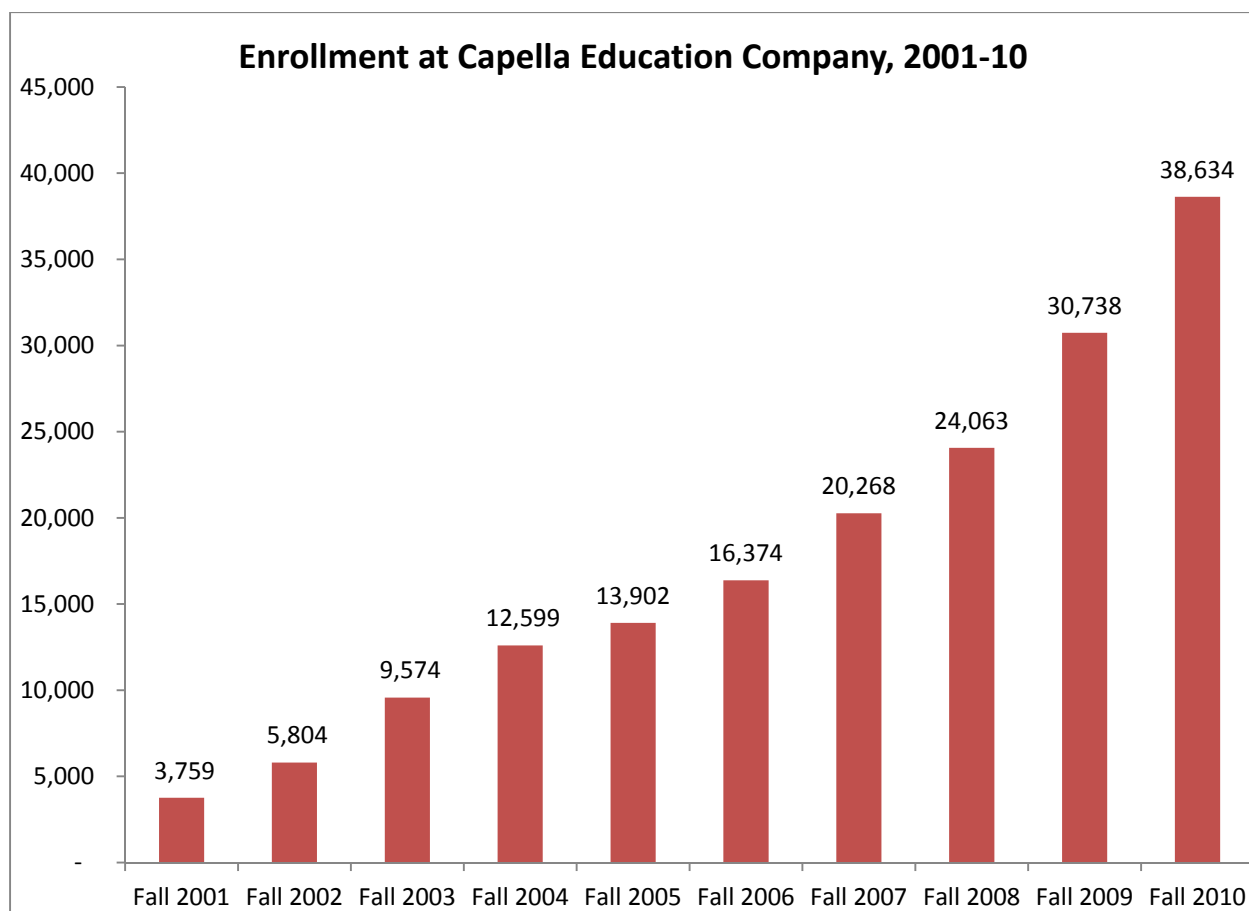
Capella University has grown immensely over the last decade. Today, Capella offers 143 graduate and undergraduate specializations, 17 Certificate programs and over 1,690 online courses. Capella students enroll from all 50 States and 59 other countries. In the fall of 2001, Capella enrolled 3,759 students. By fall 2010, Capella enrolled 38,643 students.¹²⁶⁹

¹²⁶⁶ The company's board of directors also includes: Mark N. Green (CEO, Fair Isaac Corporation), Michael Linton (Executive VP, FMN Technologies), Michael Lomax (CEO and president, United Negro College Fund), Jody G. Miller (CEO and president, Business Talent Group), Stephen G. Shank (Founder, former chairman and CEO, Capella Education Company), Andrew M. Slavitt (CEO, Ingenix), David W. Smith (Retired CEO, NCS Pearson Inc.), Jeffery W. Taylor (Senior VP, U.S. Government Policy and Investor Relations, Pearson plc), and Darrell R. Tukua (Retired Partner, KPMG LLP).

¹²⁶⁷ The 30 companies operate 71 different brands not including the Art Institute.

¹²⁶⁸ Capella, *About Capella: History*, 2012, http://www.capella.edu/about_capella/history.aspx (accessed June 12, 2012).

¹²⁶⁹ For companies that began filing with the Securities and Exchange Commission subsequent to an initial public offering between 2001 and 2010, enrollment is calculated using fall enrollment for all unit identifications controlled by the company for each year from the Department of Education's Integrated Postsecondary Data System (hereinafter IPEDS) until Securities



Driven by this increase in enrollment, revenue at Capella has also grown rapidly, from \$180 million following the company's initial public offering in 2006 to \$430 million in 2011.¹²⁷⁰

Federal Revenue

Nearly all for-profit education companies derive the majority of revenue from Federal financial aid programs. Between 2001 and 2010, the share of title IV Federal financial aid funds flowing to for-profit colleges increased from 12.2 to 24.8 percent and from \$5.4 to \$32.2 billion.¹²⁷¹ Together, the 30

and Exchange Commission filings become available at which time SEC filings for the August-October period of each year used. See Appendix 7. The most current enrollment data from the Department of Education measures enrollment in fall 2010. In 2011 and 2012, news accounts and SEC filings indicated that many for-profit education companies experienced a drop in new student enrollment. This has also led to a decrease in revenue and profit at some companies. At Capella, enrollment dropped to 35,755 in fall 2011. While the company's revenue increased, profit fell by 3.7 percent to \$80.1 million.

¹²⁷⁰ Revenue figures for publicly traded companies are from Securities and Exchange Commission annual 10-K filings. Revenue figures for privately held companies are taken from the company financial statements produced to the committee.

¹²⁷¹ Senate HELP Committee staff analysis of U.S. Department of Education, Federal Student Aid Data Center, *Title IV Program Volume Reports by School*, <http://federalstudentaid.ed.gov/datacenter/programmatic.html>, 2000-1 and 2009-10. Figures for 2000-1 calculated using data provided to the committee by the U.S. Department of Education. "Federal financial aid funds" as used in this report means funds made available through title IV of the Higher Education Act, including subsidized and unsubsidized Stafford loans, Pell grants, PLUS loans and multiple other small loan and grant programs. See 20 U.S.C. §1070 et seq.

companies the committee examined derived 79 percent of their revenue from title IV Federal financial aid programs in 2010, up from 69 percent in 2006.¹²⁷²

In 2010, Capella reported 78.2 percent of revenue from title IV Federal student aid programs.¹²⁷³ However, this amount does not include revenue received from the Departments of Defense and Veterans Affairs education programs or revenue the company was allowed to temporarily discount pursuant to the Ensuring Continued Access to Student Loans Act (ECASLA). Based on information the company provided, the committee estimates that Capella may have discounted up to 1.6 percent of revenue, or \$6.5 million, pursuant to ECASLA in 2010.¹²⁷⁴ Department of Defense Tuition Assistance and post-9/11 GI bill funds accounted for approximately 2.6 percent of Capella's revenue, or \$11 million.¹²⁷⁵ With funds from the Departments of Defense and Veterans Affairs included, 80.8 percent of Capella's total revenue was comprised of Federal education funds.¹²⁷⁶

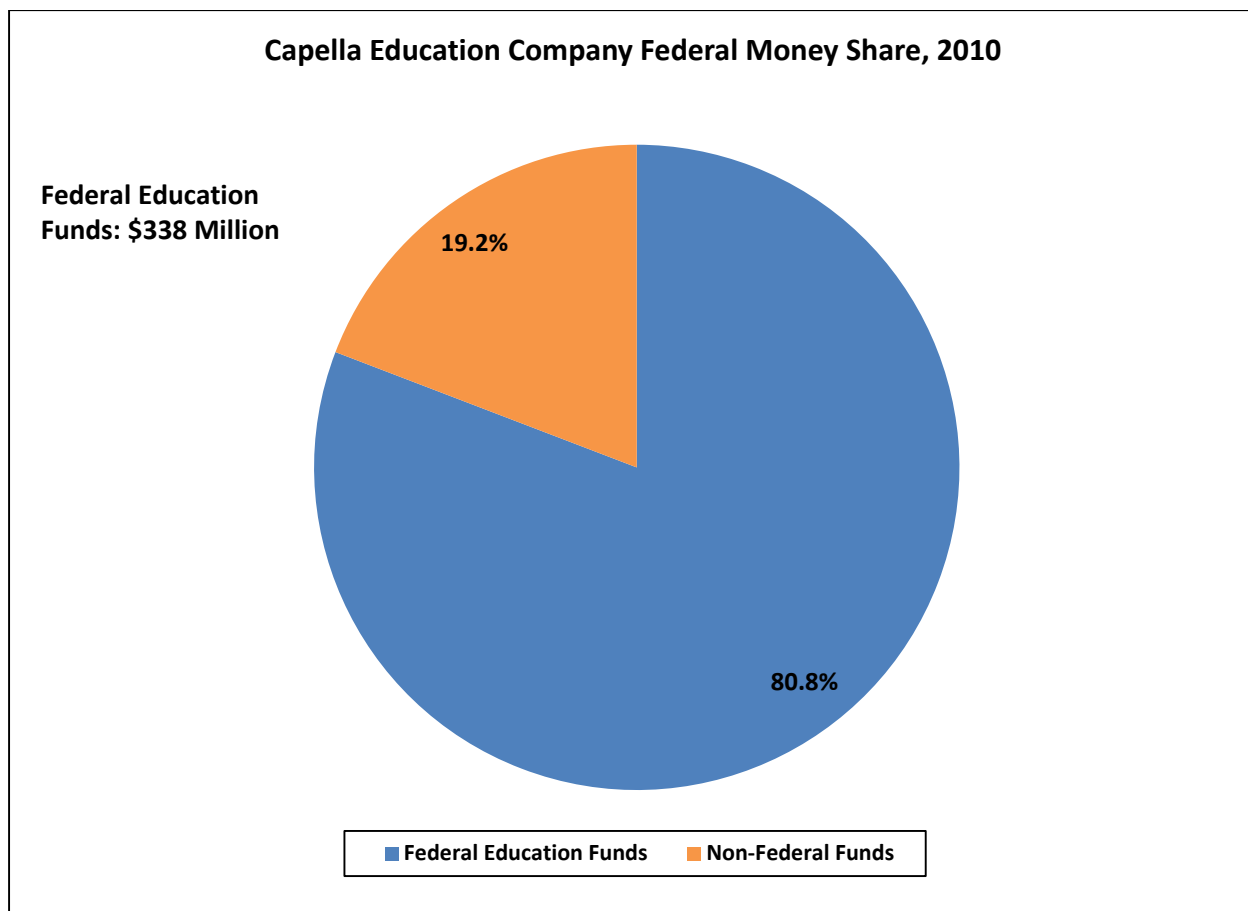
¹²⁷² Senate HELP Committee staff analysis of Proprietary School 90/10 numerator and denominator figures for each OPEID provided to the U.S. Department of Education pursuant to section 487(d)(4) of the Higher Education Act of 1965. Data for fiscal year 2006 provided to the committee by each company; data for fiscal year 2010 provided by the Department of Education on October 14, 2011. See Appendix 9.

¹²⁷³ Senate HELP Committee staff analysis of fiscal 2010 Proprietary School 90/10 numerator and denominator figures for each OPEID provided to the U.S. Department of Education pursuant to section 487(d)(4) of the Higher Education Act of 1965. Data provided by the Department of Education on October 14, 2011. See Appendix 9.

¹²⁷⁴ Pursuant to the Ensuring Continued Access to Student Loan Act (ECASLA), for-profit education companies were allowed to exclude \$2,000 in increased Stafford loan eligibility for each student during fiscal years 2009 and 2010.

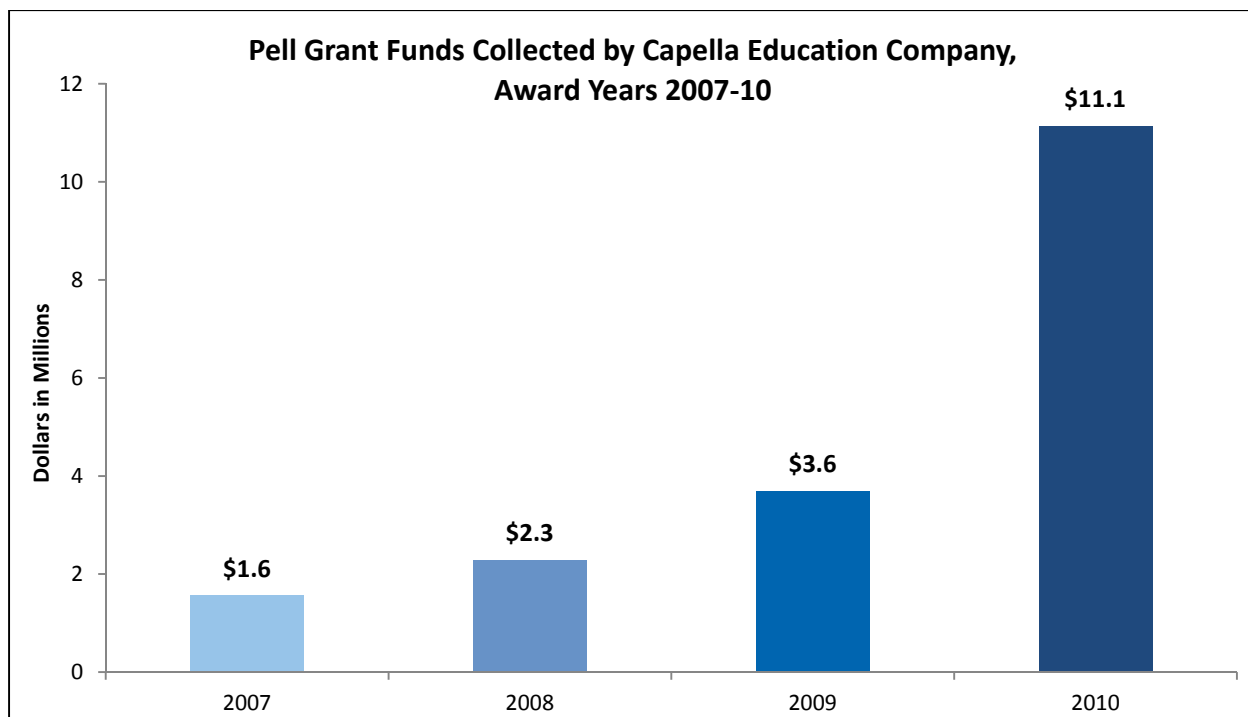
¹²⁷⁵ Post-9/11 GI bill disbursements for August 1, 2009-July 31, 2010 provided to the committee from the Department of Veterans Affairs on November 5, 2010; post-9/11 GI bill disbursements for August 1, 2009-June 15, 2011 provided to the committee from the Senate Committee on Veterans' Affairs via the Department of Veterans Affairs on July 18, 2011; Department of Defense Tuition Assistance Disbursements and MyCAA disbursements for fiscal years 2009-2011 provided (by branch) by the Department of Defense on December 19, 2011. Committee staff calculated the average monthly amount of benefits collected from VA and DOD for each company, and estimated the amount of benefits received during the company's 2010 fiscal year. See Appendix 11 and Appendix 12.

¹²⁷⁶ "Federal education funds" as used in this report means Federal financial aid funds combined with estimated Federal funds received from Department of Defense and Department of Veterans Affairs military education benefit programs. See Appendix 10.



The Pell grant program, the most substantial Federal program to assist economically disadvantaged students with college costs, is a significant source of revenue for for-profit colleges. Over the past 10 years, the amount of Pell grant funds collected by for-profit colleges as a whole increased from \$1.4 billion to \$8.8 billion; the share of total Pell disbursements that for-profit colleges collected increased from 14 to 25 percent.¹²⁷⁷ Part of the reason for this increase is that Congress has repeatedly increased the amount of Pell grant dollars available to a student over the past 4 years, and, for the 2009-10 and 2010-11 academic years, allowed students attending year-round to receive two Pell awards in 1 year. Poor economic conditions have also played a role in increasing the number of Pell eligible students enrolling in for-profit colleges.

¹²⁷⁷ Senate HELP Committee staff analysis of U.S. Department of Education, Federal Student Aid Data Center, *Title IV Pell Grant Program Volume Reports by School*, 2001-2 and 2010-11, <http://federalstudentaid.ed.gov/datacenter/programmatic.html>.



Capella collected \$1.6 million in Pell grant funds in 2007, and just 3 years later, in 2010, the company collected \$11.1 million. While still a small amount in dollar terms, this is an increase of nearly 700 percent.¹²⁷⁸

Spending

While Federal student aid programs are intended to support educational opportunities for students, for-profit education companies direct much of the revenue derived from these programs to marketing and recruiting new students and to profit. On average, among the 15 publicly traded education companies, 86 percent of revenue came from Federal taxpayers in fiscal year 2009.¹²⁷⁹ During the same period, the companies spent 23 percent of revenue on marketing and recruiting (\$3.7 billion) and 19.7 percent on profit (\$3.2 billion).¹²⁸⁰ These 15 companies spent a total of \$6.9 billion on marketing, recruiting and profit in fiscal year 2009.¹²⁸¹

The percentage of revenue Capella allocates to marketing exceeds the for-profit sector average by a considerable margin. In 2009, Capella devoted 29.8 percent of its revenue, or \$99.6 million, to

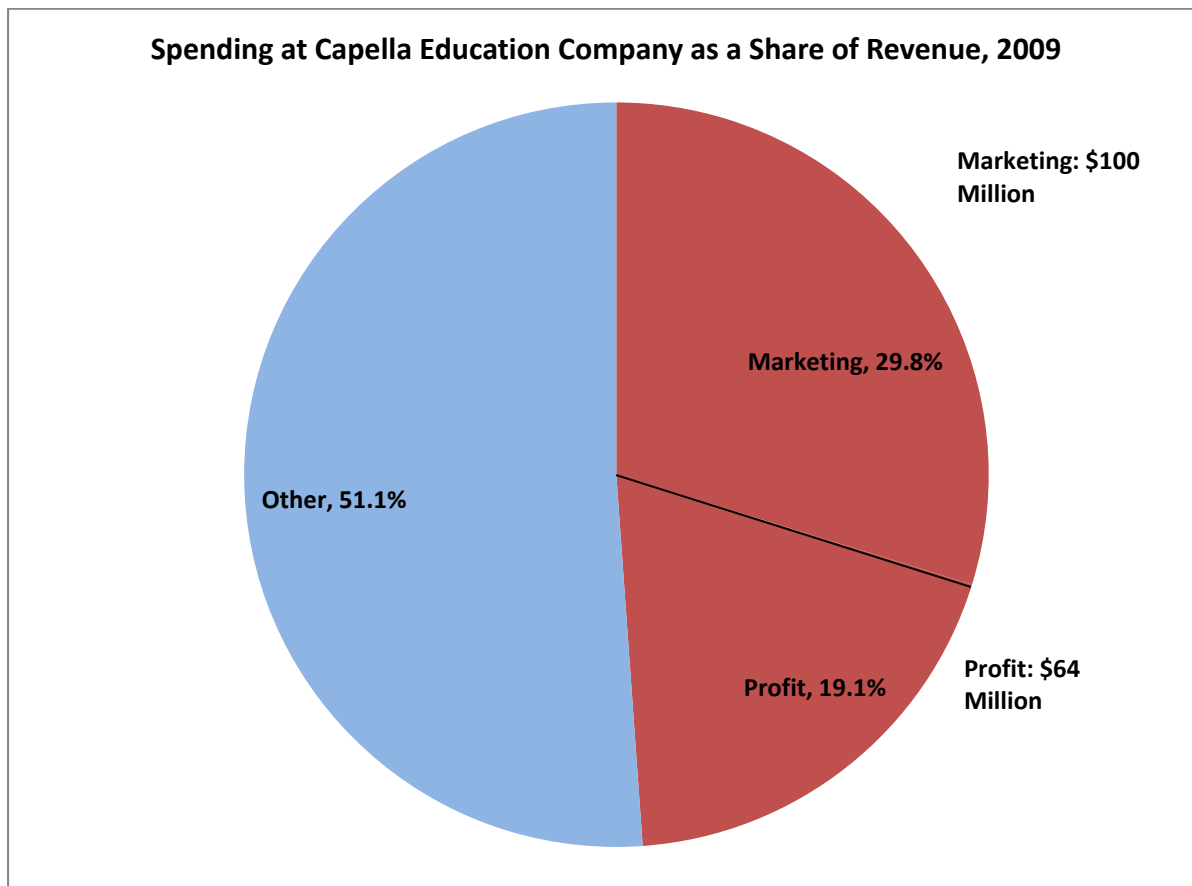
¹²⁷⁸ Pell disbursements are reported according to the Department of Education's student aid "award year," which runs from July 1 through June 30 each year. Senate HELP Committee staff analysis of U.S. Department of Education, Federal Student Aid Data Center, *Title IV Pell Grant Program Volume Reports by School*, 2006-2007 through 2009-2010, <http://federalstudentaid.ed.gov/datacenter/programmatic.html>. See Appendix 13.

¹²⁷⁹ Senate HELP Committee staff analysis of fiscal year 2009 Proprietary School 90/10 numerator and denominator figures plus all additional Federal revenues received in fiscal year 2009 provided to the committee by each company pursuant to the committee document request of August 5, 2010.

¹²⁸⁰ Senate HELP Committee staff analysis of fiscal year 2009 Securities and Exchange Commission annual 10-K filings. Marketing and recruiting includes all spending on marketing, advertising, admissions and enrollment personnel. Profit figures represent operating income before tax and other non-operating expenses including depreciation. See Appendix 19.

¹²⁸¹ *Id.*

marketing and recruiting and 19.1 percent, or \$63.9 million, to profit.¹²⁸² On average, the 30 for-profit schools examined spent 22.7 percent of revenue on marketing and 19.4 percent on profit.¹²⁸³



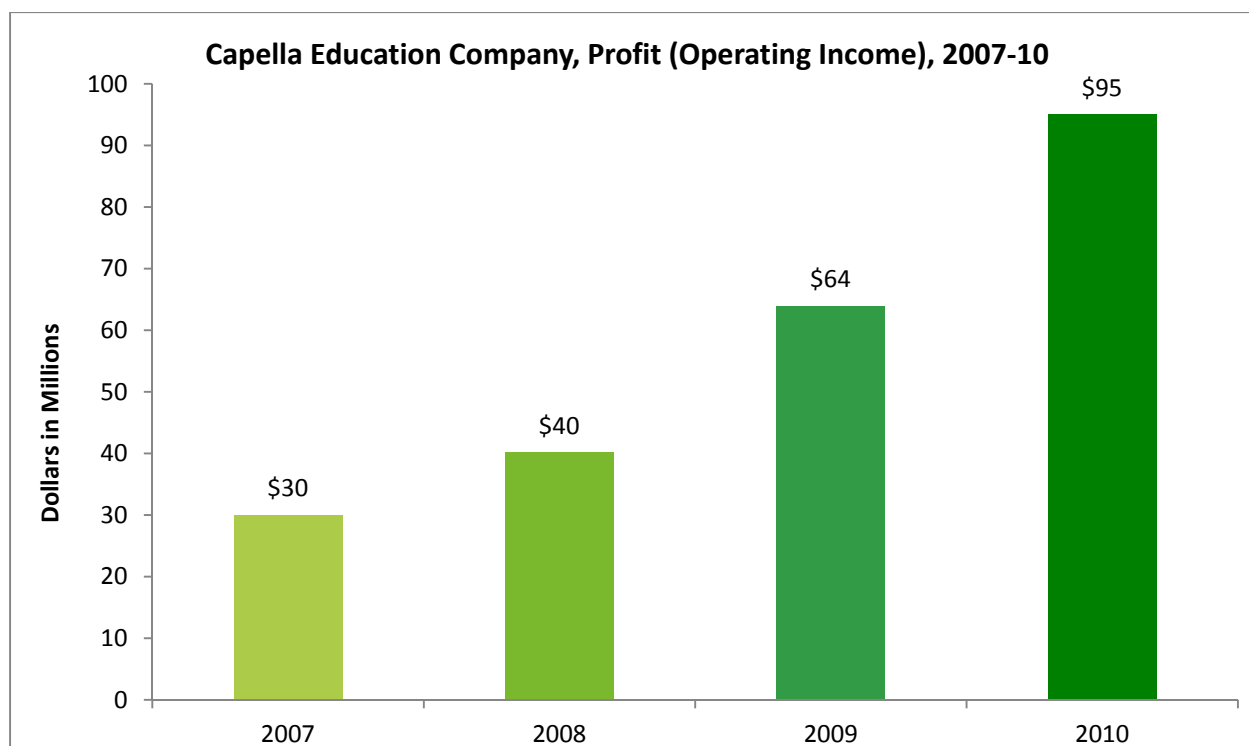
Capella devoted a total of \$163.5 million to marketing, recruiting and profit in fiscal year 2009.¹²⁸⁴ The amount of profit Capella generated also increased rapidly, more than tripling from \$30 million in 2007 to \$95 million in 2010.¹²⁸⁵

¹²⁸² Id. The higher percentage Capella spent on marketing may reflect the higher cost of obtaining leads in professional graduate markets. Capella executives specifically assert that they believe it is “more expensive than marketing to much larger Associate’s, Bachelor’s and trade school markets.” Capella correctly notes that given that the company has lower revenue than some larger companies, the actual dollars spent on marketing are significantly less than at some of its competitors despite the relatively high percentage spent on marketing. Letter from Capella University senior vice president and general counsel Gregory Thom to committee staff, June 26, 2012.

¹²⁸³ Senate HELP Committee staff analysis. See Appendix 19.

¹²⁸⁴ “Other” category includes administration, instruction, executive compensation, faculty salary, student services, facilities, maintenance, lobbying and other expenditures.

¹²⁸⁵ Senate HELP Committee staff analysis. See Appendix 18.



Executive Compensation

Executives at Capella, like most for-profit executives, are more generously compensated than leaders of public and non-profit colleges and universities. Executive compensation across the for-profit sector drastically outpaces both compensation at public and non-profit colleges and universities, despite poor student outcomes at many for-profit institutions.¹²⁸⁶ In 2009, Capella CEO J. Kevin Gilligan received \$3.8 million in compensation, almost six times as much as the president of the University of Minnesota who received \$646,097 in total compensation that year.¹²⁸⁷

Executive	Title	2009 Compensation	2010 Compensation
J. Kevin Gilligan	Chief Executive Officer	\$3,848,253.00	\$2,347,197.00
Lois M. Martin	Former SVP and Chief Financial Officer	\$748,499.00	\$967,637.00
Stephen G. Shank	Former Chief Executive Officer		\$685,879.00
Sally B. Chial	Senior Vice President - Capella Experience	\$952,482.00	\$644,665.00
Michael J. Offerman	Chancellor	\$820,718.00	\$605,422.00
Gregory W. Thom	Vice President and Senior Counsel		\$564,332.00
Steve L. Polacek	SVP and Chief Financial Officer	\$557,862.00	
Kyle M. Carpenter	SVP Strategic Business Development	\$895,249.00	

¹²⁸⁶ Senate HELP Committee staff analysis of fiscal year 2009 Securities and Exchange Commission annual 10-K filings. Marketing and recruiting includes all spending on marketing, advertising, admissions and enrollment personnel. Profit figures represent operating income before tax and other non-operating expenses including depreciation.

¹²⁸⁷ *Star Tribune*, "Salary Snapshots," 2012, <http://www3.startribune.com/dynamic/salaries/> (accessed June 12, 2012).

Jason Van De Loo	Vice President - Marketing	\$742,362.00	
Total		\$8,565,425	\$5,815,132 ¹²⁸⁸

The chief executive officers of the large publicly traded, for-profit education companies received, on average, \$7.3 million in fiscal year 2009.¹²⁸⁹ Gilligan's \$3.8 million compensation package for 2009 is approximately half the average for publicly traded companies.

Tuition and Other Academic Charges

Compared to public and other for-profit colleges offering the same programs, the price of tuition is competitive but in some instances is slightly more expensive at Capella University. A Bachelor of Science in Business at Capella University costs \$57,290.¹²⁹⁰ The same online degree at for-profit Walden University costs \$56,800¹²⁹¹ and \$56,240 at the University of Minnesota.¹²⁹² However, a Master's of Education costs \$20,210 at Capella University, while the online Master's of Education at the University of Minnesota costs \$31,235.¹²⁹³

¹²⁸⁸ Senate HELP Committee staff analysis of fiscal year 2009 and 2010 Securities Exchange Commission annual proxy filings. Information analyzed includes figures for named executive officers. See Appendix 17b.

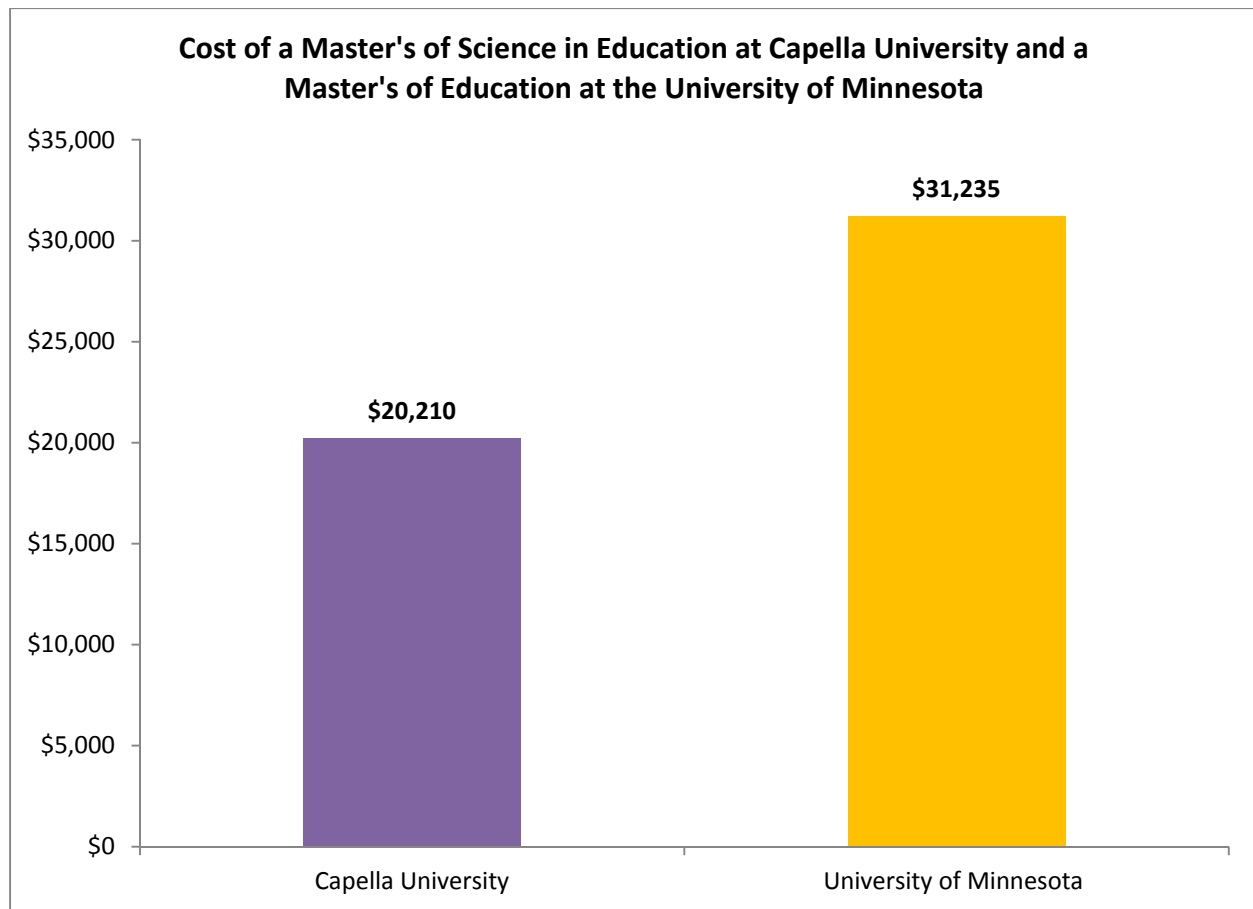
¹²⁸⁹ Includes compensation information for 13 of 15 publicly traded for-profit education companies. Kaplan, owned by the Washington Post Company, does not disclose executive compensation for its executives. And National American University was not listed on a major stock exchange in 2009.

¹²⁹⁰ See Appendix 14; see also, Capella University, *Business Administration*, http://www.capella.edu/schools_programs/undergraduate_studies/business/business_administration.aspx (accessed June 12, 2012).

¹²⁹¹ See Appendix 14; and see, Walden University, *Program Data*, 2012, <http://www.waldenu.edu/Degree-Programs/Bachelors/41556.htm> (accessed June 12, 2012).

¹²⁹² See Appendix 14; and see, University of Minnesota, *University of Minnesota*, <http://www1.umn.edu/twincities/index.html> (accessed June 12, 2012).

¹²⁹³ See Appendix 14; and see, Capella, *Cost & Financial Aid*, 2012, http://www.capella.edu/tuition_financial_aid/tuition_financial_aid_index.aspx (accessed June 12, 2012); University of Minnesota, *University of Minnesota*, <http://www1.umn.edu/twincities/index.html> (accessed June 12, 2012).



For the last 4 years, Capella University has implemented an annual tuition increase ranging from 2.4 percent to 5 percent.¹²⁹⁴

The tuition Capella charges is reflected in the amount of money that the company collects for each veteran that it enrolls. From 2009 to 2011, Capella spent an average of \$9,162 to train 2,021 veterans eligible for post-9/11 GI bill benefits, compared to an average of \$4,642 per veteran spent by public colleges.¹²⁹⁵ While Capella collects more than average for each veteran it enrolls, the public college average includes students attending less expensive 2-year degree programs which are not offered by Capella.

Recruiting

Enrollment growth is critical to the business success of for-profit education companies, particularly for publicly traded companies that are closely watched by Wall Street analysts. In order to meet revenue and profit expectations for-profit colleges recruit as many students as possible to sign up for their programs.

During the period examined and prior to the current ban on paying recruiters based on the number of students enrolled that took effect in July 2011, internal company documents make clear that

¹²⁹⁴ Capella Education Co. 10-K, 2011; Capella Education Co. 10-K, 2010; Capella Education Co. 10-K, 2009; Capella Education Co. 10-K, 2008.

¹²⁹⁵ See Appendix 11. Post-9/11 GI bill disbursements for August 1, 2009-June 15, 2011 provided to the Committee from the Senate Committee on Veterans' Affairs via the Department of Veterans Affairs on July 18, 2011.

Capella closely monitored its enrollment. In an investor report Capella lists the sources of its enrollments: “Approx. 1/3 from Military and Corporate Channels (all military affiliated learners + learners that work at a Capella partner); Approx. 1/3 from other market advertising (including referrals); Approx. 1/3 from aggregators (lowest quality lead source).”¹²⁹⁶

Student complaints illustrate the sometimes aggressive recruiting tactics employed by the third party lead aggregators paid by Capella. One such complaint reads:

My husband was looking into online universities and one of the ones he signed up for (for more information) was Capella University. The next day ... personnel from their sales department began calling my cell phone. I told them to remove my number from their database. They continued to call, getting the same response from me, every hour for about four hours ... The calls did not stop. At one point, I even had one lady try to argue with me after I told her not to call again!¹²⁹⁷

While student complaints may not be representative of the experience of the majority of Capella students, these complaints provide an important perspective on Capella’s recruiting practices.¹²⁹⁸

A Capella recruiter training presentation entitled “Sales Framework Overview” provides insight into the sales culture that informs Capella’s recruiting practices.¹²⁹⁹ The presentation explains that “selling education is unique” and as such Capella sells, “Opportunity” and “Possibly a Better Life.”¹³⁰⁰ The presentation goes on to outline what this sale requires: “Dig deep into the prospect’s needs, goals, motivations, dreams, aspirations, etc. (uncover the “why”). Use this information to position Capella as a solution.”¹³⁰¹ According to this training presentation, a Capella recruiter’s job involves “balancing two roles,” that of a counselor, who is “good at asking probing questions, getting people to talk, and uncovering needs and motivations,” and that of a salesperson, who is “good at presenting information in a persuasive way and motivating others to take action.”¹³⁰²

Outcomes

While aggressive recruiting and high cost programs might be less problematic if students were receiving promised educational outcomes, committee staff analysis showed that tremendous numbers of students are leaving for-profit colleges without a degree. Because 98 percent of students who enroll in a 2-year degree program at a for-profit college, and 96 percent who enroll in a 4-year degree program,

¹²⁹⁶ Capella, *Background & Annual Investor Q&A Confidential & Private*, October 26, 2009 (CAPELLA-0106278, at CAPELLA-0106292).

¹²⁹⁷ Capella, *Complaint Activity Report Case # 57102948*, September 7, 2007 (CAPELLA-0049370).

¹²⁹⁸ See also Capella, *Complaint Activity Report, Case # 57110114*, December 17, 2007 (CAPELLA-0049450) (“Capella University failed to mention that courses taken at there university are not transferable to any other school [sic]. I am now having to take an entire degree program over again at a State College in my area...so that I may obtain my Bachelors Degree [sic].”).

Capella notes that over the 5 year time-frame for which they produced documents, just 151 complaints were produced from a population of 36,000 students. Letter from Capella University senior vice president and general counsel Gregory Thom to committee staff, June 26, 2012.

¹²⁹⁹ Capella University, *Sales Framework Overview*, 2005 (CAPELLA-0015960).

¹³⁰⁰ Id.

¹³⁰¹ Id.

¹³⁰² Id.

take out loans, hundreds of thousands of students are leaving for-profit colleges with debt but no diploma or degree each year.¹³⁰³

Two metrics are key to assessing student outcomes: (1) retention rates based on information provided to the committee, and (2) student loan “cohort default rates.” An analysis of these metrics indicates that while the majority of students attending graduate degree programs at Capella are achieving their goals, during the period examined the majority of students seeking undergraduate degrees are not achieving their educational and career goals.

Retention Rates

Information Capella provided to the committee indicates that out of the 5,602 Bachelor’s students who enrolled at Capella in 2008-9, 60.3 percent, or 3,378 students, withdrew by mid-2010.¹³⁰⁴ Capella’s Bachelor’s withdrawal rate of 60.3 percent exceeds the sector-wide rate of 54.3 percent and is the 6th highest withdrawal rate for Bachelor’s degree programs of any company examined by the committee.¹³⁰⁵ Although Capella’s graduate degree withdrawal rates average a much lower 43.6 percent, still 7,369 students who enrolled in these graduate programs between 2008 and 2009 withdrew by mid-2010.

Degree Level	Enrollment	Percent Completed	Percent Still Enrolled	Percent Withdrawn	Number Withdrawn
Bachelor’s Degree	5,602	1.4%	38.3%	60.3%	3,378
Masters	11,867	3.5%	52.1%	44.3%	5,262
Doctorate	5,018	0%	58.0%	42.0%	2,107
All Students	22,487	2.2%	50%	47.8%	10,747

The dataset does not capture some students who withdraw and subsequently return, which is one of the advantages of the for-profit education model. The analysis also does not account for students who withdrew after mid-2010 when the data was produced.

Student Loan Defaults

The Department of Education tracks and reports the number of students who default on student loans (meaning that the student does not make payments for at least 360 days) within 3 years of entering repayment, which usually begins 6 months after leaving college.¹³⁰⁶

¹³⁰³ Patricia Steele and Sandy Baum, “How Much Are College Students Borrowing?,” *College Board Policy Brief*, August 2009 http://advocacy.collegeboard.org/sites/default/files/09b_552_PolicyBrief_WEB_090730.pdf (accessed June 12, 2012).

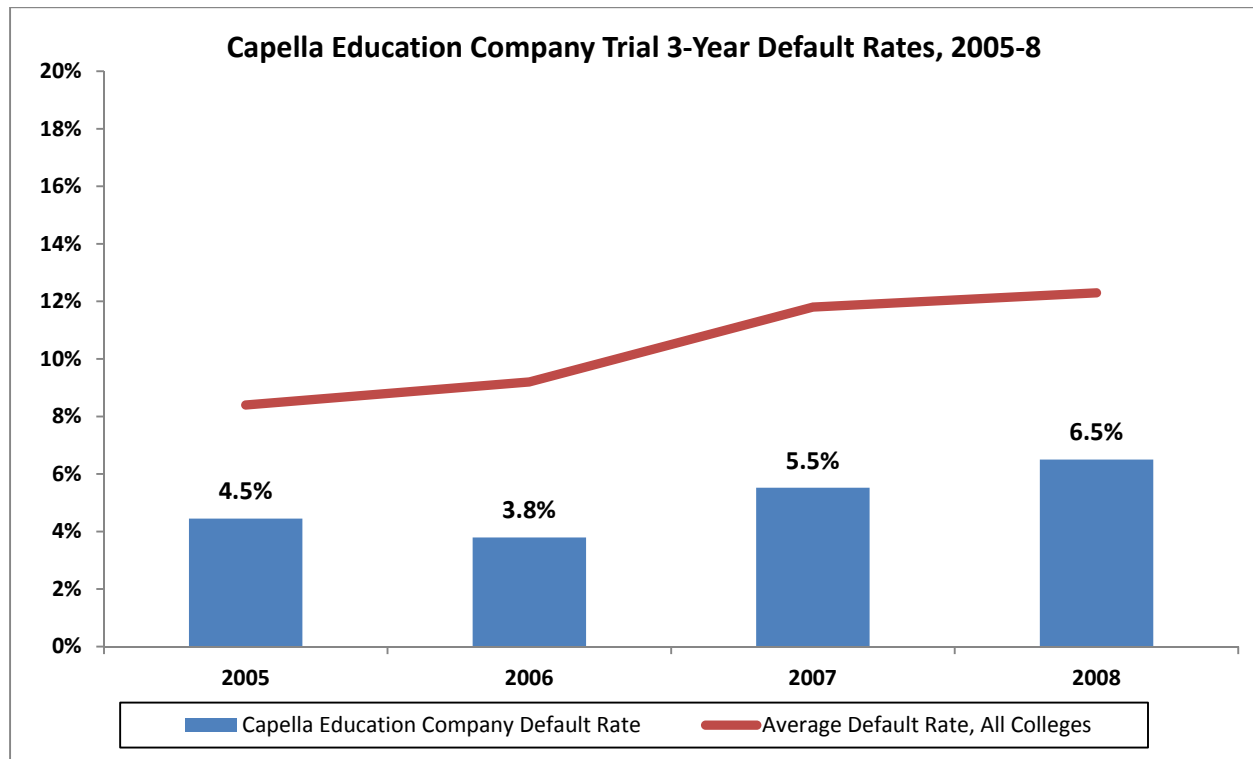
¹³⁰⁴ Senate HELP Committee staff analysis. See Appendix 15. Rates track students who enrolled between July 1, 2008 and June 30, 2009. For-profit education companies use different internal definitions of whether students are “active” or “withdrawn.” The date a student is considered “withdrawn” varies from 10 to 90 days from date of last attendance. Two companies provided amended data to properly account for students that had transferred within programs. Committee staff note that the data request instructed companies to provide a unique student identifier for each student, thus allowing accurate accounting of students who re-entered or transferred programs within the school. The dataset is current as of mid-2010, students who withdrew within the cohort period and re-entered afterward are not counted. Some students counted as withdrawals may have transferred to other institutions.

¹³⁰⁵ Capella company representatives indicated that the company has since instituted a rigorous first class to try and ensure that undergraduate students who enroll will succeed but students remain responsible for the cost of that course. It is not possible to compare student retention or withdrawal rates at public or non-profit institutions because this data was provided to the committee directly by the companies. While the Department of Education tracks student retention and outcomes for all colleges, because students who have previously attended college are excluded from the data set, it fails to provide an accurate picture of student outcomes or an accurate means of comparing for-profit and non-profit and public colleges.

¹³⁰⁶ Direct Loan default rates, 34 CFR 668.183(c).

Slightly more than 1 in 5 students who attended a for-profit college (22 percent) defaulted on a student loan, according to the most recent data.¹³⁰⁷ In contrast, 1 student in 11 at public and non-profit schools defaulted within the same period.¹³⁰⁸ On the whole, students who attended for-profit schools default at nearly three times the rate of students who attended other types of institutions. The consequence of this higher rate is that almost half of all student loan defaults nationwide are held by students who attended for-profit colleges.¹³⁰⁹

The default rate across all 30 companies examined increased each fiscal year between 2005 and 2008, from 17.1 percent to 22.6 percent.¹³¹⁰ This change represents a 32.6 percent increase over 4 years.¹³¹¹ Although Capella's 3-year default rate has gradually increased, growing from 4.5 percent for students entering repayment in 2005 to 6.5 percent for students entering repayment in 2008, overall, Capella's default rate is well below the average not just among for-profit colleges but for all colleges.



It is likely that the reported default rates significantly undercount the number of students who ultimately face default, because of companies' efforts to place students in deferments and forbearances. According to an internal email communication from 2010, Capella students in forbearance and deferment account for 9.4 percent of students considered in "active repayment."¹³¹² For many students, forbearance and deferment serve only to delay default beyond the 3-year measurement period the Department of Education uses to track defaults.

¹³⁰⁷ Senate HELP Committee staff analysis of U.S. Department of Education Trial Cohort Default Rates fiscal year 2005-8, <http://federalstudentaid.ed.gov/datacenter/cohort.html>. Default rates calculated by cumulating number of students entered into repayment and default by sector. See Appendix 16.

¹³⁰⁸ Id.

¹³⁰⁹ Id.

¹³¹⁰ Senate HELP Committee staff analysis of U.S. Department of Education Trial Cohort Default Rates fiscal year 2005-8, <http://federalstudentaid.ed.gov/datacenter/cohort.html>. Default rates calculated by cumulating number of students entered into repayment and default for all OPEID numbers controlled by the company in each fiscal year. See Appendix 16.

¹³¹¹ Id.

¹³¹² Capella Internal Email, *FW: Active Repayment*, February 21, 2010 (CAPELLA-1291450).

Instruction and Academics

The quality of any college's academics is difficult to quantify. However, the amount that a school spends on instruction per student compared to other spending and what students say about their experience are two useful measures.

Capella spent \$1,650 per student on instruction in 2009, compared to \$4,538 per student on marketing and \$2,912 on profit.¹³¹³ The amount that publicly traded, for-profit companies spend on instruction ranges from \$892 to \$3,969 per student per year.¹³¹⁴ In contrast, public and non-profit 4-year colleges and universities generally spend a higher amount per student on instruction. By comparison, on a per student basis, the University of Minnesota spent \$13,247 per student on instruction, and University of Saint Thomas spent \$11,361 per student.¹³¹⁵

A large portion of the faculty at many for-profit colleges is composed of part-time and adjunct faculty. While a large number of part-time and adjunct faculty is an important factor in a low-cost education delivery model, it also raises questions regarding the academic independence they are able to exercise to balance the colleges' business interests. Among the 30 schools the committee investigated, 80 percent of the faculty is part-time, higher in some companies.¹³¹⁶ Capella is one such company with 86 percent of its faculty employed part-time. In 2010, Capella employed 165 full-time and 1,073 part-time faculty.¹³¹⁷

Student complaints indicate dissatisfaction with the instructional quality at Capella. In a letter to the President of Capella from HLC, the company's accreditor expresses concern regarding academic quality:

[This student's] letter is troubling in light of two other recent complaints ... These complaints, taken as a group, suggest dissatisfaction on the part of at least some graduate students with the quality of the interaction they have had in the institution's core academic programs and an unwillingness on the part of the institution to review and respond to the potential customer service issues these complaints suggest.¹³¹⁸

While student complaints may not be representative of the experience of the majority of students, these complaints do provide an important perspective on Capella's academic quality.¹³¹⁹

¹³¹³ Senate HELP Committee staff analysis. See Appendix 20, Appendix 21, and Appendix 22. Marketing and profit figures provided by company or Securities and Exchange filings, instruction figure from IPEDS. IPEDS data for instruction spending based on instructional cost provided by the company to the Department of Education. According to IPEDS, instruction cost is composed of "general academic instruction, occupational and vocational instruction, special session instruction, community education, preparatory and adult basic education, and remedial and tutorial instruction conducted by the teaching faculty for the institution's students." Denominator is IPEDS "full-time equivalent" enrollment.

¹³¹⁴ Id.

¹³¹⁵ Senate HELP Committee staff analysis. See Appendix 23. Many for-profit colleges enroll a significant number of students in online programs. In some cases, the lower delivery costs of online classes – which do not include construction, leasing and maintenance of physical buildings – are not passed on to students, who pay the same or higher tuition for online courses.

¹³¹⁶ Senate HELP Committee staff analysis of information provided to the committee by the company pursuant to the committee document request of August 5, 2010. See Appendix 24.

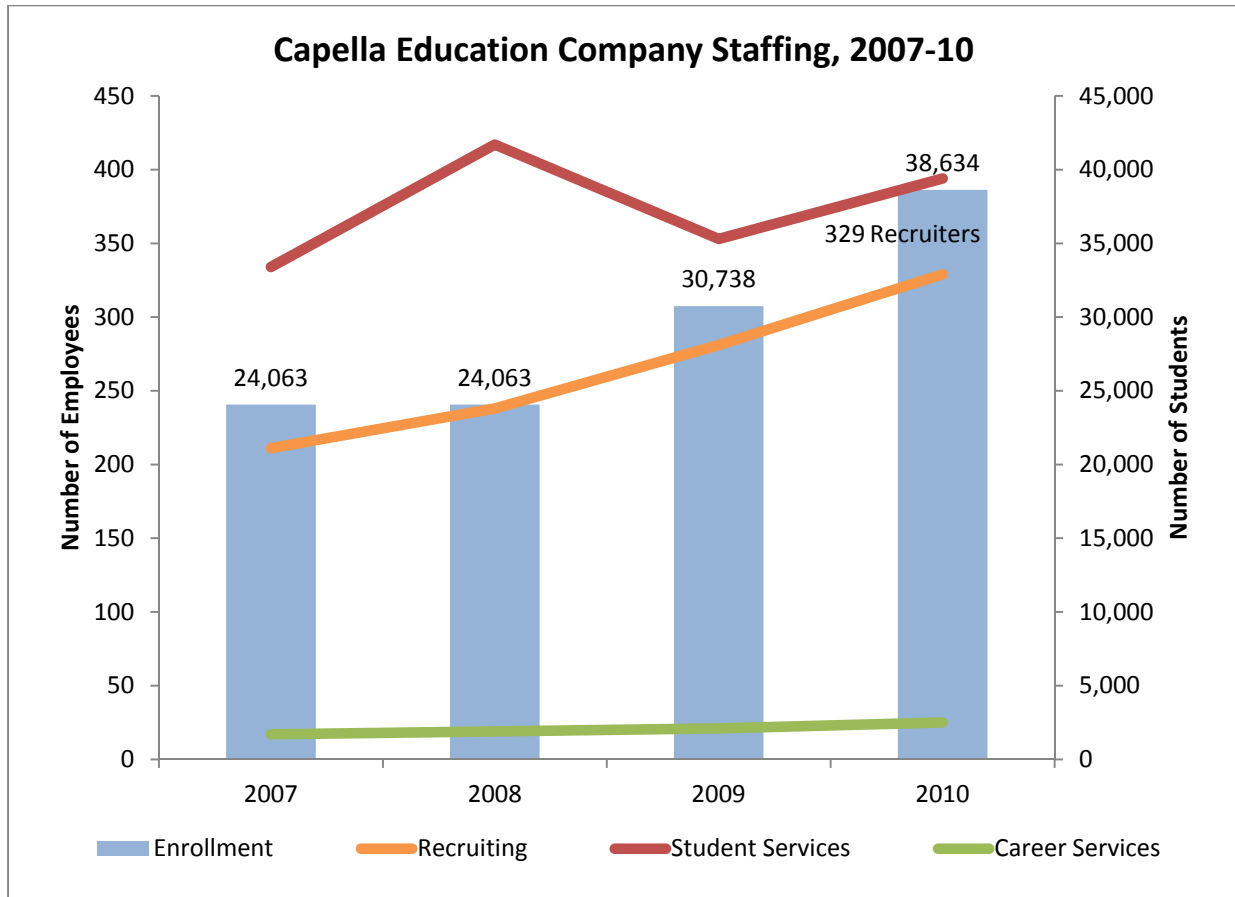
¹³¹⁷ Id.

¹³¹⁸ Letter from The Higher Learning Commission to Capella University President, December 20, 2006 (CAPELLA-0049248).

¹³¹⁹ See also, Letter from The Higher Learning Commission to Cappella University, August 9, 2007 (CAPELLA-0049346) ("I was a 4.0 student, I as you can see was nowhere near the limit of 7 years total enrolled in the school and yet from the way I

Staffing

While many for-profit companies employ large numbers of recruiters to enroll new students, these same companies frequently employ far less staff to provide tutoring, remedial services or career counseling and placement. Capella, however, employs a relatively large student services staff. In 2010, with 38,634 students, Capella employed 329 recruiters, 25 career services employees and 394 student services employees.¹³²⁰ That means each career counselor was responsible for 1,430 students and each student services staffer was responsible for 91 students. Meanwhile, the company employed one recruiter for every 77 students.



have been treated, ignored, and threatened I don't feel this school deserves to be reaccredited. I am sure there are a number of students that have had similar experiences and I don't see Capella trying to make amends or change, or keep control over their employees or faculty. If they want to be an online school they need to have more accountability as far as student contact. When a student can't get their mentor to answer an email they should be able to call the school and ask why."); Capella University, *Complaint Activity Report, Case # 57105933*, February 4, 2008 (CAPELLA-0049430) ("I have completed all my course work and was allowed to be enrolled in my dissertation course and my committee fail me by allowing some other professor to give comments about my dissertation which lead me to sit out a whole quarter[sic]."); Capella University, *Complaint Activity Report, Case # 57087656*, February 13, 2007 (CAPELLA-0049396) ("I was registered within course 9985C—for four days. I was charged the full amount of tuition for the quarter. The course did NOT require any course work, have any course expectations and was basically a "limbo" course to take my financial aid." (emphasis in original)).

¹³²⁰ Senate HELP Committee staff analysis of information provided to the committee by the company pursuant to the committee document request of August 5, 2010. See Appendix 7 and Appendix 24.

Department of Education Compliance Audit

In 2006, the U.S. Department of Education's Office of the Inspector General (OIG) conducted a compliance audit of Capella focusing on its policies and procedures concerning the return of title IV funds to students who withdrew from the school. The OIG found that Capella made accounting errors in how it calculated student eligibility for government-subsidized loans, including failing to return all funds disbursed on behalf of students who dropped out before their first day of class. In response to the audit, Capella recognized these errors in its accounting practices and attested to have made changes to ensure that such errors were not repeated.¹³²¹

Conclusion

Graduate students attending Capella's exclusively online programs appear to be faring much better than students at many companies the committee examined. However, the company's high withdrawal rate among its growing Bachelor's student population is a serious concern. While the backward looking default rate is very low and reflects Capella's solid track record to-date, it may fail to capture the emerging challenges the company faces with 4-year degree students.

Capella also spends an unusually high portion of revenue on marketing and a relatively small amount on instruction for its exclusively online program. Moreover, with most of the faculty serving in part-time positions, the academic independence of the faculty may also be an issue that should be addressed by accreditors.

Although Capella appears to maintain aggressive enrollment goals for the more than 300 recruiters it employs, the company also appears to have better controls on recruiting practices and invests more in student services than many companies reviewed. Capella's demonstrated record of student success in graduate degree programs will hopefully guide the company in improving the student completion rates of its growing undergraduate student population.

¹³²¹ Paul Basken, "Capella University Overcharged Student Lenders \$588,000, Audit Finds," *The Chronicle of Higher Education*, March 12, 2008 <http://chronicle.com/article/Capella-University-Overcharged/40631> (accessed June 12, 2012).

Exhibit B

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Doctoral Degrees in Nursing

School of Nursing & Health Sciences

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Practice - DNP](#)[DNP Preparatory
Program - DNP](#)

Lead Through Change in Nursing

As health care delivery evolves, we need nurses with administrative, organizational, and systems leadership skills to steer the industry in the right direction. Capella's online DNP programs incorporate AACN guidelines for doctoral education practice to ensure the highest quality learning experience.

Whether your goal is to educate the next generation of nurses, lead in a clinical setting, or shape modern systems of health, you'll find the right program at Capella.

“ A Doctor of Nursing Practice allows me to stay closer to the bedside, more involved with the work that I enjoy doing. It's about being a better nurse, a better role model, being a better leader in my organization and being able to take the vision that I have for Air Force Nursing and the patients that we serve to the next level. ”

Deedra Zabokrtsky,

Air Force Chief Nursing Officer and Capella DNP

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Ways to Save

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Tuition
Reimbursement**

Many
employers
offer tuition
reimbursement
to their

graduate

The Most Direct Path to Your Doctoral Degree

Reach your goals faster. Capella provides three pathways to your DNP degree:

DNP Program: In just two years you can earn your DNP and prepare to manage complex health care challenges in a program that focuses on practical nursing rather than research and theory.

*Time to completion varies based on course load and transfer credit amounts.

BSN-to-DNP accelerated pathway: Build advanced leadership skills and doctoral-level knowledge—without the time and expense of earning an MSN along the way. Continuously enroll in 2 courses per quarter to finish in less than 3 years.

*Time to completion varies based on course load and transfer credit amounts.

DNP preparatory pathway: a three-course program intended for registered nurses with non-nursing master's degrees. This pathway focuses on the essential skills and knowledge required to embark on a Doctor of Nursing Practice program.

*Time to completion varies based on course load and transfer credit amounts.

Teach, Research, or Consult with a PhD in Nursing Education

Meet the growing need for qualified nursing faculty

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your HR
department
to see if you
are eligible.

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can make
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saving you
thousands.

Sample Online Learning at Capella



See what it's like to
take a Capella course
with a one-week, free
mini course.

through a [PhD in Nursing Education](#) program that incorporates the National League for Nursing (NLN) Nursing Education Competencies and is designed to meet the educational requirements for the Certified Nurse Educator (CNE) credential offered by the NLN.

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Save and compare your favorite programs, estimate costs and timing, and test your readiness for online learning.

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Keep Your Costs Down

Lower your education costs with these saving opportunities:

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- 10% discount for NBNA members
- 10%-15% [military discount](#)
- Apply up to 500 clinical hours from your MSN program to your DNP Practice Immersion requirements

Skills You Can Use Immediately

At Capella, you'll receive a [competency-based education](#), meaning every assignment, course, and program is mapped to deliver the skills and knowledge required for on-the-job success. Your DNP coursework will offer insights, lessons, and practical competencies that can be immediately applied to improve patient outcomes—even before you graduate.

Practice Immersion, Mentoring, and Support

Knowledge garnered in the classroom is immediately applicable with Capella's flexible practice immersion experience. You'll use evidence-based methods to solve real healthcare challenges and meet your DNP requirements. As you work to complete your final project, you'll be aligned with a mentor throughout your practice immersion experience.

The courseroom provides visibility to all milestones, providing clarity and transparency to the entire project structure and expectations. Your mentor will review goals you've set and help you stay on track and rich, multimedia learning tools provide support in mastering complex concepts and subject matter.

Estimate Your Costs and Graduation Date



Evaluate tuition, discounts, and transfer credits to calculate your costs and graduation date.

[Get started](#)


Are You Ready for Capella?



Test your readiness to see if you're prepared for a successful online learning experience.

[Explore assessments](#)

Virtual Lab Environments; Real World Results

Solve real-world health care challenges in Capella's  virtual labs, where you'll practice your newly learned nursing knowledge within a fail-safe, simulated modern system of health environment.

Accreditation Makes The Difference

Capella University is [accredited](#) by the Higher Learning Commission. The Higher Learning Commission is among the 6 regional accrediting bodies recognized by the U.S. Department of Education. Regional bodies accredit colleges and universities; national bodies accredit trade and vocational schools.



The BSN, MSN and DNP degree programs at Capella University are accredited by the Commission on Collegiate Nursing Education, One Dupont Circle, NW, Suite 530, Washington, DC 20036, (202) 887-6791

<http://www.aacn.nche.edu/ccne-accreditation>

Capella's online, CCNE-accredited DNP programs incorporate AACN guidelines for doctoral education practice to ensure the highest quality learning experience.

DEGREES & PROGRAMS

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Counseling
Criminal Justice
Education
Health Sciences
Human Services

Information Technology
Nursing
Psychology
Public Administration
Social Work

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Exhibit C



CAPELLA UNIVERSITY

Doctor of **Nursing Practice** (DNP)
Degree Program

Doctor of Nursing Practice (DNP) Degree Program

Nursing is the largest and fastest-growing health care profession, yet a shortage of faculty is restricting nursing schools' ability to expand to meet the need.

Unlike many DNP programs, Capella's DNP focuses on administrative, organizational, and systems leadership competencies to prepare you for a variety of nursing leadership positions. DNP-prepared nurses can also teach in many higher education institutions.



The Commission of Collegiate Nursing Education (CCNE), a nationally recognized accreditation agency approved by the U.S. Secretary of Education, has accredited Capella's DNP degree program. Accreditation by CCNE* serves as a statement of good educational practice in the field of nursing.

Prepare yourself to be a leader in the field of nursing by earning a DNP, the preferred credential for advanced practice nurses. Because a DNP focuses on practical contributions to the nursing field, it can be completed more quickly than a research-focused PhD. Unlike many DNP programs, Capella's online DNP focuses on administrative, organizational, and systems leadership competencies to prepare you for a variety of nursing leadership positions. Topics covered in this program include leadership and ethics, health care management, policy and advocacy, health care information systems, and health promotion and disease prevention for global populations. Capella's curriculum also incorporates *The Essentials of Doctoral Education for Advanced Nursing Practice* established by the American Association of Colleges of Nursing (AACN). Convenient electronic textbooks are available for most courses, which lowers costs and provides immediate access to course materials. Field experiences allow you to apply what you are learning and focus on your areas of interest, culminating in a final project that produces a practice- and evidence-based solution to a problem you encountered in the field. This program would be a strong choice for advanced practice nurses who want to move into leadership positions, nurse administrators who want to expand their leadership responsibilities, or nurse leaders who want to design and implement health care delivery programs.

The DNP degree program is not a clinical degree program and is not designed to prepare advanced practice registered nurses for roles as nurse practitioners, clinical nurse specialists, certified nurse midwives, or certified nurse anesthetists.

This degree program is part of Capella University's broad portfolio of public service leadership offerings. Capella features a multidisciplinary approach to public service education that brings together faculty and learners from public administration, public safety, and health care, professions that often must work together to address complex public sector challenges. Learners benefit because they gain an in-depth understanding of their specialized professions in the context of the larger public service environment.

*The BSN, MSN and DNP nursing degree programs at Capella University are accredited by the Commission on Collegiate Nursing Education, One Dupont Circle, NW, Suite 530, Washington, DC 20036, (202)887-6791. <http://www.aacn.nche.edu/ccne-accreditation>.

This guide is intended to provide an overview of the degree program and is subject to change. Your enrollment counselor can provide updates, details, and Capella's official *University Catalog* that specifies your program requirements.

Career Information

Capella's Career Center

proactively assists learners and alumni in developing and implementing their unique career management goals. The Career Center staff is committed to helping working adults move forward in their careers.

The DNP is the preferred credential for advanced practice nurses and will be the required terminal degree for the profession by 2015.

POTENTIAL EMPLOYMENT SETTINGS

- Self employment
- Community mental health agency
- Hospital
- Health care organization
- Home health care service
- Government—local, state, federal
- Community health agency
- Nursing care facility
- Medical clinic
- Social service agency
- Land-based or online college or university
- Community college
- School system (K–12)

COMMON JOB TITLES/POSITIONS*†

- Nursing instructor
- Chief nursing officer
- Health care director
- Nursing director
- Health care systems coordinator
- Education consultant
- Trainer
- Lobbyist or legislative consultant
- Nurse educator
- Nurse manager
- Nursing administrator
- Nursing operations director
- School system administrator (health services)
- Nursing professor

PROGRAM OUTCOMES

- Employ a science-based theoretical foundation to develop and evaluate new practices and approaches to health care delivery
- Evaluate and analyze theory and research-based methods to improve the reliability of health care practices and outcomes
- Lead planning and implementation of health care technologies for quality improvement appropriate for specialized areas of practice
- Develop, implement, and advocate for health care policy that meets the needs of specific populations
- Employ inter-professional collaboration skills to improve patient and population health
- Lead and create health care delivery models for quality improvement
- Develop, implement, and evaluate evidence-based health promotion, prevention, and intervention service delivery models for individuals, aggregates, and populations

*These are examples intended to serve as a general guide. Because many factors determine what position an individual may attain, Capella cannot guarantee that a graduate will secure any specific job title.

†Some positions require licensure and/or other designations. We encourage you to research requirements for your job target and career goals.

Curriculum

ADMISSION REQUIREMENTS

Master's degree in nursing from an institution accredited by a U.S. Department of Education-recognized accrediting agency or an internationally recognized institution

Grade point average of 3.0 or higher on a 4.0 scale

Current, unrestricted RN license to practice in the United States

One year of licensed RN work experience

- 21 required courses
- Total program credits: 52 quarter credits

RESIDENCY REQUIREMENT(S)

One six-day residential colloquium.

FIELD EXPERIENCE REQUIREMENT(S)

Minimum of 1,000 field experience hours.

REQUIRED COURSES

All courses taken in the following sequence:

DNP8000*	Theoretical Foundations and Applications.	4 quarter credits
DNP8001*	DNP Field Experience 1 [†]	1 quarter credit
DNP8002*	Contemporary Issues in Advanced Nursing Practice	4 quarter credits
DNP8003*	DNP Field Experience 2 [†]	1 quarter credit
DNP8004*	Investigation, Discovery, and Integration	4 quarter credits
DNP8005*	DNP Field Experience 3 [†]	1 quarter credit
DNP8006*	Policy and Advocacy in Advanced Nursing Practice. . . .	4 quarter credits
DNP8007*	DNP Field Experience 4 [†]	1 quarter credit
DNP8008*	Executive Leadership and Ethics in Health Care.	4 quarter credits
DNP8009*	DNP Field Experience 5 [†]	1 quarter credit
DNP8010*	Management in Advanced Contemporary Nursing	4 quarter credits
DNP8011*	DNP Field Experience 6 [†]	1 quarter credit
DNP8012*	Nursing Technology and Health Care Information Systems.	4 quarter credits
DNP8013*	DNP Field Experience 7 [†]	1 quarter credit
DNP8014*	Global Population Health	4 quarter credits
DNP8015*	DNP Field Experience 8 [†]	1 quarter credit
DNP8016*	DNP Capstone 1	4 quarter credits
DNP8017*	DNP Field Experience 9 [†]	1 quarter credit
DNP8018*	DNP Capstone 2	4 quarter credits
DNP8019*	DNP Field Experience 10 [†]	1 quarter credit
DNP-R8016*	DNP Residential Colloquium [†]	2 quarter credits

*Denotes courses that have prerequisite(s). Refer to the course descriptions for further details.

[†] Learners are responsible for the cost of their travel, accommodations, food, and other expenses associated with this course.

The DNP curriculum incorporates *The Essentials of Doctoral Education for Advanced Nursing Practice* established by the American Association of Colleges of Nursing (AACN).

The DNP focuses on practical contributions to the nursing field and can be completed more quickly than a research-focused PhD.

North Carolina and North Dakota residents are currently not eligible to enroll in this program.

Admission to the DNP degree program requires learners to complete and submit the RN License Verification and Work Experience Acknowledgement Form with Field Experience.

The DNP degree program requires certain conditions of enrollment that learners must maintain throughout the program, including a current, unrestricted RN license, submitting to an annual background check (fees apply), and providing documentation of a current CPR certification and certain immunizations. Learners should consult the Doctor of Nursing Practice Program Handbook for details about the conditions of enrollment.

Course Descriptions

DNP8000 Theoretical Foundations and Applications

4 QUARTER CREDITS

This course presents an aggregate/systems/organizational focus of nursing practice and provides learners with the foundation on which to build the advanced leadership skills exemplary of a DNP-educated nurse. Learners review the theoretical models and scientific underpinnings of advanced nursing practice and examine methods of writing for and communicating with diverse populations. Learners also perform a holistic, comprehensive assessment of a health issue or complex system and design, implement, and evaluate appropriate therapeutic interventions that incorporate diverse and culturally sensitive approaches. *For DNP learners only. Must be taken by DNP learners in their first quarter.*

Prerequisite(s): Concurrent enrollment in DNP8001. Cannot be fulfilled by transfer.

DNP8001 DNP Field Experience 1

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): Concurrent enrollment in DNP8000. Cannot be fulfilled by transfer.*

DNP8002 Contemporary Issues in Advanced Nursing Practice

4 QUARTER CREDITS

The focus of this course is current advanced practice dynamics in nursing organizations and the ways the DNP-educated nurse can use them to transform clinical models for nursing and related organizational health care systems. Learners examine program evaluation, performance improvement, and quality improvement methods and identify ways to apply them to meet organizational needs. Learners also design a health care intervention strategy; strengthen their levels of clinical judgment, systems thinking, and accountability; and provide leadership and management competencies as practice specialists and consultants. *For DNP learners only. Prerequisite(s): DNP8000, DNP8001, and concurrent enrollment in DNP8003. Cannot be fulfilled by transfer.*

DNP8003 DNP Field Experience 2

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8000, DNP8001, and concurrent enrollment in DNP8002. Cannot be fulfilled by transfer.*

DNP8004 Investigation, Discovery, and Integration

4 QUARTER CREDITS

In this course, learners apply the steps of scientific investigation and discovery to health care leadership and examine the relevance of patterns of health care within a practice setting. Learners use scientific literature to determine and implement best practices for evaluating nursing practice outcomes and designing health care delivery approaches that meet current and future patient needs. *For DNP learners only. Prerequisite(s): DNP8002, DNP8003, and concurrent enrollment in DNP8005. Cannot be fulfilled by transfer.*

DNP8005 DNP Field Experience 3

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8000, DNP8002, DNP8003 and concurrent enrollment in DNP8004. Cannot be fulfilled by transfer.*

DNP8006 Policy and Advocacy in Advanced Nursing Practice

4 QUARTER CREDITS

Learners in this course critically analyze health policies and practices from a health care stakeholder perspective. Learners consider the ethical ramifications of current health policy and examine ways to promote social justice and equity; advocate for effective health care delivery and program outcomes; and influence, lead, and implement new practice patterns that best serve patient needs and assist in health care policy development and reform. *For DNP learners only. Prerequisite(s): DNP8004, DNP8005, and concurrent enrollment in DNP8007. Cannot be fulfilled by transfer.*

DNP8007 DNP Field Experience 4

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8004, DNP8005, and concurrent enrollment in DNP8006. Cannot be fulfilled by transfer.*

DNP8008 Executive Leadership and Ethics in Health Care

4 QUARTER CREDITS

In this course, learners analyze the executive leadership and communication skills used to facilitate and foster group consensus and develop and maintain the therapeutic relationships and partnerships needed to promote optimal health care outcomes. Learners develop and evaluate ethical practice strategies for promoting patient safety and managing issues generated by health disparities. Learners also focus on developing the skills needed to guide, mentor, and support other nurses in their effort to achieve excellence in nursing practice. *For DNP learners only. Prerequisite(s): DNP8004, DNP8005, and concurrent enrollment in DNP8009. May be taken concurrently with DNP8006 and DNP8007. Cannot be fulfilled by transfer.*

DNP8009 DNP Field Experience 5

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8004, DNP8005, and concurrent enrollment in DNP8008. May be taken concurrently with DNP8006 and DNP8007. Cannot be fulfilled by transfer.*

DNP8010 Management in Advanced Contemporary Nursing

4 QUARTER CREDITS

This course focuses on the management skills needed to create valuable, proactive change in health care settings and complex health care delivery systems. Learners use conceptual and analytical skills to evaluate the links among practice, organizational, population, fiscal, and policy issues and apply this knowledge to professional practice. Learners also develop the skills needed to analyze the costs and benefits of and monitor the budgets for practice initiatives and employ principles of business, finance, economics, and health policy to develop and implement effective strategic management plans. *For DNP learners only. Prerequisite(s): DNP8006, DNP8007, and concurrent enrollment in DNP8011. May be taken concurrently with DNP8008 and DNP8009. Cannot be fulfilled by transfer.*

DNP8011 DNP Field Experience 6

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8006, DNP8007, and concurrent enrollment in DNP8010. May be taken concurrently with DNP8008 and DNP8009. Cannot be fulfilled by transfer.*

DNP8012 Nursing Technology and Health Care Information Systems

4 QUARTER CREDITS

Learners in this course apply information technology and research methods within the health care environment and design, apply, and evaluate the use of technology in health care information systems. In particular, learners focus on developing and executing evaluation plans that monitor an organization's patient care, systems, and quality improvement outcomes. *For DNP learners only. Prerequisite(s): DNP8008, DNP8009, and concurrent enrollment in DNP8013. May be taken concurrently with DNP8010 and DNP8011. Cannot be fulfilled by transfer.*

DNP8013 DNP Field Experience 7

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8008, DNP8009, and concurrent enrollment in DNP8012. May be taken concurrently with DNP8010 and DNP8011. Cannot be fulfilled by transfer.*

DNP8014 Global Population Health

4 QUARTER CREDITS

In this course, learners analyze epidemiological, biostatistical, occupational, and environmental data and use it to develop, implement, and evaluate health promotion and disease prevention efforts in global populations. Learners also evaluate the accuracy of consumer health information sources and focus on preparing themselves to lead the development and implementation of institutional, local, state, national, or international health care policy. *For DNP learners only. Prerequisite(s): DNP8010, DNP8011, and concurrent enrollment in DNP8015. May be taken concurrently with DNP8012 and DNP8013. Cannot be fulfilled by transfer.*

DNP8015 DNP Field Experience 8

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8010, DNP8011, and concurrent enrollment in DNP8014. May be taken concurrently with DNP8012 and DNP8013. Cannot be fulfilled by transfer.*

DNP8016 DNP Capstone 1

4 QUARTER CREDITS

In this course, learners demonstrate synthesis of *The Essentials of Doctoral Education for Advanced Nursing Practice* and program course work and experience in a final project. Learners identify a problem encountered during their practice immersion experience and develop an appropriate intervention or practice change to address it. Learners examine and create an integrated review of relevant literature and evidence that supports and validates their choice of practice change and formalize their conclusions in a scholarly article or professional presentation. *For DNP learners only. Prerequisite(s): DNP8014, DNP8015, and concurrent enrollment in DNP8017. Cannot be fulfilled by transfer.*

DNP8017 DNP Field Experience 9

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8014, DNP8015, and concurrent enrollment in DNP8016. Cannot be fulfilled by transfer.*

DNP8018 DNP Capstone 2

4 QUARTER CREDITS

In this course, learners evaluate the importance of the dissemination of scholarly work in the nursing field and examine and practice applying the concepts of peer-mentorship, accountability, and ethical behavior. Learners complete all final project field experiences and field site evaluations; submit their final logs and documentation to their e-portfolio; finalize their capstone projects; and present them to an academic committee for review, evaluation, and approval. *For DNP learners only. Prerequisite(s): DNP8016, DNP8017, and concurrent enrollment in DNP8019. Cannot be fulfilled by transfer.*

DNP8019 DNP Field Experience 10

1 QUARTER CREDIT

In this course, DNP learners engage in ongoing planning and documentation of their field experience and its relationship to the final DNP project, a deliverable academic product that synthesizes the learner's professional and academic growth and practice immersion experiences. Learners focus on their writing and critical-thinking skills, assess and reflect on their own progress in relation to the program outcomes, integrate faculty and preceptor feedback, and synthesize these insights as inputs into the final DNP project. Learners also develop and maintain an electronic portfolio that includes course work products, demonstrations of competency and outcome achievement, and practice experience documentation (number of hours, preceptor evaluations, achievement of objectives, and contributions to the organization). The field experience and associated courses provide the foundation and framework for the final DNP project. *For DNP learners only. Grading for this course is S/NS. Prerequisite(s): DNP8016, DNP8017, and concurrent enrollment in DNP8018. Cannot be fulfilled by transfer.*

DNP-R8016 DNP Residential Colloquium

2 QUARTER CREDITS

In this residential colloquium, learners continue their work on their final capstone projects and participate in face-to-face collaborative experiences with peers and faculty. Learners consult with faculty on their project progress and engage with them in coaching exercises that facilitate their professional preparation and improve their presentation skills and professional demeanor. Learners also interview faculty about their experiences in disseminating scholarship and develop a curriculum vitae to add to their e-portfolio. *For DNP learners only. Prerequisite(s): DNP8014, DNP8015. May be taken concurrently with DNP8016, DNP8017, DNP8018, and DNP8019. Cannot be fulfilled by transfer.*

Course Sequence

This course sequence assumes learners pursue a full-time course of study. Some learners may elect to take fewer courses per quarter based on workload and the amount of time available for graduate study.

YEAR 1	COURSES	RESIDENCIES
Q1	DNP8000 Theoretical Foundations and Applications	
	DNP8001 DNP Field Experience 1*	
Q2	DNP8002 Contemporary Issues in Advanced Nursing Practice	
	DNP8003 DNP Field Experience 2*	
Q3	DNP8004 Investigation, Discovery, and Integration	
	DNP8005 DNP Field Experience 3*	
Q4	DNP8006 Policy and Advocacy in Advanced Nursing Practice	
	DNP8007 DNP Field Experience 4*	
	DNP8008 Executive Leadership and Ethics in Health Care	
	DNP8009 DNP Field Experience 5*	
YEAR 2	COURSES	RESIDENCIES
Q5	DNP8010 Management in Advanced Contemporary Nursing	
	DNP8011 DNP Field Experience 6*	
	DNP8012 Nursing Technology and Health Care Information Systems	
	DNP8013 DNP Field Experience 7*	
Q6	DNP8014 Global Population Health	
	DNP8015 DNP Field Experience 8*	
Q7	DNP8016 DNP Capstone 1	
	DNP8017 DNP Field Experience 9*	
Q8	DNP8018 DNP Capstone 2	DNP-R8016 DNP Residential Colloquium [†]
	DNP8019 DNP Field Experience 10*	

*Capella University is not able to offer visas or other types of work permits; therefore, obtaining any necessary authorization is the sole responsibility of the learner. All individuals admitted to this program must be eligible to work within the United States, Canada, Guam, Puerto Rico, or the U.S. Virgin Islands at the time of the internship or practicum and must agree that this experience will be completed within the United States, Canada, Guam, Puerto Rico, or the U.S. Virgin Islands.

[†]It is recommended that DNP-R8016 be taken during the capstone sequence, ideally at the beginning of the second capstone course. However, learners have the option to take DNP-R8016 after the capstone course sequence is completed.

Tuition

This tuition estimate is effective July 8, 2013, and is subject to change. For current pricing, visit the Capella University website at www.capella.edu.

Many courses in this program were designed to incorporate electronic textbook solutions in the courseroom. This provides immediate access to course materials, while reducing learners' total program cost.

	TUITION	TOTAL TUITION
Tuition per credit*	\$768	\$38,400
Tuition for DNP residency*	\$1,495	\$1,495
Total		\$39,895

*Learners are responsible for the cost of their travel, accommodations, food, and other expenses associated with DNP8001, DNP8003, DNP8005, DNP8007, DNP8009, DNP8011, DNP8013, DNP8015, DNP8017, DNP8019, and DNP-R8016.

Financial Aid

There are many financial aid options available to help Capella learners offset their tuition costs.

Contact an enrollment counselor at **1.888.CAPELLA (227.3552)** to discuss your financial aid opportunities.

Capella University offers assistance to learners who qualify and would like to secure educational funding to help finance their academic program. A number of options are available, given the diverse needs and backgrounds of prospective learners. Options include:

- Federal Direct Stafford Loan Program
- Federal Direct PLUS Loan Program
- Non-federal loans through preferred lenders and financial institutions
- Capella scholarships
- External scholarships
- Veterans' educational benefits and U.S. armed forces discounts
- Corporate and higher education alliances
- Employer tuition reimbursement

Regarding loan programs, interest rates for Stafford student loans are low compared to other types of consumer loans, and repayment can be deferred until after graduation. In compliance with federal and state laws, Capella University has established policies for all learners regarding satisfactory academic progress, which is necessary for financial aid eligibility.

Academic Leadership

Suzanne Holmes, DPA

Dean

Suzanne Holmes serves as dean for the School of Public Service Leadership at Capella University. Her professional background includes executive leadership positions with hospitals, medical groups, managed care organizations, and governmental agencies. In the field of higher education, Dr. Holmes has served as chair of the Division of Health Sciences and program chair of graduate programs in Health Informatics and Managed Care. Her research interests focus on managed care's impact on access and quality, the application of e-commerce and e-learning to the human services arena as cost-containment and quality enhancement strategies, the internationalization of the health sciences workforce, and issues of public health policy. Dr. Holmes holds a DPA from the University of La Verne, an MA in Public and International Affairs from George Washington University, and a BA in Political Science from the University of California.

Lonnie E. Wederski, PhD, RN

Director of Nursing and Healthcare

Dr. Lonnie Wederski is an educator, administrator, and clinician in the field of health administration. His clinical work has been as a registered nurse in several specialties including ophthalmology, burn trauma, and psychiatry. As an administrator, primarily in the field of psychiatry at the founder and executive director level, Dr. Wederski's work revolved around the treatment of children, adolescents, and adults in the areas of abuse and neglect, drug and alcohol addiction, depression, and post traumatic stress disorder. Dr. Wederski has served as chair of the Academic Standards Committee and Learning Outcomes Transparency committee, and is active in developing new programs in health administration at the graduate level at Capella University. His research interests include leadership and organizational sociology in health care, health systems, and leadership effectiveness. Dr. Wederski holds a PhD in Applied Management and Decision Sciences from Walden University, an MBA from the University of Phoenix, and an Associate's Degree in Nursing from Yavapai College.

Move Forward with Capella University

WORKING SCHOLARS

Capella provides an online, flexible learning environment for working adults who are also determined scholars. That connection between academic and professional work infuses the entire Capella experience—from the faculty we recruit to the course projects you complete. The theories discussed in the courseroom are designed to develop working knowledge for everyday situations.

AN ACCREDITED UNIVERSITY

Our accreditation* is an assurance to students, employers, and the public that Capella University meets or exceeds established standards for quality of faculty, curriculum, and learner services. It is also an important factor in the ability to transfer credits among higher education institutions. Regional accreditation, the type held by Capella, is the most common type for major public, state, and private institutions in the United States.

VALUING YOUR KNOWLEDGE AND EXPERIENCE

Adults bring a wealth of experience and learning to their education. Capella courses are designed to bring out your perspectives just as you gain from others' ideas. Your knowledge can also be worth time and money: An enrollment counselor can help you estimate how much of your prior learning may apply toward your Capella degree program.



Capella Tower
225 South Sixth Street, Ninth Floor
Minneapolis, MN 55402

1.888.CAPELLA (227.3552)
www.capella.edu

*ACCREDITATION

Capella University is accredited by The Higher Learning Commission and is a member of the North Central Association of Colleges and Schools (NCA), www.ncahlc.org.

CAPELLA UNIVERSITY

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225 South Sixth Street, Ninth Floor
Minneapolis, MN 55402
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www.capella.edu

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07-08-2013

Exhibit D

http://capellaresults.com:80/assets/includes/gainfulemployment/cta/GE/GE15/DNP_gedt.html

Go

JUL AUG SEP
2014 05 2015 2016



About this capture

1 capture

5 Aug 2015

Capella University

Doctor of Nursing Practice

Program Level - Doctoral degree

Program Length - 30 months



COST

Q. How much will this program cost me?*

A. Tuition and fees: \$39,945

Books and supplies: \$1,490

On-campus room & board: *not offered*

What other costs are there for this program?

For further program cost information [click here](#).

* The amounts shown above include costs for the entire program, assuming normal time to completion. Note that this information is subject to change.

SUCCESS

Q. How long will it take me to complete this program?

A. The program is designed to take 30 months to complete. Of those that completed the program in 2013-2014, 13% finished in 30 months.

Q. What are my chances of getting a job when I graduate?

A. The job placement rate for students who completed this program is *%.

* This institution is not currently required to calculate a job placement rate for program completers.

FINANCING

Q. What financing options are available to help me pay for this program?

A. Financing for this program may be available through grants, scholarships, loans (federal and private) and institutional financing plans. The median amount of debt for program graduates is shown below:

Federal loans: \$24,719

Private education loans: \$0

Institutional financing plan: \$0

Click here for more information on jobs related to this program.

The school has elected to provide the following additional information: 87% of program graduates used loans to help finance their costs for this program.

? For additional information related to this program and/or the information provided above, [click here](#).

Date Created: 12/23/2014

Exhibit E

Capella University**Doctor of Nursing Practice**

Program Level - Doctoral degree

Program Length - 39 months

**COST****Q.** How much will this program cost me?***A.** Tuition and fees: \$40,350

Books and supplies: \$1,190

On-campus room & board: *not offered*

What other costs are there for this program?For further program cost information [click here](#).

* The amounts shown above include costs for the entire program, assuming normal time to completion. Note that this information is subject to change.

FINANCING**Q.** What financing options are available to help me pay for this program?**A.** Financing for this program may be available through grants, scholarships, loans (federal and private) and institutional financing plans. The median amount of debt for program graduates is shown below:

Federal loans: \$19,664

Private education loans: \$0

Institutional financing plan: \$0

SUCCESS**Q.** How long will it take me to complete this program?**A.** The program is designed to take 39 months to complete. Of those that completed the program in 2014-2015, 84% finished in 39 months.**Q.** What are my chances of getting a job when I graduate?**A.** The job placement rate for students who completed this program is *%.

* This institution is not currently required to calculate a job placement rate for program completers.

Click here for more information on jobs related to this program.

? For additional information related to this program and/or the information provided above, [click here](#).

Date Created: 1/5/2016

Exhibit F



CAPELLA UNIVERSITY

Doctor of Philosophy (PhD) in **Education**
with a specialization in

**Postsecondary and
Adult Education**

Doctor of Philosophy (PhD) in **Education** with a specialization in

Postsecondary and Adult Education

Enhance your qualifications in adult education and college teaching, one of the fastest growing occupations in the country. The curriculum focuses on theories of adult learning and distance education, critical analysis and research skills, best practices in postsecondary adult instruction, and the application of theory and research to develop effective learning environments for individuals from diverse backgrounds. The Postsecondary and Adult Education specialization is also designed to allow you to concurrently enroll in Capella's Post-Master's Certificate in College Teaching and earn two valuable credentials at the same time. People who choose this specialization are often pursuing faculty positions or education leadership positions in a variety of adult learning settings, including higher education institutions, businesses, nonprofit organizations, and the military.

Career Information

Capella's Career Center proactively assists learners and alumni in developing and implementing their unique career management goals. The Career Center staff is committed to helping working adults move forward in their careers.

POTENTIAL EMPLOYMENT SETTINGS

- Corporation
- Community college
- Vocational school
- Military education and training program
- Continuing education program
- Adult education program
- Land-based or online college or university

COMMON JOB TITLES/POSITIONS*

- Adjunct or part-time faculty
- Full-time faculty
- Director of grant writing
- Academic affairs vice president
- Dean
- Provost
- Community college president

SPECIALIZATION OUTCOMES

- Facilitate the learning process for adults
- Perform relevant, high quality, scholarly research
- Provide vision and direction in adult-serving post-secondary education and community settings
- Uphold professional ethical standards and socially responsible behavior

*These are examples intended to serve as a general guide. Because many factors determine what position an individual may attain, Capella cannot guarantee that a graduate will secure any specific job title.

This guide is intended to provide an overview of the specialization and is subject to change. Your enrollment counselor can provide updates, details, and Capella's official *University Catalog* that specifies your program requirements.

Curriculum

TRANSFER CREDIT

A **maximum** of 48 quarter credits from previous graduate course work may be transferred and applied to your program's requirements.

ADMISSION REQUIREMENTS

Master's degree from an institution accredited by a U.S. Department of Education-recognized accrediting agency or an internationally recognized institution

Grade point average of 3.0 or higher on a 4.0 scale

- 17 required courses
- 12 elective courses
- Total program credits: 120 quarter credits

RESIDENCY REQUIREMENTS

Three four-day colloquia (ED-R8921, ED-R8922, ED-R8923)

CORE COURSES

ED8002	Foundations of Theory and Practice in Doctoral Studies .	4 quarter credits
ED8112	Educational Research Methods	4 quarter credits
ED8117*	Advanced Qualitative Research Methods	4 quarter credits
ED8122*	Statistics for Educational Research I	4 quarter credits

SPECIALIZATION COURSES

ED7311	Theory and Methods of Educating Adults	4 quarter credits
ED7312	Teaching Adults.	4 quarter credits
ED7712	Classroom Assessment in Education	4 quarter credits
ED7590	Critical Thinking in Adult Education	4 quarter credits
ED7314	International and Multicultural Perspectives in Postsecondary and Adult Education	4 quarter credits
ED7310	Evaluating the Effectiveness of the Educational Process . .	4 quarter credits
ED7716	Faculty Leadership	4 quarter credits
ED8444	Higher Education Curriculum Development and Teaching Strategies.	4 quarter credits

COMPREHENSIVE EXAMINATION AND DISSERTATION COURSES

ED9919*	Doctoral Comprehensive Examination	4 quarter credits
ED9920*	Dissertation Courseroom	non-credit
ED9921*	Dissertation Research 1	5 quarter credits
ED9922*	Dissertation Research 2	5 quarter credits
ED9923*	Dissertation Research 3	5 quarter credits
ED9924*	Dissertation Research 4	5 quarter credits

TWELVE ELECTIVE COURSES

Recommended elective courses:

ED7690	Critical Skills for Facilitating Online Learning.	4 quarter credits
ED7700	Learning Theory and the Educational Process.	4 quarter credits
ED7703	Student Development, Challenges, and Successes	4 quarter credits
ED7713	Student Advising and Retention	4 quarter credits
ED8111	The Historical and Social Foundations of Education.	4 quarter credits
ED7800	Grant Writing for Higher Education	4 quarter credits
ED5315	Adult Development and Learning.	4 quarter credits
ED5311	The Collaborative Nature of Adult Education	4 quarter credits
ED8123*	Statistics for Educational Research II	4 quarter credits
ED8600	Effective Online Course Design, Delivery, Facilitation, and Assessment	4 quarter credits

OR

Choose any graduate courses.

*Denotes courses that have prerequisite(s). Refer to the course descriptions for further details.

Core Course Descriptions

ED8002 Foundations of Theory and Practice in Doctoral Studies 4 QUARTER CREDITS

This is a foundational course for learners in higher education and training specializations. Learners are introduced to discipline-specific topics and begin to put into practice the academic developmental and behavioral competencies they are expected to master during their degree program. Learners engage in scholarly inquiry, research, critical thinking, and communication within the context of their specialization. ***ED8002 must be taken by PhD learners in their first quarter. Cannot be fulfilled by transfer.***

ED8112 Educational Research Methods 4 QUARTER CREDITS

This course is an exploration of the quantitative and qualitative research methodologies often used in educational research. Learners analyze and evaluate the characteristics, strengths, and weaknesses of specific quantitative and qualitative research methodologies and designs and examine strategies for designing specific, appropriate, and feasible research questions. ***Cannot be fulfilled by transfer.***

ED8117 Advanced Qualitative Research Methods 4 QUARTER CREDITS

This course focuses on the major qualitative research designs and their applications to educational research. Learners study the research questions, purposes, characteristics, and methods of different qualitative traditions; examine qualitative data collection and analysis techniques; and explore the use of software in qualitative data analysis. Learners also focus on developing the ability to frame problems and issues as research topics and identify effective approaches to reporting research results. ***Prerequisite(s): ED8112.***

ED8122 Statistics for Educational Research I 4 QUARTER CREDITS

Learners in this course apply statistical analyses appropriate to different research contexts using SPSS, a statistical software package. Learners examine statistical concepts, including descriptive statistics, normal distribution, sampling probability, and sampling distribution and demonstrate ***For PhD in Education learners only. Prerequisite(s): ED8112. Cannot be fulfilled by transfer.***

Specialization Course Descriptions

ED7311 Theory and Methods of Educating Adults 4 QUARTER CREDITS

In this course, learners study adult learning theory and learning styles and preferences to gain an understanding of the roles of instructor and student in adult education. Learners examine the ways race, ethnicity, class, gender, ability, and other forms of diversity impact the theory and practice of adult education. Learners further develop their skills in selecting and applying appropriate materials, methods, and techniques used to achieve particular learning objectives. This course incorporates adult learning from both theoretical and personal perspectives.

ED7312 Teaching Adults 4 QUARTER CREDITS

This course presents best practices of higher education teaching. Learners evaluate multiple teaching models and strategies and their underlying theoretical and research bases. Learners also examine cultural influences on teaching and learning; identify ways to incorporate technology into the teaching-learning process; and assess their teaching dispositions and educational philosophy.

ED7712 Classroom Assessment in Education 4 QUARTER CREDITS

Learners in this course explore evidence-based classroom assessment and evaluation practices and apply a variety of tools and strategies to assess and evaluate learning. Learners also develop appropriate formative and summative classroom assessment techniques that address intended learning outcomes and promote learning in a global society.

ED7590 Critical Thinking in Adult Education 4 QUARTER CREDITS

This course provides learners with a framework for critical inquiry and reflection. Learners examine models and best practices of thinking, reading, and acting critically in adult education. Learners also explore ways to evaluate and resolve conflicts and negotiate and facilitate conflict solutions.

**ED7314 International and Multicultural Perspectives
in Postsecondary and Adult Education**

4 QUARTER CREDITS

Learners in this course analyze systems of power, privilege, and inequality in postsecondary and adult education and examine the importance of the presence of cultural differences in the classroom. Learners develop strategies for incorporating the multicultural perspectives into the classroom needed to address the needs of diverse learners and foster intercultural collaborative learning. Learners also explore international trends and issues and their role as educational leaders within their culturally diverse local and global communities.

ED7310 Evaluating the Effectiveness of the Educational Process

4 QUARTER CREDITS

The focus of this course is on higher education program evaluation. Learners analyze various program evaluation models used to assess the effectiveness of college and university education programs. Learners also design appropriate and effective program evaluation models and use them to conduct an evaluation of a simulated program.

ED7716 Faculty Leadership

4 QUARTER CREDITS

Learners in this course assess the role of educational leadership in higher education. Learners examine faculty leadership, explore ways to build effective relationships and lead ethically, and assess leadership effectiveness based on theory and self-reflection.

**ED8444 Higher Education Curriculum Development and
Teaching Strategies**

4 QUARTER CREDITS

The focus of this course is on curriculum development in higher education. Learners review the evolution of curriculum design and examine the impact of various design models on instructional frameworks and strategies. Learners analyze curricula that use face-to-face, online, and hybrid instructional platforms and develop curricula that meet diverse individual and cultural needs.

Comprehensive Examination and Dissertation Course Descriptions

ED9919 Doctoral Comprehensive Examination

4 QUARTER CREDITS

This course includes an overview of the comprehensive examination process, the university's expectations of academic honesty and integrity, the three core themes of the examination, and the evaluation criteria. The courseroom mentor provides three questions addressing the core themes. Learners write answers to the comprehensive examination questions. Answers are evaluated by faculty readers using point-scale scoring rubrics. Upon passing the comprehensive examination, learners are eligible to enroll in the first dissertation course. *Grading for this course is S/NS. Prerequisite(s): Completion of all required and elective course work with a cumulative GPA of 3.0 or better. Completion of practicum courses, if applicable. Fulfillment of all residency requirements. Cannot be fulfilled by transfer.*

ED9920 Dissertation Courseroom

NON-CREDIT

This course provides learners with resources, guidance, and peer and mentor support during each dissertation course as they complete the required milestones. *Grading for this course is R/NS. Prerequisite(s): ED9919. Cannot be fulfilled by transfer.*

**ED9921–ED9950 Dissertation Research 1–
Dissertation Research 30**

5 QUARTER CREDITS EACH

Learners complete the required dissertation milestones and prepare their dissertation for publication. *Grading for these courses is R/NS. Courses must be taken in sequence. Prerequisite(s): ED9919 and concurrent enrollment in ED9920. Cannot be fulfilled by transfer.*

Elective Course Descriptions

ED7690 Critical Skills for Facilitating Online Learning

4 QUARTER CREDITS

Learners in this course examine the facilitator's role in the online learning environment as opposed to the traditional classroom or face-to-face training environment. Learners also examine online learning from a variety of perspectives to improve their technical skills, facilitate learning, and enhance student success.

ED7700 Learning Theory and the Educational Process

4 QUARTER CREDITS

Learners in this course explore major behaviorist and cognitive learning theories, including social cognitivism and constructivism, and associated concepts such as memory and motivation. Learners then apply these theories and concepts to educational settings.

ED7703 Student Development, Challenges, and Successes

4 QUARTER CREDITS

In this course, learners examine the theoretical and research literature related to successful student development, developmental issues, and challenges facing U.S. college students. Learners also explore the constructive-developmental theoretical claim that the epistemological, intrapersonal, and interpersonal aspects of student development are interrelated and essential for higher education.

ED7713 Student Advising and Retention

4 QUARTER CREDITS

This course presents theories, research, and practices of student advising and associated retention efforts in higher education. Learners examine advising programs and their impact on student persistence and evaluate the role of faculty and administration in effective student advising and retention.

ED8111 The Historical and Social Foundations of Education

4 QUARTER CREDITS

In this course, learners study the historical and social foundations of education to gain an awareness of and a context for its evolving practice. Learners explore the ways educational institutions have emerged and developed, particularly in relation to societal functions and expectations. Learners also develop the knowledge, skills, and points of view needed to understand the evolution of education as a whole and its contributing sociocultural forces.

This is the second specialization course in the PhD and EdS Leadership in Educational Administration specializations and must be taken before any other specialization course work. May be taken concurrently with ED7820.

ED7800 Grant Writing for Higher Education

4 QUARTER CREDITS

This course provides a comprehensive overview of grant writing for higher education institutions. Learners research and evaluate the types and sources of grant funding, formulate strategies for working with grant funders and external stakeholders, and analyze and apply grant writing skills. The course includes the relationship of grant writing to institutional mission and plans.

ED5315 Adult Development and Learning

4 QUARTER CREDITS

This course presents theories and research related to adult development. Learners examine the changes that occur during the early, middle, and advanced stages of adulthood and analyze their effects on adult learning. Learners also consider the impact of gender, culture, and personal experience on adult learning and evaluate their related instruction implications. This course emphasizes critically reflective, transformational teaching and learning.

ED5311 The Collaborative Nature of Adult Education

4 QUARTER CREDITS

Learners in this course explore the various approaches to collaborating in adult education. Learners examine the ways race, ethnicity, class, gender, and ability impact collaboration processes and identify the challenges of collaborating in a changing global environment. Learners also analyze best practices of designing collaborative processes and assessing collaborative learning and develop a collaboration action plan that combines theory, strategy, and best practice.

ED8123 Statistics for Educational Research II

4 QUARTER CREDITS

Learners in this course apply statistical analyses appropriate to different research contexts using SPSS, a statistical software package. Learners examine statistical concepts including analysis of variance (ANOVA), analysis of covariance (ANCOVA), correlation, regression, chi square, factor analysis, and post hoc and demonstrate different hypothesis testing techniques.

Prerequisite(s): ED8122.

ED8600 Effective Online Course Design, Delivery, Facilitation, and Assessment

4 QUARTER CREDITS

In this course, learners examine learning theory and contemporary teaching curriculum design models and assess the facilitator's role in the online learning environment. Learners develop online teaching skills and the facilitation strategies and tactics that nurture the interaction and collaboration necessary for successful online teaching.

Colloquium Course Descriptions

ED-R8921 PhD Colloquium Track 1

NON-CREDIT

The Track 1 colloquium includes an online courseroom, a residency experience, and a final assessment. Learners interact with peers and faculty as they participate in online courseroom and residency activities that emphasize assessment and practice of academic and intellectual skill sets essential to progressing through doctoral program course work. Learners also engage in self-reflection exercises and participate in learning experiences that address the doctoral research, critical-thinking, and professional communication competencies associated with becoming a scholar-practitioner. Following the residency experience, learners complete a final assessment that demonstrates Track 1 learning outcomes. *PhD in Psychology learners should enroll in Track 1 before completing 36 credits. All other learners should enroll in Track 1 during their first quarter of enrollment or before completing 56 credits.*

ED-R8922 PhD Colloquium Track 2

NON-CREDIT

The Track 2 colloquium includes an online courseroom, a residency experience, and a final assessment. Learners interact with peers and faculty as they participate in online courseroom and residency activities that emphasize applying the research process to their chosen discipline. Learners also expand their intellectual applications and analysis skills and the doctoral research, critical-thinking, and professional communication competencies associated with becoming a scholar-practitioner. Following the residency experience, learners complete a final assessment that demonstrates Track 2 learning outcomes. *PhD in Psychology learners should enroll in Track 2 while completing 37–60 credits. All other learners should enroll in Track 2 while completing 57–72 credits. Prerequisite(s): COL-R8921 or OM-R8921 or ED-R8921 or PSL-R8921 or CES-R8921 or CSTR8921 or PSY-R8921 or SHB-R8921.*

ED-R8923 PhD Colloquium Track 3

NON-CREDIT

The Track 3 colloquium includes an online courseroom, a residency experience, and a final assessment. Learners interact with peers and faculty as they participate in online courseroom and residency activities that emphasize expanding and applying doctoral competencies to the independent research phase of the program in preparation for the comprehensive examination and dissertation. Learners also continue to strengthen the doctoral research, critical-thinking, and professional communication competencies associated with becoming a scholar-practitioner and focus on using intellectual and academic skill sets to synthesize and analyze theory and research as leaders in the discipline. Following the residency experience, learners complete a final assessment that demonstrates Track 3 learning outcomes. *PhD in Psychology learners should enroll in Track 3 while completing 61–95 credits. All other learners should enroll in Track 3 while completing 73–96 credits. Prerequisite(s): COL-R8922 or OM-R8921 or ED-R8922 or PSL-R8922 or CES-R8922 or CSTR8922 or PSY-R8922 or SHB-R8922.*

Recommended Course Sequence

This recommended course sequence assumes learners transfer in 48 quarter credits of previous graduate course work and they take two courses per quarter. Some learners elect to take fewer or more based on workload and the amount of time available for graduate study. On-time completion for this specialization is 18 active quarters.

YEAR 1	COURSES	RESIDENCIES
Q1	ED8002 Foundations of Theory and Practice in Doctoral Studies	
Q2	ED7311 Theory and Methods of Educating Adults ED7314 International and Multicultural Perspectives in Postsecondary and Adult Education	ED-R8921 PhD Colloquium Track 1
Q3	ED8112 Educational Research Methods ED7312 Teaching Adults	
Q4	ED7712 Classroom Assessment in Education ED8117 Advanced Qualitative Research Methods	ED-R8922 PhD Colloquium Track 2

YEAR 2	COURSES	RESIDENCIES
Q5	ED7310 Evaluating the Effectiveness of the Educational Process ED7590 Critical Thinking in Adult Education	
Q6	ED8444 Higher Education Curriculum Development and Teaching Strategies ED7716 Faculty Leadership	
Q7	ED8122 Statistics for Educational Research I	ED-R8923 PhD Colloquium Track 3
Q8	ED9919 Doctoral Comprehensive Examination	

YEAR 3	COURSES	RESIDENCIES
Q9	ED9919 Doctoral Comprehensive Examination	
Q10	ED9921 Dissertation Research 1 ED9920 Dissertation Courseroom	
Q11	ED9922 Dissertation Research 2 ED9923 Dissertation Research 3 ED9920 Dissertation Courseroom	
Q12	ED9924 Dissertation Research 4 ED9920 Dissertation Courseroom	

The comprehensive examination and dissertation courses are milestone dependent, not quarter dependent. Learners must successfully complete the comprehensive examination before enrolling in dissertation courses.

Tuition

This tuition estimate is effective July 11, 2011, and is subject to change. For current pricing, visit the Capella University website at www.capella.edu.

	TUITION	TOTAL TUITION
Quarterly tuition*	\$4,530	\$27,180–\$54,360
Quarterly tuition for comprehensive examination and dissertation courses [†]	\$4,062	\$20,310
Tuition per colloquium [‡]	\$1,495	\$4,485
Total		\$51,975–\$79,155

*Based on an evaluation of your previous graduate course work, the equivalent of 48 quarter credits may be transferred and applied to your program's requirements.

[†]Completion time for the comprehensive examination and dissertation courses varies, thus affecting total tuition.

[‡]Learners are responsible for the cost of their travel, accommodations, food, and other expenses associated with residencies.

Financial Aid

There are many financial aid options available to help Capella learners offset their tuition costs.

Contact an enrollment counselor at **1.888.CAPELLA (227.3552)** to discuss your financial aid opportunities.

Capella University offers assistance to learners who qualify and would like to secure educational funding to help finance their academic program. A number of options are available, given the diverse needs and backgrounds of prospective learners. Options include:

- Federal Direct Stafford Loan Program
- Federal Direct PLUS Loan Program
- Non-federal loans through preferred lenders and financial institutions
- Capella scholarships
- External scholarships
- Veterans' educational benefits and U.S. armed forces discounts
- Corporate and higher education alliances
- Employer tuition reimbursement

Regarding loan programs, interest rates for Stafford student loans are low compared to other types of consumer loans, and repayment can be deferred until after graduation. In compliance with federal and state laws, Capella University has established policies for all learners regarding satisfactory academic progress, which is necessary for financial aid eligibility.

School of Education Academic Leadership

Barbara Butts Williams, PhD

Dean

Dr. Barbara Butts Williams is the dean in Capella University's School of Education. While at Capella, she has served as interim dean of the School of Business and Technology, director of the MBA program in the School of Business, and faculty director for graduate programs in the School of Business and Technology. Dr. Butts Williams has had a varied executive career in the public, private, academic, and consulting sectors. Prior to joining Capella, she was president of Growth Partners Consulting, a firm she founded to provide executive coaching, product development, strategy, organizational effectiveness and development, and talent management solutions. Dr. Butts Williams' professional experience also includes such positions as officer of global leadership and development, vice president of marketing and sales, and marketing director. She has also served on several academic, community, and civic boards, and has been appointed by two Minnesota governors to serve on statewide planning boards. Dr. Butts Williams was also recently appointed to the Board of Trustees for the Institute for Transpersonal Psychology. Her research interest is on the meaning and significance of work in people's lives.

Kathryn Campbell, EdD

Faculty Chair

Dr. Campbell is faculty chair for the Postsecondary and Adult Education specialization. She has a rich history in community college counseling, teaching, and administration in California. She has served as a vice president of academic affairs and held positions as a dean of instruction as well as director of career programs and services. Dr. Campbell oversaw the rapid growth of an online program that served a large, 2,400 square mile district. She also initiated and developed a middle college high school of 240 students on the college campus. Dr. Campbell received an EdD in Educational Administration from the University of the Pacific. She has a master's in Counseling from Dominican University of San Rafael and a bachelor's in English from the University of California, Los Angeles.

Move Forward with Capella University

WORKING SCHOLARS

Capella provides an online, flexible learning environment for working adults who are also determined scholars. That connection between academic and professional work infuses the entire Capella experience—from the faculty we recruit to the course projects you complete. The theories discussed in the courseroom are designed to develop working knowledge for everyday situations.

AN ACCREDITED UNIVERSITY

Our accreditation* is an assurance to students, employers, and the public that Capella University meets or exceeds established standards for quality of faculty, curriculum, and learner services. It is also an important factor in the ability to transfer credits among higher education institutions. Regional accreditation, the type held by Capella, is the most common type for major public, state, and private institutions in the United States.

VALUING YOUR KNOWLEDGE AND EXPERIENCE

Adults bring a wealth of experience and learning to their education. Capella courses are designed to bring out your perspectives just as you gain from others' ideas. Your knowledge can also be worth time and money: An enrollment counselor can help you estimate how much of your prior learning may apply toward your Capella degree program.



Capella Tower
225 South Sixth Street, Ninth Floor
Minneapolis, MN 55402

1.888.CAPELLA (227.3552)
www.capella.edu

*ACCREDITATION

Capella University is accredited by The Higher Learning Commission and is a member of the North Central Association of Colleges and Schools (NCA), www.ncahlc.org.

CAPELLA UNIVERSITY

Capella Tower
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Minneapolis, MN 55402
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11-2928-23

Exhibit G

teachers transitioning to administrative or leadership positions; and government, corporate, and nonprofit leaders whose organization or position is focused on education. This degree program does not satisfy licensure requirements for P–12 public school teachers or administrators.

School of Education Specializations

- ▣ Educational Leadership and Management

⬅ Back to the top

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Carolyn Wright and Debra Kennedy, individually and on behalf of all others similarly situated,

(b) County of Residence of First Listed Plaintiff Johnson Cty, Kansas
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

See attached

DEFENDANTS

Capella Education Company and Capella University, Inc.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Unknown

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
LABOR <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions				

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. § 1332(d)(2)

Brief description of cause:

Common law claims and violations of multiple state consumer protection statutes related to education services

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

5,000,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

04/20/2018

SIGNATURE OF ATTORNEY OF RECORD

s/Roberta A. Yard

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

Print

Save As...

Reset

CIVIL COVER SHEET

(c) Attorneys for Plaintiffs:

Garrett D. Blanchfield (MN#209855)
Roberta A. Yard (MN#322295)
REINHARDT WENDORF & BLANCHFIELD
E-1250 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101
Telephone: (651) 287-2100
Facsimile: (651) 287-2103
g.blanchfield@rwblawfirm.com
r.yard@rwblawfirm.com

Paul Lesko
PEIFFER ROSCA WOLF ABDULLAH
CARR & KANE
818 Lafayette Avenue, Second Floor
St. Louis, MO 63010
Telephone: (314) 833-4826
plesko@prwlegal.com

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Class Action: Capella University Doctoral Students 'Misled, Confused, and Ultimately Cheated Out of Their Money'](#)
