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23	Exhibit 20 to Robinson Declaration: Military OneSource, Post-Secondary Education Complaint System web page

Respectfully submitted,

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Pro hac vice

Attorneys for Defendant Cheryl Murray

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of April, 2019 a true and correct copy of the foregoing Index of Exhibits was electronically filed with the Clerk of the Court via the CM/ECF e-filing system, which will send notice of filing to all participants receiving notices.

s/ J. Eric Weslander _____
J. Eric Weslander

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

CAREER SKILLS INSTITUTE OF WEST)
VIRGINIA D/B/A/ MARTINSBURG)
COLLEGE, a West Virginia corporation,)

Plaintiff,)

v.)

CHERYL MURRAY, an individual, and)
JOHN DOES 1-10,)

Defendants.)

No. 2:19-cv-02036-DDC

**DECLARATION OF DEFENDANT CHERYL MURRAY IN SUPPORT OF
HER MOTION TO STRIKE OR DISMISS PLAINTIFF’S COMPLAINT**

1. I submit this declaration in support of my accompanying Motion to Strike or Dismiss Plaintiff’s Complaint. Unless otherwise indicated, I have personal knowledge of the following facts and could testify thereto under oath.

2. Career Skills Institute of West Virginia d/b/a Martinsburg College (“Martinsburg”) filed a complaint in this action against me on January 23, 2019.

3. I am a military spouse and an active member in the military family community.

4. My husband served in the Army for approximately eight years, including one tour in Afghanistan. He completed his most recent term of service in December.

5. I have three children. One is seven years old, one is four years old, and one is six months old.

6. Around five years ago, while I was living in Texas, I decided to become a nurse. At that time, and in connection with that decision, I spoke to representatives of the University of Texas who told me that I would need one more class to be eligible for admission there.

7. I began to research colleges online that would allow me to take an additional class. I found for-profit colleges that were nationally accredited and provided the necessary courses.

8. When I talked again to the University of Texas representatives, they warned me that those credits would not transfer because they were nationally, not regionally accredited.

9. After I became pregnant with my second child, I decided not to become a nurse. Instead, I am currently finishing degrees in biochemistry and social psychology.

My Facebook Presence

10. I have a Facebook account under the name of "Sheryl Shine." I use that name because I am serious about my privacy online, and I do not want my Facebook page exposed to trolls and stalkers.

11. About a year and a half ago, I decided to get involved in the online community for military families. I started posting in groups such as the Facebook group Mil Smarts, which help members of military families with educational issues. These groups discuss concerns involving the application process, enrollment, and grant funding.

12. People in these groups often use colorful language and loose, colloquial expressions when discussing various educational issues, including individual institutions.

13. Having taken online college courses previously, I wanted to share my experiences with those groups to help people make good decisions. As a result, I became actively involved in those groups.

14. I noticed that many current and former students posted comments criticizing Martinsburg. Some of them had trouble finding jobs or transferring credits.

15. Other people in the community complained that Martinsburg advertised too aggressively and made them feel uncomfortable.

16. Prior to writing the January 11, 2019 post at issue in this case, members of the online military spouse community wrote to me complaining that Martinsburg representatives repeatedly messaged and called them to pressure them to enroll.

17. Martinsburg representatives also used online techniques to recruit me to enroll.

18. Martinsburg posted on Facebook about events and groups for military spouses, including ice cream meet ups, bowling nights, coffee meet ups, and arts & crafts meet ups wherein Martinsburg representatives would attempt to persuade military spouses to enroll. Martinsburg representatives tried to join support groups that were explicitly not intended for school advertising. They would private message people too.

19. I also saw numerous Martinsburg-sponsored Facebook groups focused on military spouses, each with many hundreds or thousands of members. In addition to a Fort Riley group in my area, these included Martinsburg Facebook groups called “Fort Steward Milso Meetups,” “Camp Lejeune/MCAS New River Spouse Connection,” “MilSO Diaries,” “Fort Drum Wives Network,” and the “Pretty Little MilSO’s.” These groups each contain similar Facebook descriptions, such as the following:

Welcome to Pretty little MilSO’s! ☺ This group is for military spouses of all branches this includes people living OCONUS as well! We are a community! We are here to support, uplift, enlighten, and inspire!!!! ✦ We’re all in this together as military spouses and this page is here for US! ♥☐

.....

I have the amazing privilege to work with Martinsburg College as an Admissions representative! I enjoy the opportunity to better the lives of military service members and their spouses every day! 📖 If you are interested in furthering your education please message me to learn more about what Martinsburg College and I can do for you! Feel free to send me a friend request!!! 😊 Remember we ARE a Community! Have fun and enjoy!!! Your admin, Abigail Martin ♥☐

20. I decided to start researching Martinsburg to see if all the complaints were true.

21. I communicated with current and former students of Martinsburg to learn about their experiences.

22. I learned from others on Facebook that Martinsburg had private messaged people about its articulation agreements with Trident University, Western Governors University, and Bellevue University. I then called the schools and the representatives I talked to at Trident University, Western Governors University, and Bellevue University representatives said that they had not heard of the school.

23. I researched national accreditation, which confirmed what the University of Texas' representatives said about the transferability of credits from nationally accredited institutions. I looked at numerous articles and posts that said regional accreditation was better because credits from regionally accredited schools were more likely to transfer and that Martinsburg's accreditation was set to expire in June 2019. I also reviewed information released by the U.S. Department of Education and the Distance Education Accrediting Commission and saw documents confirming that Martinsburg had a high number of complaints.

The Martinsburg Facebook Post

24. Based on the comments I heard and the research I had done, I believed that there was reason to be concerned about Martinsburg. Therefore, I thought it was important to inform people about the school. I decided to post on my Facebook page because it would reach an audience of military families. My purpose in posting on Facebook was to voice my opinions on

what I had learned about the school and encourage people to make informed decisions about how to use their MYCAA grant money—not to harm Martinsburg.

25. Consequently, on January 11, 2019, I posted the following:

Just a PSA 🚩🚩
 Martinsburg College is a complete SCAM. They lure military and spouses in with the MyCAA grant, have a national accreditation that is in jeopardy, **NO EMPLOYER ACCEPTS THEIR CERTIFICATIONS OR DEGREES, and** because of it being a national accreditation NO decent college will accept their credits for you to continue your education elsewhere. If you're lucky, **MAYBE** one or two classes will transfer.
 They're also recently advertising an "articulation" program with Trident University, WGU, AND Bellevue University. 🚩 this is FALSE.
 And yes this is public. I'm a little tired of seeing people get SCAMMED by these annoying reps.
 Also note: you can use your MyCAA grant at just about ANY college.
 ETA: since this is starting to go viral I'll say there's a great group called [Mil Smarts](#) that leads people the right way with educational needs
 ETA: you can potentially get your mycaa funding back if you've been scammed by the school. Military one source has requested that anyone who would like to inquire about a refund to contact them directly. If overseas there is an online chat option. Phone lines are open 7-10pm central time as well.
 Please file a grievance at the following link for ANY school you feel the need to.
 🚩 Be warned if you comment as a current student- MC is watching this post. I think I peed on their Cheerios.
 They're also deleting the post everytime it's shared in one of their spouse *ahem* prey groups.
<https://www.militaryonesource.mil/.../postsecondary-education...>

26. I also added a link at the end of the post to Military OneSource because Military OneSource provides people with information about how to submit complaints about schools.

27. I had no financial incentive to post about Martinsburg and sought no profit or competitive benefit for doing so.

28. I did not post anything that I believed to be false. Instead, I was expressing my opinion and summarizing what I had learned from my factual research.

29. Members of the military community commented on the post and talked about their experiences with Martinsburg and other for-profit colleges.

30. In response, I posted general comments to answer a variety of questions. For example, I posted the following:

Sheryl Shine To answer some questions

- I cannot respond to the hundreds of messages in my inbox
- I am not interested in speaking to anyone at Martinsburg College. I will not delete the post and you cannot change my mind about your school. Nor the hundreds of others who have the same mindset.
- always look for REGIONALLY accredited schools as well as any additional accreditations your program may require.
- Mil Smarts is currently holding all membership requests until further notice since some reps are hurt and trying to join. Feel free to still join, but we are going to take time to sort through the requests to try to keep our members as protected as possible. You must answer all question to be considered.
- to get information on getting your funding back, please call the 1-800 number for military one source and MyCAA. File an OFFICIAL complaint on Martinsburg so that MyCAA will take them off the funding list & an official investigation can occur.
- report them to the BBB.
- PROTECT yourself moving on to other schools and DO YOUR RESEARCH. MC is not the only scammy school.

31. Numerous individuals posted their own views about Martinsburg, occasionally asking questions. I developed a stock response that I posted numerous times, which was the following:

Sheryl Shine I contacted military one source directly. Will be posting an update with their response once I receive their emails.

They've asked that ANYONE who feels scammed or has a grievance with ANY school and wants a refund opportunity to immediately contact them at their 1-800 number. It is done on INDIVIDUAL bases. If you are overseas there is an online chat option, and they are open 7-10PM M-F for calls.

I will be posting the links they send me ASAP.

32. I tried to make it clear that people should only report schools if they had actually been scammed. In response to one question regarding filing a complaint, I posted the following:

Sheryl Shine [REDACTED] if you don't have an official complaint, don't file one. A minute amount of students have had success depending on their program. You are now the second person I know of- to be frank. If I told you to file, without a reason to- I'd be essentially asking you to commit fraud. Not doing that.

33. Prior to this lawsuit, I believed that my post had gained too much attention, so I decided to take it down.

34. I removed a copy of my post from the Mil Smarts page after it had been up for a few hours. Mil Smarts admins continued to take down any new copies of the post.

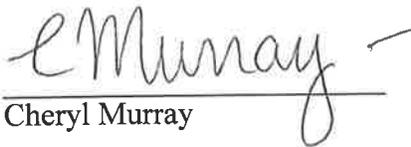
35. I reached out to people who had posted copies elsewhere to have them take the posts down.

36. Next, I hid the main post and deactivated my Facebook page. It is no longer visible to the public, other than in court filings and news stories about this litigation.

37. Martinsburg never sent a cease and desist letter to me prior to serving me with this lawsuit.

38. I have not made any public statements criticizing Martinsburg since this lawsuit has been filed.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 5th day of April, 2019.


Cheryl Murray

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

CAREER SKILLS INSTITUTE OF WEST)
VIRGINIA D/B/A/ MARTINSBURG)
COLLEGE, a West Virginia corporation,)

Plaintiff,)

v.)

CHERYL MURRAY, an individual, and)
JOHN DOES 1-10,)

Defendants.)

No. 2:19-cv-02036-DDC

**DECLARATION OF LARUE L. ROBINSON
IN SUPPORT OF DEFENDANT CHERYL MURRAY’S MOTION
TO STRIKE OR DISMISS PLAINTIFF’S COMPLAINT**

1. I am an attorney with the law firm of Jenner & Block LLP, counsel of record for defendant Cheryl Murray (“Defendant” or “Ms. Murray”).

2. I submit this declaration in support of the accompanying Motion to Strike or Dismiss Plaintiff’s Complaint. Unless otherwise indicated, I have personal knowledge of the following facts and would testify thereto under oath.

3. Attached hereto as **Exhibit 1** is a true and correct copy of a Martinsburg College webpage titled “Dedication to the Military Community.”

4. Attached hereto as **Exhibit 2** is a true and correct copy of a Martinsburg College webpage titled, “History & Philosophy.”

5. Attached here as **Exhibit 3** is a true and correct copy the Twitter page for Martinsburg College (@martinsburg_edu).

6. Attached here as **Exhibit 4** is a true and correct copy of Martinsburg College webpage titled, "Programs."

7. Attached here as **Exhibit 5** is a true and correct copy of the homepage of Martinsburg College's webpage.

8. Attached here as **Exhibit 6** is a true and correct copy of a National Center for Education Statistics webpage regarding Martinsburg College.

9. Attached here as **Exhibit 7** is a true and correct copy of a Martinsburg College webpage titled, "Military Spouse Scholarship."

10. Attached here as **Exhibit 8** is a true and correct copy of a Martinsburg College webpage titled, "Tuition Rates."

11. Attached here as **Exhibit 9** is a true and correct copy of a My Career Advancement Account Scholarship Fact Sheet.

12. Attached here as **Exhibit 10** is a true and correct copy of a Military OneSource webpage titled, "Where Can I Go" denoting at least 10 pages with 20 schools each.

13. Attached here as **Exhibit 11** is a true and correct copy of a Military OneSource webpage regarding Martinsburg College.

14. Attached here as **Exhibit 12** is a true and correct copy of a Martinsburg College Twitter post from March 12, 2019.

15. Attached here as **Exhibit 13** is a true and correct copy of a Martinsburg College YouTube video published on from February 20, 2017 titled "Military Spouse Scholarship – Martinsburg College."

16. Attached here as **Exhibit 14** is a true and correct copy of a Martinsburg College Instagram post published on from August 2, 2018.

17. Attached here as **Exhibit 15** is a true and correct copy the Facebook page for Martinsburg College (@MartinsburgCollege).

18. Attached here as **Exhibit 16** is a true and correct copy of a Martinsburg College webpage titled, "Now Hiring: Admissions Representative."

19. Attached here as **Exhibit 17** is a true and correct copy of a Bloomberg News article titled, "Marine Can't Recall His Lessons at For-Profit College."

20. Attached here as **Exhibit 18** is a true and correct copy of a Century Foundation article titled, "College Regulator Proves Asleep at the Wheel."

21. Attached here as **Exhibit 19** is a true and correct copy of a West Virginia Record article titled, "Martinsburg College sues woman for defamation over Facebook posts."

22. Attached here as **Exhibit 20** is a true and correct copy of a Military OneSource webpage titled, "Postsecondary Education Complaint System."

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 5th day of April, 2019.

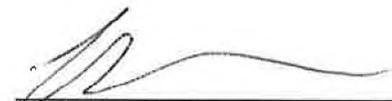

LaRue L. Robinson

EXHIBIT 1

Employer Portal

Transcript Request

Student Login



MARTINSBURG COLLEGE
QUALITY EDUCATION AT A DISTANCE

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Dedication to Military Community

[Martinsburg College](#) > [About Us](#) > Dedication to Military Community

Martinsburg College honors men and women who put their lives in harm's way to protect the freedoms United States' citizens enjoy. The college also understands the demands made of **those in the military** and the adjustments required when transitioning back into civilian life. In offering a student-centered distance learning environment, Martinsburg College provides current and previous military men and women the opportunity to invest in themselves by pursuing a variety of certificate or degree programs to enhance personal or professional skills.

Serving Military Men and Women World-wide

Martinsburg College has been successfully serving military men and women world-wide since 2004. Service members benefit from a number of certificate and degree programs designed to meet their unique needs. Martinsburg College is listed on the DANTES website. The college's Student Services Department understands the specific needs of deployed personnel and their families and participates in the MyCAA program to assist **military spouses** in gaining skills for portable careers.

Martinsburg College recognizes the value of military experience and training and awards credit for military training and experiences, maximizing the use of military training credit recommended by the American Council on Education (ACE). In addition to an institutional setting, courses offered by the military and other such programs recognized by the American Council on Education's Center for Adult Learning and Education Credentials program will be considered for transfer credit. Credits may also be earned through

examinations such as the College-Level Examination Program (CLEP), the Defense Activity for Non-Traditional Education Support (DANTES) Subject Standardized Testing (DSST), and widely accepted industry certifications.

The institution provides all graduates access to a Post-Graduation Plan. The plan for military service members who are considering transitioning to civilian life provides specific, step-by-step instructions for preparing a military to civilian resume and translating military experience into civilian workplace needs.

Service Members, Veterans, and Family Members

Fill out the form below for more information regarding student support services, academic and financial advising, and additional services. We look forward to serving you.

First Name *

Last Name *

Email *

Phone *

State

Zip Code

How did you hear about Martinsburg College?

Best time to contact?

Military Status

Interested In:

*

- Your information will be recorded in our database and will be used to notify you of educational opportunities.

We value your privacy.

"By submitting this form, I agree to receive e-mails, texts, and phone messages from Martinsburg College. I understand that this consent is not a condition of enrollment."

The email will connect you with an admissions representative who will answer any questions you might have about enrolling, transfer credit, financing options, selecting a program, and more. If you don't receive

the email, please check your spam/promotions folder or email us directly at military@martinsburgcollege.edu.

I'm not a robot

reCAPTCHA
Privacy - Terms

Submit

EXHIBIT 2

[Employer Portal](#)[Transcript Request](#)[Student Login](#)

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History & Philosophy

[Martinsburg College](#) > [About Us](#) > [History & Philosophy](#)

Martinsburg College, founded in 1980, began as a pioneer in competency-based learning, technology assisted education, and distance training with its first training center opening in New York offering student-centered education. As educational technology improved, Martinsburg College continued to evolve capitalizing on decades of in-school experience and started offering high quality distance education certificate and degree programs.

Since 2006, Martinsburg College has been based in Martinsburg, West Virginia and continues to provide performance oriented, skills-based educational programs to adults seeking to improve their levels of proficiency in a broad range of disciplines through distance education. As a result of the quality programs and experience in supporting adult learners in non-traditional educational delivery, the college has consistently maintained high student completion and satisfaction rates.

Mission Statement

Martinsburg College seeks to provide high quality, relevant, and affordable distance learning programs to individuals who want to improve their personal and professional development and career growth opportunities.

Institutional Goals

Martinsburg College's institutional goals are to:

Maintain high quality, relevant, educational programs for which there is a demand.

Continuously improve the quality of educational services and student outcomes.

Institutional Objectives

Martinsburg College's institutional objectives are to:

Maintain high levels of student satisfaction.

Maintain high completion rates.

Achieve budgeted goals and maintain financial growth and stability.

EXHIBIT 3



www.martinsburgcollege.edu

Tweets 7,979 Following 3,147 Followers 2,570 Likes 279 Lists 5

Follow

MARTINSBURG COLLEGE EDUCATION AT A

Martinsburg College

@martinsburg_edu

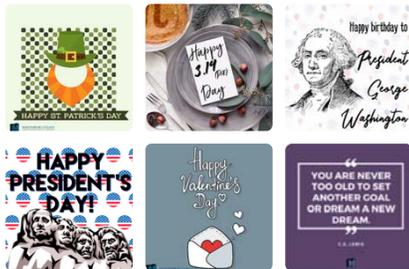
Educators for over 30 years -we provide quality accredited online certificate & degree programs to the #military community.

Martinsburg West Virginia

martinsburgcollege.edu

Joined July 2013

920 Photos and videos

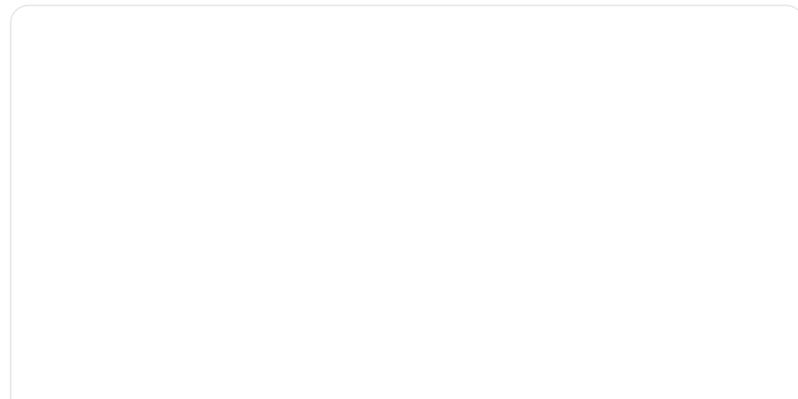


Tweets Tweets & replies Media



Martinsburg College @martinsburg_edu · Apr 4

Have you ever had a virus or problem with your computer? Then you know the importance of a skilled computer technician. If you have ever considered entering this in-demand field, we offer several programs in the IT field! Find out more today:



Online Information Technology (IT) Certificate for Military Spouses & ...

Martinsburg College is proud to offer our leading Information Technology certificate program to students in the military community. Visit us today to... qoo.ly



Martinsburg College @martinsburg_edu · Apr 1

Do you want to be part of the growing healthcare industry, but not sure patient care is right for you? A career in surgical instrument processing may be right for you.



Martinsburg College @martinsburg_edu · Mar 28



How would it feel to put COLLEGE GRADUATE on your resume in addition to the years of service you dedicated to your country? Message me to learn more about attending school during your military service and setting yourself up for a successful transition.



Martinsburg College @martinsburg_edu · Mar 26



At Martinsburg College you study from the comfort of your home, work school around your lifestyle and have a schedule of due dates and exams. No surprises. No long commutes. Quality education, at your finger tips.



1



Martinsburg College @martinsburg_edu · Mar 24





Martinsburg College @martinsburg_edu · Mar 21

What if I told you that you could complete a Certificate Program or Associates Degree all from the comfort of your home? Do you have an interest in the medical, technology or administrative fields? Contact us today!



Martinsburg College @martinsburg_edu · Mar 19

Education at your fingertips. Welcome to the world of online college!



Martinsburg College @martinsburg_edu · Mar 17
We love to hear these great stories about our students!!



Martinsburg College @martinsburg_edu · Mar 17
Happy St. Patrick's Day!!



Martinsburg College @martinsburg_edu · Mar 14
Is your calling to be in the medical field? Not sure where to start? Martinsburg College has programs just for you!



Martinsburg College @martinsburg_edu · Mar 14
Happy Pi day!!! Have some pie or do some math!!



Martinsburg College @martinsburg_edu · Mar 12
Military Spouses: Don't miss out on the Martinsburg College Military Spouse Scholarship and get the education you deserve! Learn more:



Martinsburg College @martinsburg_edu · Mar 10
Read the whole story here:



Martinsburg College @martinsburg_edu · Mar 7
Martinsburg College cares about the success of our students. Our instructors and post graduate services group work hard to help students find success, we are there for you every step of the way. Contact us today with any questions!



Martinsburg College @martinsburg_edu · Mar 4
Read the whole story here:





Home



Moments

Search Twitter



Have an account? **Log in** ▾



Martinsburg College @martinsburg_edu · Mar 1



Connect with a Martinsburg College Admissions Representative today! There may even be one located in your area!



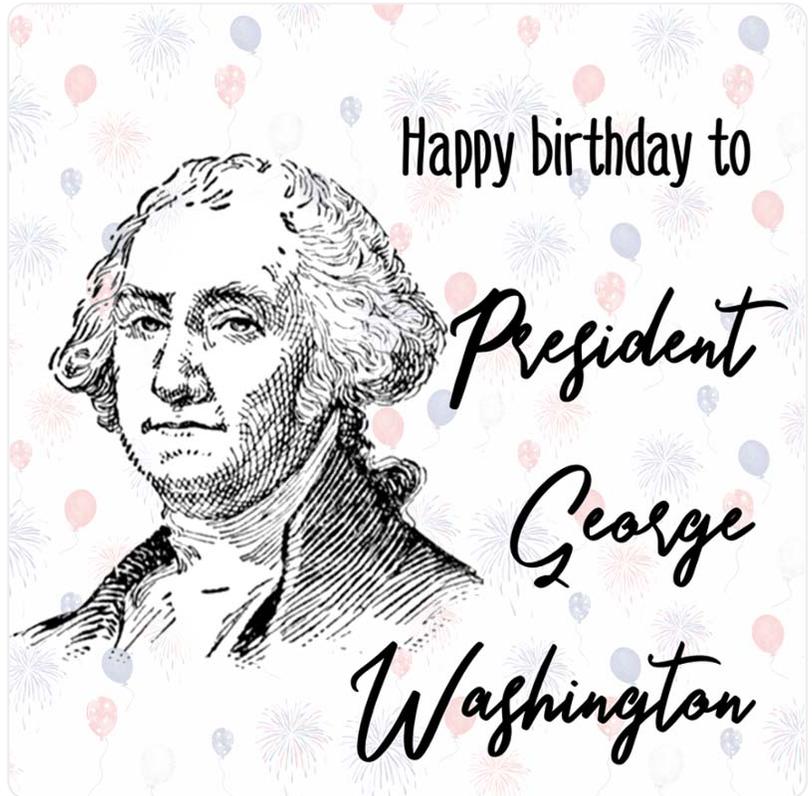
Martinsburg College @martinsburg_edu · Feb 24



This is so inspiring!!



Martinsburg College @martinsburg_edu · Feb 22
Happy Birthday to President Washington!



Martinsburg College @martinsburg_edu · Feb 18
Happy President's Day!





We love to hear these great stories about our students!!



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Sign up

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بشرا يحييا
@bushra_11...



Chicago Tri...
@chicagotri...



cta
@cta



RedEye
@redeyechic...



Time Out C...
@TimeOutC...

Worldwide trends

#freecodefridaycontest

5,678 Tweets

Billy Ray Cyrus

Billy Ray Cyrus breathes new



Home



Moments

Search Twitter



Have an account? [Log in](#)

Old Town Road

Billy Ray Cyrus breathes new life into the Old Town Road meme 🤘

#FridayFeeling

127K Tweets

Kurt Cobain

People recall where they were when they found out Kurt Cobain died

Lil Nas

Lil Nas X just re-released Old Town Road with Billy Ray Cyrus

#SOULIV

16K Tweets

Keita

15K Tweets

#FlashbackFriday

18.4K Tweets

Southampton

30.3K Tweets

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EXHIBIT 4

Employer Portal

Transcript Request

Student Login



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Programs

[Martinsburg College](#) > Programs

All programs at Martinsburg College are offered via distance education. We offer training in a variety of certificate and degree programs in the fields of Business Administration, Health Care Administration, Information Technology, Medical Administration, Homeland Security, and Smart Home Technology. The program content utilizes current technology and educational design to achieve learning outcomes. The college uses a highly structured, step-by-step approach to successful student learning. Students engage in a variety of learning modalities during the course of their training including audio-visual multi-media content, simulations, online chats, discussions, interactive lessons, and more which are all designed to engage the student and ensure comprehension and competency. Martinsburg College is proud to serve the military community, including veterans and military spouses. For more than 10 years, service members of all military branches, including Army, Marines, Navy, and Air Force, have trusted Martinsburg College to provide quality education at a distance.

Certificate Program Options

Martinsburg College offers certificate programs in the following areas:

Health Care

- Pharmacy Technician

Business & Professional Development

- Surgical Instrument Processing

Medical Administration

- Healthcare Administrative Specialist
- Medical Office Administration
- Healthcare Administration Technology
- Comprehensive Medical Transcription
- Managing Electronic Health Records

Security

- Homeland Security

Home Electronics

- Digital Technology Integration
- Smart Home Technology

Degree Options

Martinsburg College offers three Associate Degree programs:

- Associate of Science in Business Administration
- Associate of Science in Integrated Technologies
- Associate of Science in Health Care Administration

- Financial Fundamentals and Bookkeeping
- Business Administration
- Human Resources Management
- Project Management

Information Technology

- Computer Support Technology
- Computer Systems and Network Technologies
- Systems Administration
- Systems Design



EXHIBIT 5

Employer Portal

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Medical Administration



Security



Business & Professional

Development



Information Technology



Digital Technology Integration

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STUDENTS



MILITARY SPOUSES



ACTIVE DUTY |
VETERANS



MARTINSBURG
ALUMNI

Martinsburg College: Quality Online Distance Learning for the Military Community

Martinsburg college has been providing online distance learning programs for military students, veterans, active-duty service members, and military spouses since 2004. Our experience in providing high quality, workplace relevant, skills oriented programs dates back more than 30 years. Martinsburg College offers a wide variety of certificates and associate degree programs including homeland security, healthcare, information technology, finance, telecommunications and electronics, and general business. We're proud to serve all branches of the military including the Army, Navy, Marines, Air Force, as well as veterans and military spouses. Martinsburg College is accredited by the Distance Education Accrediting Commission and strives to provide students the resources they need to build relevant skills and achieve career goals. To learn more about Martinsburg College and speak to an admissions officer, please call us today at (304) 263-6262, or [fill out the form on our contact page](#).

EXHIBIT 6



Martinsburg College

All programs offered completely via Distance education
341 Aikens Center, Martinsburg, West Virginia 25404-6204

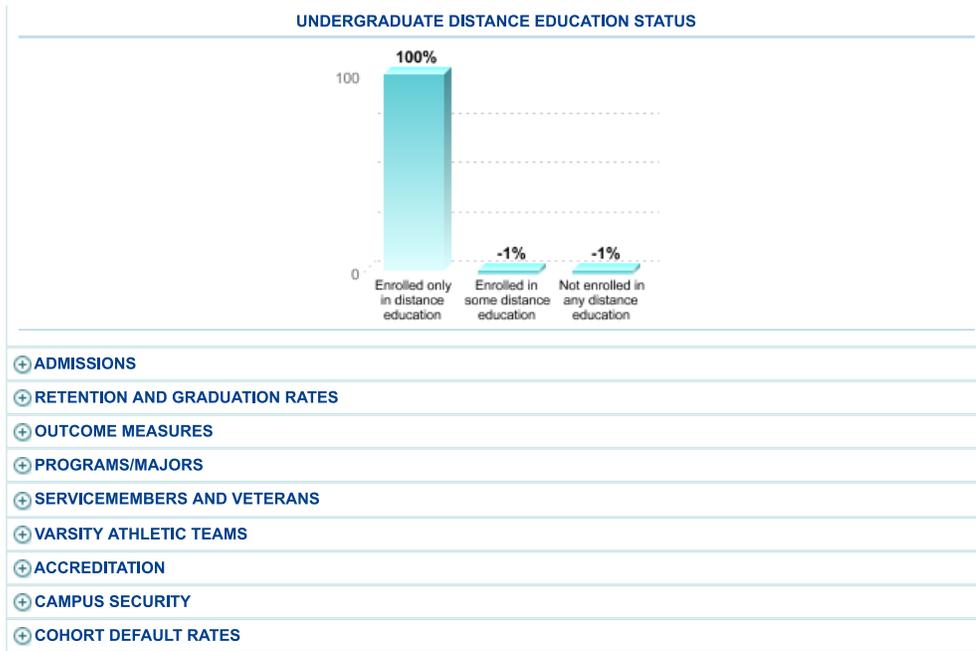
General information: (304) 945-0656
Website: www.martinsburgcollege.edu
Type: 2-year, Private for-profit
Awards offered: Less than one year certificate
 One but less than two years certificate
 Associate's degree
Campus setting: Suburb: Midsize
Campus housing: No
Student population: 879 (all undergraduate)
Student-to-faculty ratio: 45 to 1



[View on Google Maps](#)

IPEDS ID: 487977
OPE ID: 04242900

+ GENERAL INFORMATION
+ TUITION, FEES, AND ESTIMATED STUDENT EXPENSES
+ FINANCIAL AID
+ NET PRICE
- ENROLLMENT
FALL 2017
TOTAL ENROLLMENT (ALL UNDERGRADUATE) 879
Undergraduate transfer-in enrollment 289
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>ATTENDANCE STATUS</p> <p>3% Full-time 97% Part-time</p> </div> <div style="text-align: center;"> <p>STUDENT GENDER</p> <p>2% Male 98% Female</p> </div> </div>
<p>STUDENT RACE/ETHNICITY</p> <p>100</p> <p>1% 2% 7% 18% 0% 60% 6% 5% 0%</p> <p>American Indian or Alaska... Asian Black or African American Hispanic/Latino Native Hawaiian or other... White Two or more races Race/ethnicity unknown Non-resident alien</p>
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>UNDERGRADUATE STUDENT AGE</p> <p>100</p> <p>70% 30% 0%</p> <p>24 and under 25 and over Age unknown</p> </div> <div style="text-align: center;"> <p>UNDERGRADUATE STUDENT RESIDENCE</p> <p>100</p> <p>98% 2% 0%</p> <p>In-state Out-of-state Foreign countries Unknown</p> </div> </div> <p>▪ Residence data are reported for first-time degree/certificate-seeking undergraduates, Fall 2016.</p>
<p>UNDERGRADUATE DISTANCE EDUCATION STATUS</p>



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[College Navigator Home](#) | [College Costs](#) | [Prepare](#) | [Financial Aid](#) | [Careers](#)

IES NCES National Center for Education Statistics

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IES Policies and Standards

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- [ED Data Inventory](#)
- [Fed Stats](#)

Contact Us

U.S. Department of Education

Additional Resources

- [ERIC](#)
- [Sitemap](#)
- [Organizational Chart](#)

EXHIBIT 7

Employer Portal

Transcript Request

Student Login



MARTINSBURG COLLEGE
QUALITY EDUCATION AT A DISTANCE

Share :

Call us today! (304) 263-6262



Military Spouse Scholarship

[Martinsburg College](#) > [The Martinsburg College Advantage](#) > [Military Spouse Scholarship](#)

Scholarship Opportunity for Military Spouses

MILITARY SPOUSE SCHOLARSHIP

Martinsburg College is offering a tuition Scholarship for Military Spouses to earn an Associate’s Degree. This is a great opportunity for spouses to gain in-demand skills while earning an associate’s degree and graduate debt free. **Don’t be limited by a lack of funding. Receive an associate’s degree with no debt or loans.** This is a truly innovative program that addresses the needs of military spouses.

- Graduate Debt-free
- Acquire up-to-date skills for in-demand careers
- Associate’s degree program based on stackable credentials
- Earn valuable industry certifications as you work towards your degree

SCHOLARSHIP INFORMATION:

- Open to all military spouses who started an allied health certificate program at Martinsburg College on or after January 1, 2015
- Earned a minimum GPA of 3.0 at the point of graduation from the certificate program
- Completed the certificate program within nine months of the start date
- No other funding options available
- Students must begin the degree program within 12 months of graduating from the certificate program

****An administrative fee of \$250 will be charged for each 12 month enrollment period.****

Students are responsible for paying proctoring fees for 4 proctored exams at \$25 each for a total of \$100



EXHIBIT 8

[Employer Portal](#)

[Transcript Request](#)

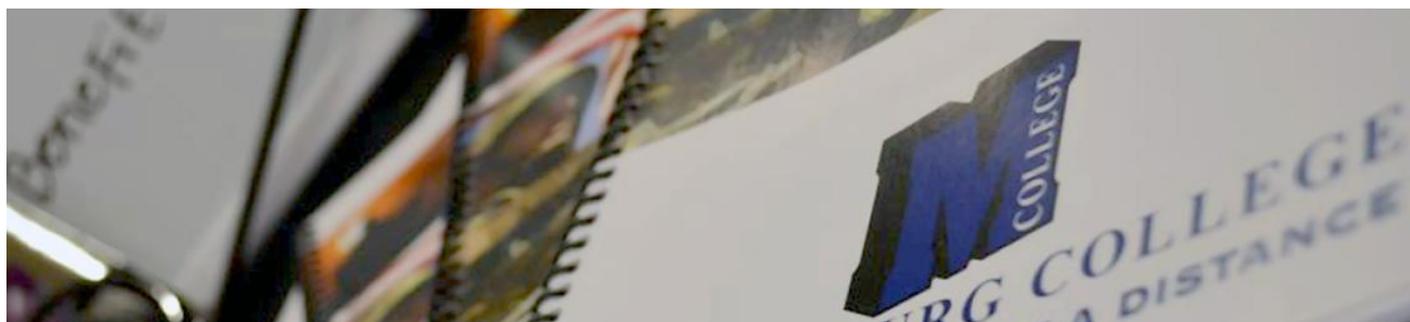
[Student Login](#)



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 QUALITY EDUCATION AT A DISTANCE

Share :

Call us today! (304) 263-6262



Tuition Rates

[Martinsburg College](#) > [Enrollment Agreement](#) > Tuition Rates

Semester Credit Hour effective August 2018

	1 Semester Credit	3 Semester Credits	15 Semester Credits
Associate's Degree	\$222	\$666	\$3330
	15 Semester Credits	16 Semester Credits	18 Semester Credits
Certificate Programs	\$3330	\$3552	\$3996

Martinsburg College does not charge an application fee or any fees for transfer credit evaluation, library access, official transcripts, or graduation.

EXHIBIT 9



my Career
Advancement
Account

Apply. Advance. Achieve.



Fact Sheet

My Career Advancement Account Scholarship — Helping Spouses Reach Career Goals

The My Career Advancement Account Scholarship is a workforce development program that provides up to \$4,000 of tuition assistance to eligible military spouses. The scholarship assists military spouses in pursuing licenses, certificates, certifications or associate degrees necessary to gain employment in high-demand, high-growth portable career fields and occupations. Spouses may use their My Career Advancement Account Scholarship funds at any academic institution approved for participation in the scholarship.

Fast facts

The My Career Advancement Account Scholarship provides a maximum tuition benefit of \$4,000 with

an annual fiscal year cap of \$2,000 to assist eligible military spouses who need professional credentials to meet their portable career goals. Annual cap waivers are available for licensure and certificate programs if there is an upfront tuition cost that exceeds \$2,000 (up to the maximum education benefit of \$4,000).

Who is eligible for the My Career Advancement Account Scholarship?

Spouses of service members on active duty in pay grades E-1 to E-5, W-1 to W-2 and O-1 to O-2 who have successfully completed high school and have the ability to request tuition assistance while their military sponsor is on Title 10 military orders are eligible. Spouses married to members of the National Guard and reserves in these same pay grades are eligible.

Those who are *not eligible* include the following:

- Spouses who are married but legally separated (or under court order or statute of any state or U.S. territory) from a member of the armed forces on Title 10 orders
- Spouses whose National Guard or reserve military sponsor is in a warning orders or alert, post-deployment, demobilization or transition status
- Spouses married to a member of the Coast Guard

What will the My Career Advancement Account Scholarship pay for?

The My Career Advancement Account Scholarship pays tuition costs for education and training courses and examinations leading to an associate degree (excluding associate degrees in general studies, liberal arts and interdisciplinary studies that do not have a concentration). The scholarship also covers the costs for obtaining a license, certificate or certification at an accredited college, university or technical school in the United States or approved testing organization that expands employment or portable career opportunities for military spouses.

The My Career Advancement Account Scholarship will NOT pay for the following:

- Tuition for courses and examinations not included in the spouse's Education and Training Plan and courses already started or completed by the spouse
- Reimbursements of any kind
- Books, supplies, equipment, uniforms, computers and electronic devices of any kind
- Student activities, events and entertainment
- Prepayment or deposits for future courses, unless costs are part of a block of study
- School or college level entrance examinations, comprehensive exams and related preparatory courses
- Courses, tests or fees normally paid by an employer as part of a job training program
- Fees of any kind, including but not limited to registration fees, technology fees, parking fees, etc.
- Nonacademic credit or ungraded courses, including courses taken on an audit basis or as an internship, practicum, apprenticeship or clinical supervision; also, nonacademic credit or ungraded orientation programs
- Courses taken more than one time, unless the My Career Advancement Account Scholarship has received a full refund from the school
- Academic credit by examination tests
- General studies, liberal arts and interdisciplinary associate degrees that do not have a concentration
- Personal enrichment courses (excluding academic credit or graded electives in an approved My Career Advancement Account Scholarship Spouse Education and Training Plan)
- Transportation, lodging, child care and medical services
- Course extensions (except for approved hardship waivers)
- Study-abroad programs (excluding programs of study offered by participating My Career Advancement Account Scholarship schools on overseas military installations)
- Private licenses (For example, a private pilot's license would not be covered because it is for recreational use, but a commercial pilot's license would be covered because it would be used for an occupation.)
- High school completion programs, including online high school completion programs
- Continuing education credits to maintain a standing in a professional organization

How to establish an account with My Career Advancement Account Scholarship

Spouses can visit the My Career Advancement Account Scholarship Spouse Portal online at <https://mycaa.militaryonesource.mil/> and provide the required Spouse Profile information. All scholarship participants are required to use DS Logon to access their accounts. Military spouses enrolled in the Defense Enrollment Eligibility Reporting System, or DEERS, are eligible for a DS Logon account. For information about creating a DS Logon premium account, access the [How do I use DS Logon to create and access a My Career Advancement Account?](#)

Where to get additional information or assistance



Call a career coach at
800-342-9647

Spouses with an established account with My Career Advancement Account Scholarship may use the Message Box feature to receive information and assistance quickly.



Coaches are available

Monday through Friday
7 a.m. to 10 p.m. Eastern time

Saturday
10 a.m. to 5 p.m. Eastern time

What about schools and organizations?

Schools interested in participating in the My Career Advancement Account Scholarship can call 334-517-6160 for assistance or visit the [For Institutions](#) resource page on the My Career Advancement Account Scholarship Spouse Portal for program eligibility and participation information.



September 2018

The My Career Advancement Account Scholarship is part of the Department of Defense Spouse Education and Career Opportunities program that offers comprehensive coaching, information, tools and resources to support military spouse career exploration, education, training and licensing, employment readiness and career connections.

EXHIBIT 10



Where Can I Go?

 School
 Program

You can search a listing of participating, approved schools using a keyword search. For a more accurate search avoid typing in words such as "The," "University" or "College".

School Name

Campus Name

State

Tax Status

Accreditation

Teaching Method

Search

Reset

Name	Overall Rating
<p>AUSTIN CAREER INSTITUTE - TX Austin Career Institute - MAIN CAMPUS - TX</p>	
<p>(ACAS) ACADEMY OF COSMETIC ARTS AND SCIENCES - FL (ACAS) Academy of Cosmetic Arts and Sciences - MAIN CAMPUS - FL</p>	
<p>2MPOWER YOGA - GA 2MPower Yoga - MAIN CAMPUS - GA</p>	
<p>360TRAINING.COM, INC. - TX Meditec - TX</p>	
<p>3B YOGA - UT 3B Yoga - Main Campus - UT</p>	

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4
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151
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Name	Overall Rating
<p>7 CENTERS YOGA ARTS, LLC - AZ 7 Centers Yoga Arts, LLC - MAIN CAMPUS - AZ</p>	
<p>A HEAD OF TIME DESIGN ACADEMY - AK A HEAD OF TIME DESIGN ACADEMY - Main Campus - AK</p>	
<p>A NEW BEGINNING SCHOOL OF MASSAGE KILLEEN - TX A NEW BEGINNING SCHOOL OF MASSAGE KILLEEN- MAIN CAMPUS - TX</p>	
<p>A-1 BEAUTY & BARBER COLLEGE - VA A-1 BEAUTY & BARBER COLLEGE - Main Campus - VA</p>	
<p>A. T. STILL UNIVERSITY OF HEALTH SCIENCES - MO A.T. STILL UNIVERSITY OF HEALTH SCIENCES- MAIN CAMPUS - MO</p>	
<p>AAA SCHOOL OF TRUCKING, INC - PA AAA SCHOOL OF TRUCKING, INC - PHL & HBG CAMPUSES - PA</p>	
<p>ABCOTT INSTITUTE - MI ABCOTT INSTITUTE - Main Campus - MI</p>	
<p>ABILENE DENTAL ASSISTANT SCHOOL - TX Abilene Dental Assistant School - MAIN CAMPUS - TX</p>	
<p>ABP DOULA TRAINING CENTER - VA ABP Doula Training Center - MAIN CAMPUS - VA</p>	
<p>ABRAHAM BALDWIN AGRICULTURAL COLLEGE - GA ABRAHAM BALDWIN AGRICULTURAL COLLEGE - MAIN CAMPUS - GA</p>	
<p>ABRAHAM LINCOLN UNIVERSITY - CA ABRAHAM LINCOLN UNIVERSITY - Main Campus - CA</p>	
<p>ACADEMY FOR NURSING AND HEALTH OCCUPATION - FL ACADEMY FOR NURSING AND HEALTH OCCUPATION - Main Campus - FL</p>	
<p>ACADEMY FOR SALON PROFESSIONALS - CA</p>	

Name	Overall Rating
ACADEMY FOR SALON PROFESSIONALS - Main Campus - CA	
ACADEMY OF ALLIED HEALTH SCIENCES - NJ ACADEMY OF ALLIED HEALTH SCIENCES - Main Campus - NJ	
ACADEMY OF ART UNIVERSITY - CA ACADEMY OF ART UNIVERSITY- MAIN CAMPUS - CA	

< 1 2 3 4 ... 151 >

The appearance of hyperlinks does not constitute endorsement by MyCAA. School and program information is the responsibility of the providing agency or institution. MyCAA does not exercise any editorial control over the accuracy or content of the information you may find at these locations. Such links provided are consistent with the stated purpose of this DoD website.

 Call Military OneSource to speak to a Career Coach at 800-342-9647



[About](#) | [Resources](#) | [Legal & Security](#) | [Sitemap](#)

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EXHIBIT 11



SPOUSE EDUCATION & CAREER OPPORTUNITIES

MARTINSBURG COLLEGE

341 Aikens Center
Martinsburg, WV
25404-6204

<http://martinsburgcollege.edu>

Accreditation Type
National

Tax Status
Private - For Profit

Teaching Method
Online Only

10207
STUDENTS

Student Body

Number of spouses that have used financial assistance through the My Career Advancement Account Scholarship program for this school.

Campuses

MARTINSBURG COLLEGE

WV

Programs

Course Catalog

Directory

Program ▲	Estimated Cost	Program type
Associate of Science in Business Administration	\$0.00	Associate of Science
Associate of Science in Integrated Technologies	\$0.00	Associate of Science
Business Communications	\$0.00	License, Certification or Technical
Certificate in Business Administration	\$0.00	

< 1 2 >

Program ▲	Estimated Cost	Program type
		License, Certification or Technical
Certificate in Computer Systems and Network Technologies	\$0.00	License, Certification or Technical
Communications & Support Specialist	\$3,300.00	License, Certification or Technical
Comprehensive Medical Transcription	\$0.00	License, Certification or Technical
Computer Support Technology	\$0.00	License, Certification or Technical
Corporate Leadership	\$0.00	License, Certification or Technical
Corporate Team Building	\$0.00	License, Certification or Technical
Digital Technology Integration	\$0.00	License, Certification or Technical
Financial Fundamentals & Bookkeeping	\$0.00	License, Certification or Technical
Healthcare Administration Technology	\$0.00	License, Certification or Technical
Homeland Security	\$0.00	License, Certification or Technical
Human Resources Management	\$0.00	License, Certification or Technical
Legal Office Administration	\$0.00	License, Certification or Technical

Program ▲	Estimated Cost	Program type
Managing Electronic Health Records	\$0.00	License, Certification or Technical
Medical Office Administration	\$0.00	License, Certification or Technical
Multi-Cultural Interaction, Communications & Ethics	\$0.00	License, Certification or Technical
Office Technology	\$0.00	License, Certification or Technical

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2
>

[← Back](#)

 Call Military OneSource to speak to a Career Coach at 800-342-9647



Apply. Advance. Achieve.

[About](#) | [Resources](#) | [Legal & Security](#) | [Site map](#)

EXHIBIT 12



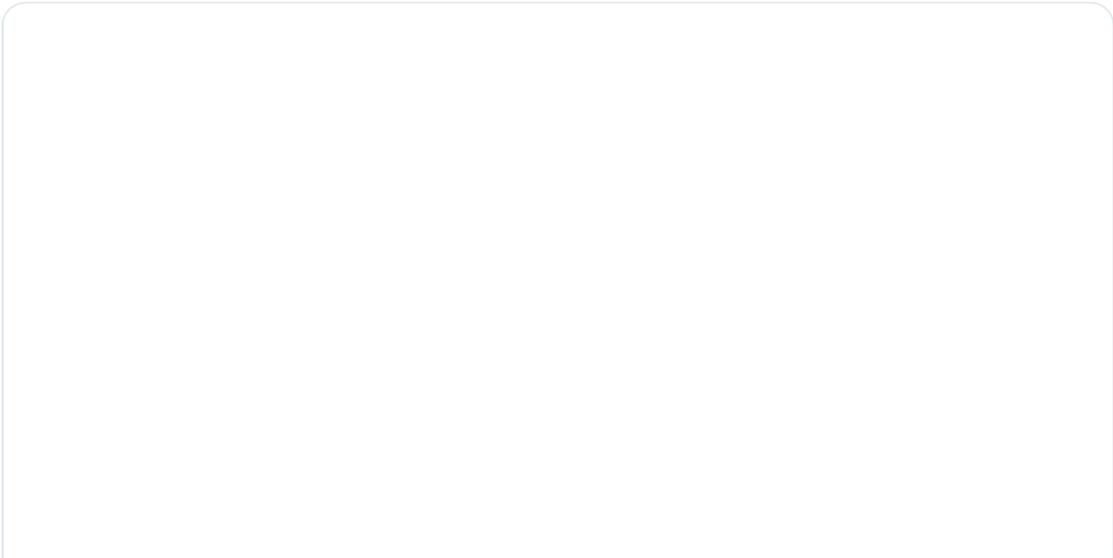
Martinsburg College

@martinsburg_edu

Follow



Military Spouses:Don't miss out on the Martinsburg College Military Spouse Scholarship and get the education you deserve! Learn more:



Military Spouse Scholarship - Martinsburg College

Military Spouse Scholarship - Qualified military spouses can earn an Associate's degree in Healthcare Administration from Martinsburg College.

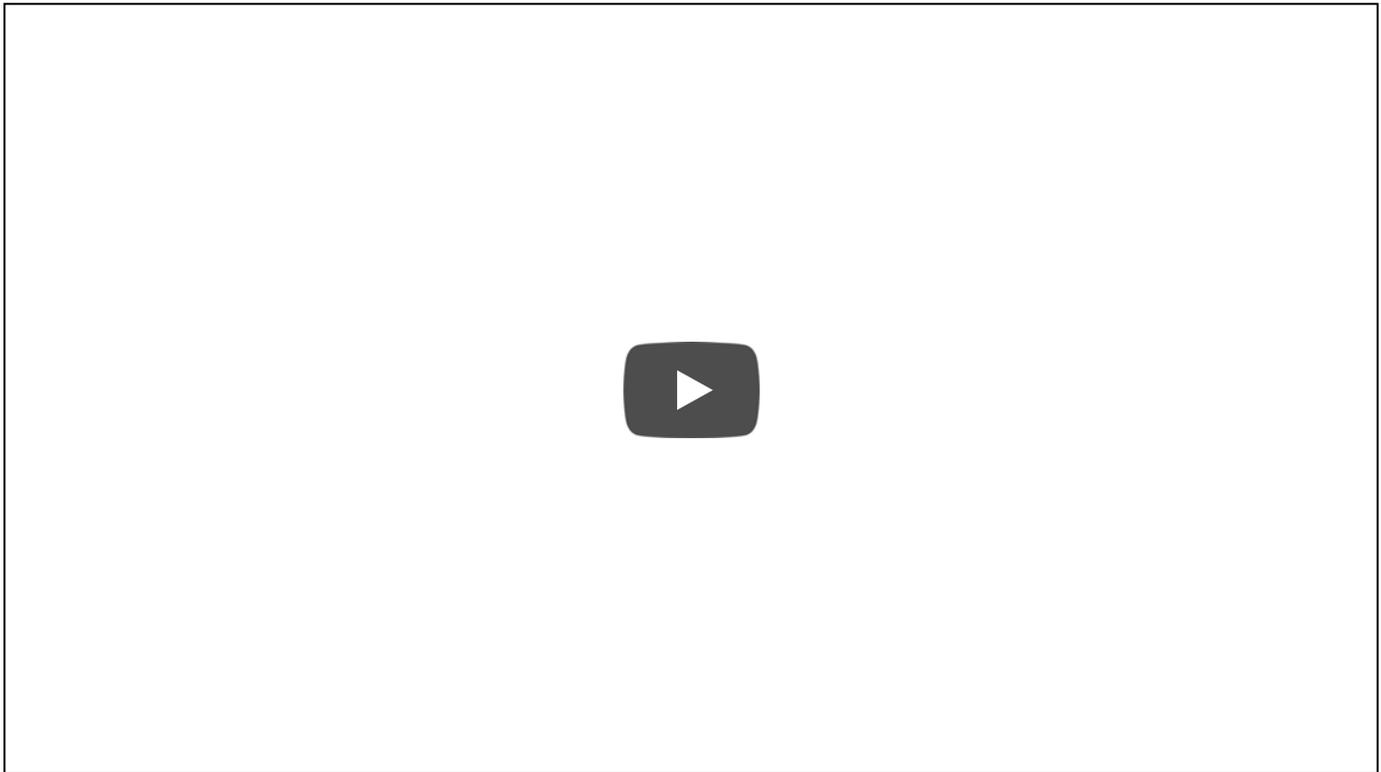
qoo.ly

4:24 AM - 12 Mar 2019



EXHIBIT 13

SKIP NAVIGATION



Military Spouse Scholarship - Martinsburg College

8,807 views



Martinsburg College

Published on Feb 20, 2017

SUBSCRIBE 2

Military Spouses: Don't miss out on our Military Spouse Scholarship! Get the education you deserve. If you are a military spouse you may be eligible to receive a Military Spouse Scholarship to cover the cost of tuition for an Associates Degree in Health Care Administration. Learn more:

SHOW MORE

Up next



HOW TO GET FREE COLLEGE AS A MILITARY SPOUSE | MyCAA Scholarship

Victoria Foxx
1.9K views

13:30

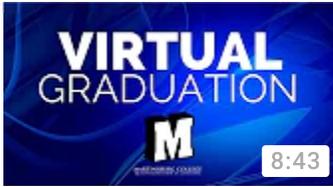


Top 5 Benefits of Being a Military Wife

Casia Rose
79K views

SKIP NAVIGATION

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Martinsburg College Virtual Graduation 2017
Martinsburg College Commencement Cermonies
442 views



Spouse Education and Career Opportunities
Military OneSource
1.1K views



10 FREE (or Inexpensive) COLLEGES & UNIVERSITIES
Epic 10 List ✓
111K views



My son was a Columbine shooter. This is my story | Sue Klebold
TED ✓
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2. "Medical Coding" - What Is It?
CodeMaster Coach
146K views



Ames Moot Court Competition 2015
Harvard Law School
299K views



Medical Office Admin
Lurleen B Wallace Community College
1K views



10 Types of Military Wives
Tattoo Barbie
107K views



'A big shock': Retail investors in Singapore were hit by Hyflux
DZISIAJ WIADOMOŚCI 2020
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Motivational Saturday Cleaning Routine | Simple Speed Cleaning | Military Wife



2.2K views



9. Medical Coding Conventions

CodeMaster Coach
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Military Spouses: Find the Right Career for You

Military OneSource
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The Constitution, the Articles, and Federalism: Crash Course US History #8

CrashCourse ✓
4.3M views

Medcerts I Military Spouse and school I Update

Patricia Vergara
3.2K views

How to Identify Fake Colleges and Degrees

Diploma Mill Police
68K views

How Did You Find Your Remote Coding Job?

Medical Coder Life
13K views

GETTING FREE COLLEGE AS A MILITARY SPOUSE | MYCAA SCHOLARSHIP

Emma N. Davis
390 views

MILITARY/MILITARY SPOUSE Q&A

Cammie Carter
54K views

EXHIBIT 14

Search

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martinsburgcollege_official • Follow

martinsburgcollege_official Our Military Spouse Scholarship program is now accepting applications. You may be eligible to receive a Military Spouse Scholarship to cover the cost of tuition for our Associate's Degree in Health Care Administration. #MilitarySpouse Learn More: <https://goo.gl/t6A6DM> or contact us today!

9 likes

AUGUST 2, 2018

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EXHIBIT 15

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@MartinsburgCollege

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Ugly Sweater Contest

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A school that follows wherever life
may take you next

www.martinsburgcollege.edu

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18 1

Come chat Dress For Succa...

16 69

Thank you all for joining in c...

13 15

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Martinsburg College

College & University in Martinsburg, West Virginia

Always Open

Community

See All

7,994 people like this

7,931 people follow this

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See All

(304) 263-6262

martinsburgcollege.edu

College & University

Hours
Always Open

Page Transparency

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Facebook is showing information to help you better understand the purpose of a Page. See actions taken by the people who manage and post content.

Page created - February 13, 2012

People

7,994 likes

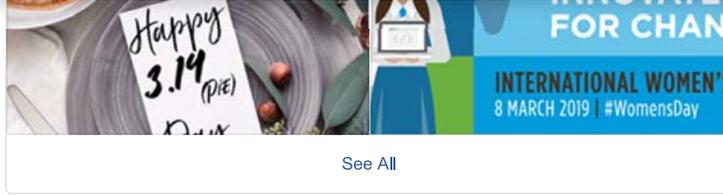
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See All



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Martinsburg College

Yesterday at 3:23 AM ·

Have you ever had a virus or problem with your computer? Then you know the importance of a skilled computer technician. If you have ever considered entering this in-demand field, we offer several programs in the IT field! Find out more today:



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Online Information Technology (IT) Certificate for Military Spouses & Veterans

2 Shares

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Martinsburg College

April 1 at 2:22 AM ·

Do you want to be part of the growing healthcare industry, but not sure patient care is right for you? A career in surgical instrument processing may be right for you. Martinsburg College Surgical Instrument Processing program prepares you with the skills and knowledge necessary to work in this exciting field. Find out more today



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Martinsburg College

March 28 at 1:21 AM ·

How would it feel to put COLLEGE GRADUATE on your resume in addition to the years of service you dedicated to your country? You can! Message me to learn more about attending school during your military service and setting yourself up for a successful transition.



QOO.LY

Contact Martinsburg College Today! Quality Online Learning.

Martinsburg College is a leader in distance learning for the military...

1

5 Shares

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Martinsburg College

March 26 at 4:24 AM ·

Drive to campus, find parking, sit through long lecture, complete required daily homework, take a pop-quiz. If that doesn't sound appealing to you, there is another option. At Martinsburg College you study from the comfort of your home, work school around your lifestyle and have a schedule of due dates and exams. No surprises. No long commutes. Quality education, at your finger tips.



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Log In

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Martinsburg College
March 24 at 3:21 AM ·

This is so inspiring!!



QOO.LY

Success Story from Lanea M. - Martinsburg College

'Taking the Medical Office Administration course at Martinsburg College...

2

5 Shares

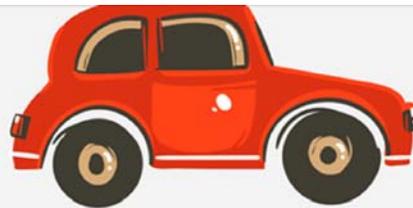
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Martinsburg College
March 21 at 3:23 AM ·

Have you thought finishing your education was out of reach because you don't have the time to go to a campus? What if I told you that you could complete a Certificate Program or Associates Degree all from the comfort of your home? Do you have an interest in the medical, technology or administrative fields? Contact us today!



Have your education come to YOU!

QOO.LY

Contact Martinsburg College Today! Quality Online Learning.

Martinsburg College is a leader in distance learning for the military...

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EXHIBIT 16

[Employer Portal](#)[Transcript Request](#)[Student Login](#)

MARTINSBURG COLLEGE
QUALITY EDUCATION AT A DISTANCE

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Now Hiring: Admissions Representative

[Martinsburg College](#) > [About Us](#) > [Careers at Martinsburg College](#) > [Now Hiring: Admissions Representative](#)

Now Hiring: Admissions Representative

Job Description:

Perform a variety of recruitment activities which include one-on-one recruitment, social networking, group presentations, community outreach, and general networking within the military community. Admissions Representatives provide information about programs of study available at Martinsburg College and identify appropriate applicants for enrollment. This is a home office based position and applicants must have an appropriate, quiet workspace within their homes. Must be available to work some weekends & evenings and have a car with insurance. This position requires a full-time work schedule (40 hours per week). Requires both time in the field making presentations and developing relationships in addition to Social Networking recruitment activities & follow-up. It is a requirement to be on or near the military installation you will service and must have 2 years of ability to work at that location.

Desired Skills & Experience:

Must be comfortable networking and developing social networks, both in person and via social networking.

Requires strong personal presentation skills and Internet social networking competence. Strong

organizational and follow-up skills are also necessary.

Knowledge of social networking and an Internet presence is helpful.

We welcome applications/resumes from former military recruiters and military spouses.

Clean driver's license, car and insurance required.

Previous recruitment experience preferred.

Organization Description:

Martinsburg College provides performance oriented, skills-based educational programs, at both certificate and Associate-degree levels, for adults seeking to achieve improved levels of proficiency in a broad range of disciplines. Our history of providing quality education to adults dates back to 1980 when the first training center was opened in New York and has been based in Martinsburg, WV since 2006. All of Martinsburg College's programs utilize distance education delivery. The quality of our programs and our considerable experience in supporting adult learners in non-traditional educational delivery has resulted in consistently high student completion and student satisfaction rates.

[Apply Now >](#)

EXHIBIT 17

Bloomberg.com

Marine Can't Recall His Lessons at For-Profit College (Update2)

By Daniel Golden



Dec. 15 (Bloomberg) -- Marine Corps Corporal James Long knows he's enrolled at Ashford University, one of at least a dozen for-profit colleges making money off active-duty military with subsidies from American taxpayers. He just can't remember what course he's taking.

The 22-year-old from Dalton, Georgia, suffered a brain injury that impaired his ability to concentrate when artillery shells hit his Humvee in Iraq in 2006, he said. Long signed up for the online college, a unit of Bridgepoint Education Inc., after its recruiter gave a sales pitch this year at a barracks for wounded Marines at Camp Lejeune in North Carolina. Under base rules, the barracks are off-limits to college recruiters, said Robert Songer, director of lifelong learning at Lejeune.

For-profit online colleges are taking over higher education of the U.S. military, lured by a Defense Department pledge of free schooling up to \$4,500 a year for active members of the armed services, costing taxpayers more than \$3 billion since 2000. The schools account for 29 percent of college enrollments and 40 percent of the half-billion-dollar annual tab in federal tuition assistance for active-duty students, displacing public and private nonprofit colleges, according to Defense Department and military data.

The shift is leading to educational shortcuts and over-zealous marketing, said Greg von Lehmen, chief academic officer of the University of Maryland University College in Adelphi, the adult-education branch of the state system and one of the earliest and biggest providers of military education.

Faster, Easier

"In these schools, the rule is faster and easier," von Lehmen said. "They're characterized by increasingly compressed course lengths and low academic expectations. One has to ask: Is the Department of Defense getting what it is seeking?"

Some online schools offer free laptops or fast degrees. At Apollo Group Inc.'s University of Phoenix, the biggest for-profit college, active-duty military personnel can earn an associate's degree, which typically takes two years of study, in five weeks.

Apollo fell \$1.13, or 1.8 percent, to \$60.93 at 4 p.m. in New York in Nasdaq composite trading. The company's shares are down 21 percent this year.

Taxpayers picked up \$474 million for college tuition for 400,000 active-duty personnel in the year ended Sept. 30, 2008, more than triple the spending a decade earlier, Defense Department statistics show. Any college degree provides a boost toward military promotion, said James Pappas, vice president for outreach at the University of Oklahoma. Credentials from online, for-profit schools are less helpful in getting civilian jobs, especially in a tight labor market, Barmak Nassirian, associate executive director of the American Association of Collegiate Registrars and Admissions Officers in Washington, said in an e-mail.

Disappointed Grads

"I'm afraid that the ease with which these outfits hand out diplomas is matched only by the disappointment of their graduates when they find out how little their degrees are actually worth," Nassirian said.

Mike Shields, a retired Marine Corps colonel and human resources director for U.S. field operations at Schindler Elevator Corp., rejects about 50 military candidates each year for the company's management development program because their graduate degrees come from online for-profits, he said in an interview. Schindler Elevator is the North American operating entity of Schindler Holding AG in Hergiswil, Switzerland, the world's second-largest elevator maker.

Broader Experience

"We don't even consider them," Shields said. "For the caliber of individuals and credentials we're looking for, we need what we feel is a more broadened and in-depth educational experience." He does hire service members with online degrees for jobs on non-leadership tracks, he said.

Several online for-profit schools have become a concern on military bases because of practices that exploit soldiers and the federal subsidies they are promised, said Songer at Camp Lejeune.

"Some of these schools prey on Marines," Songer said. "Day and night, they call you, they e-mail you. These servicemen get caught in that. Nobody in their families ever went to college. They don't know about college."

Most online for-profits, such as American Public Education Inc.'s American Military University, "do a very good job taking care of students," Songer said.

Executives at for-profit colleges said they pay more attention to customer service than traditional schools do, and their online format suits military students who move frequently.

Flexibility, Options

"It's about flexibility and options," said Rick Cooper, vice president of military and corporate programs at Columbia Southern University in Orange Beach, Alabama. "You can enroll any day of the week, any week of the year."

Columbia Southern grants transfer credits to soldiers for courses in which they earned grades as low as D. Grantham University in Kansas City, Missouri, has handed out free laptop

computers and American Military in Charles Town, West Virginia, gives free textbooks as recruitment inducements.

Online schools such as American Military University have relocated their headquarters to obtain certification from regional boards with less demanding standards, according to interviews with for-profit college officials and accrediting agencies. Or they're approved by less established organizations, leaving students hard-pressed to transfer credits to other colleges or find jobs at major corporations.

Salary Comparisons

Holders of master's degrees in business administration from for-profits Phoenix and American Intercontinental University earn less than graduates with the same degrees from Oklahoma or Maryland's University College, according to Payscale.com, a provider of employee compensation data.

Recent MBA graduates from University College and Oklahoma have median annual incomes of \$78,600 and \$68,400, respectively, compared with \$60,200 from Phoenix and \$54,600 from American Intercontinental, the data show. Recent bachelor's graduates from University College earn a higher median salary (\$55,200) than their counterparts at Phoenix (\$50,500) and American Intercontinental (\$43,100). Oklahoma, at \$41,100, trails Maryland and the two for-profit schools.

Travis Daun, a 33-year-old former Navy lieutenant commander who trained as a nuclear engineer on a submarine, left the service in August after receiving an online MBA from American Intercontinental, a unit of Career Education Corp., based in Hoffman Estates, Illinois.

Rigor, Challenge

"I was disappointed in the rigor and challenge of the courses," Daun said in an interview, adding that each course lasted five weeks, with at most two hours a week of class time. "I don't think I had a 4.0 effort, yet I had a 4.0 grade-point average."

Daun is unemployed. His college roommate, who also became a nuclear engineer in the Navy and earned an MBA from the University of Maryland's University College, did find work, Daun said. "His MBA from Maryland definitely helped him a lot more than my AIU degree is helping me," he said.

Daun is working with Lucas Group, an executive search firm that specializes in placing former military personnel.

"Does his master's from American Intercontinental open a lot of doors for him? No, it doesn't," said Lee Cohen, an Irvine, California-based managing partner at Lucas.

American Intercontinental provides a high-quality education for adult students, said Jeff Leshay, a spokesman for Career Education. Leshay said the company doesn't track where graduates find jobs.

'No Problems'

While deployed in Iraq, Christopher Brotherton earned a bachelor's degree in homeland security from American Military in 2007. When the staff sergeant retired from the Army in June, his degree, which included courses in geography and history, helped him find a job teaching social studies in a middle school in Ardmore, Oklahoma.

"The state, when they saw my transcript from AMU, they had no problems with any of it," Brotherton, 42, said. "It was a respected school to them."

Brian Kilgore's quest for a college degree was set back in 2007. Then a petty officer first class in the Navy, Kilgore needed two more courses to earn an associate's degree from Grantham when the online for-profit college eliminated the software engineering program he was taking, he said in an interview. Kilgore switched to computer science and soon left school, still four classes short of that degree. "I was upset," said Kilgore, 38, who recently retired from the military and works in aviation maintenance. "Gosh, I was almost there." The program was eliminated due to lack of interest, Grantham said.

Career Disadvantage?

When service members do earn degrees from online for- profits, human resources executives at Fortune 500 firms are often reluctant to hire them, said Cohen, citing three where he has placed candidates. "There are some firms that are heavily credential-oriented," he said. "McKinsey & Co. is one of them. They might balk. Amazon might balk. Shell Oil is another one." McKinsey, Amazon.com and Shell declined to comment.

Bradford Rand, chief executive of Techexpo Top Secret in New York, which runs job fairs for defense contractors recruiting recent veterans, said a degree from an online for- profit is a disadvantage. "You have two people of the same caliber, one has a degree from a real college, one has a degree from a computer, I'm going to favor the one from the live college," Rand said. "It's more verifiable, more credible."

The Defense Department plans to subject online programs to review by the American Council on Education in Washington, which already monitors face-to-face classes on military bases, defense officials said. The new online standards, which the department began to develop in 2004, have taken longer than expected and are a year away from being implemented, Tommy Thomas, deputy undersecretary of defense for military community and family policy, said in an e-mail.

Maximum Reimbursement

Of the dozen colleges with the biggest active-duty enrollment, five are for-profits that conduct most or all of their courses online. Three -- American Military University, Apollo's Phoenix, and closely held Grantham -- charge \$250 a credit, or \$750 a course, which allows them to receive the maximum reimbursed by U.S. taxpayers without service members having to pay any out-of-pocket tuition. Publicly funded community colleges offer classes on military bases for as little as \$50 a credit, according to their Web sites.

American Public Education fell 1 cent, or less than 1 percent, to \$34.40 at 4 p.m.

Government Inquiries

The expansion of online for-profit colleges into the military comes as the companies face U.S. government inquiries into their tactics in recruiting and educating civilians. The Obama administration is tightening scrutiny of for-profits, from the content of their pitches to prospective students to their increasing reliance on federal financial aid, Robert Shireman, deputy undersecretary of the U.S. Education Department, said in an interview.

In addition, the Securities and Exchange Commission's Enforcement Division has begun an informal probe into how Apollo Group books revenue. Apollo intends to cooperate fully with the inquiry, the company said.

By expanding its military business, Phoenix has been able to enroll more civilian students who are supported by grants and loans from the Education Department, without violating federal law that dictates how much revenue the school can receive from the government. Phoenix derived 86 percent of its \$3.77 billion in revenue in fiscal 2009 from the Education Department, according to its annual 10-K filing, up from 48 percent in 2001 and approaching the limit of 90 percent set by a 1992 law known as the 90/10 rule.

Military Market

Tuition payments to for-profit schools by the military don't count toward the 90 percent ceiling. One way that Phoenix plans to stay below the legal threshold is building its military business, Gregory Cappelli, co-chief executive of Apollo, which is based in Phoenix, said in a June 29 conference call with investors.

When the law was enacted, for-profits hadn't yet moved into the military market, so the legislation's sponsors weren't focused on Defense Department tuition assistance, Sarah Flanagan, who helped draft the law as the Senate's specialist in federal student aid, said in an interview. The law was intended to ensure that for-profit colleges offered an education good enough that some students were willing to pay for it, said Flanagan, now vice president of the National Association of Independent Colleges and Universities in Washington.

"Counting Defense Department funding for servicemen's education as part of the money that's supposed to come out of consumers' pockets violates the purpose of the original legislation," Flanagan said.

Phoenix Recruitment

Apollo spokeswoman Sara Jones said in an e-mail that Phoenix began serving military students long before the advent of "the misguided 90/10 rule."

Phoenix ranks among the top five colleges serving military students, including about 5,000 in the Army and 2,700 in the Navy, according to the two services. While Phoenix offers campus-based graduate programs in education and management at Air Force bases in the Pacific, most of its active-duty students take classes online, school officials said. Phoenix has 452 recruiters in its military division, up from 91 in 2003, said Scott McLaurin, its executive enrollment counselor at Camp Lejeune, the largest Marine Corps base on the East Coast.

Soaring Enrollments

Military enrollment at exclusively online for-profits is soaring. American Military has 36,772 active-duty students, up from 632 in 2000, it said. It has the most Air Force and Marine Corps students of any college. Closely held Columbia Southern has 9,582 service members, up from 649 in 2002, it said. Closely held TUI in Cypress, California, has more than doubled active-duty enrollment to 7,665 in the first quarter of 2009, from 3,661 in 2004, it said.

While six public and private non-profit colleges hold face-to-face classes on Camp Lejeune, none has the highest active-duty enrollment there. That distinction belongs to American Military, with 1,623 students, up from 11 in 1999. Phoenix's enrollment there has risen to 296 from 15 over the same period.

Active-duty enrollment at public and nonprofit schools has slumped. The University of Oklahoma, once the leading provider of graduate degrees to service members, has lost half of its military enrollment in a decade, said Pappas, the vice president for outreach.

"A decade from now, you may not find traditional national public and private universities in military education," Pappas said. "That's one of the real dangers."

Curriculum Control

Faculty members at online for-profit colleges, usually part-timers with practical experience in their fields, have less control over curriculum than in conventional academia, said Benjamin Bolger, who has taught at the University of Phoenix and the College of William & Mary in Williamsburg, Virginia. Professors assign reading and writing and discussion topics prescribed by the school. Students don't have to log on at a specific time. At their convenience, they complete weekly coursework and respond to classmates on discussion boards.

While many colleges adopt what are known as "military-friendly" practices, the online for-profits go further than most. They accelerate course and degrees for service members, trimming requirements and granting abundant transfer credits.

At Phoenix, members of the armed forces can earn an associate's degree by taking one five-week online class, "Written Communication." They can make up for the other 19 courses required for an associate's degree with credits for classes taken elsewhere, military experience including basic training, and passing grades on tests that gauge knowledge of a subject area.

Fast Track

Civilians seeking the same degree must take at least six Phoenix courses and can use credits from outside sources for no more than 14. Traditionally, two-year students must take 10 courses, or half of the required load, from the school that awards their degrees, so it can vouch for their training, Nassirian said.

Only a handful of active-duty students choose Phoenix's one-course option, called the Associate of Arts Degree Through Credit Recognition, said Mike Bibbee, the university's director of military programs.

At Columbia Southern, students can finish courses in three weeks and gain credit for as many as three classes taken at other colleges in which they received grades as low as D, according to its catalog. All exams are open-book.

'Quite Unorthodox'

"It would be quite unorthodox for traditional institutions to grant transfer credit to coursework completed below a grade of C," Nassirian said. Columbia Southern's academic quality is comparable to a state or nonprofit university, Cooper said. The University of Alabama, in Tuscaloosa, also accepts D's for transfer courses, according to its Web site.

On Oct. 16, several Marines waited their turn on benches outside American Military's office in the education center at Camp Lejeune. Inside, AMU education coordinator Brian Miller made his pitch to Jyher Lazarre and Hyunwoo Kim. Lazarre, 19, of Orlando, Florida, and Kim, 20, of Leonia, New Jersey, joined the Marines in 2008 and are roommates at Lejeune, they said.

Of 20 courses needed for a two-year degree, they could satisfy eight through basic training and other military experience, Miller said. They could test out of seven more, leaving them to take five classes.

"I can cut the time of this degree literally in half," Miller told them. "It's going to make you competitive toward promotion as well."

"If we can cut it down, that's really good," Kim said.

Accreditation Conflicts

Conflicts with accrediting associations that certify academic quality have dogged several online for-profits. American Military, founded in Virginia in 1991 by a former Marine Corps officer, applied in 1998 for accreditation by the Commission on Colleges of the Decatur, Georgia-based Southern Association of Colleges and Schools. The southern association is one of six regional bodies that approve public and nonprofit institutions and represent the gold standard in accreditation.

In June 1999, the commission denied American Military a candidacy visit, an early step in the accreditation process, said Ann Chard, commission vice president. The university didn't meet the requirements of having full-time professors and a library, instead relying on part-time faculty and a lending library network, said James Herhusky, a trustee.

American Military then shifted its headquarters to West Virginia to seek regional accreditation by the Higher Learning Commission of the North Central Association, according to the minutes of a July 2002 meeting of the Virginia Council of Higher Education, based in Richmond. In 2006, North Central approved American Military, which offers degrees in fields including homeland security, counter-terrorism studies and weapons-of-mass-destruction preparedness.

'More Accommodating'

"At the time, North Central was the only region we knew that was accrediting totally online institutions," Herhusky said. "We found their criteria to be less prescriptive and more accommodating."

American Military now has 160 full-time professors and an online library, Herhusky said. The school has almost quadrupled active-duty enrollment since 2005, when it hired James Sweizer, former head of education for the Air Force, to run its military programs.

"I came to AMU with the philosophy of relationship marketing," Sweizer said in an interview. "You cater to the needs of key influencers."

Sweizer said he's seen "dramatic improvement" in how American Military manages courses and faculty.

Probationary Period

American Intercontinental, which ranked 20th in tuition assistance from the Marine Corps in fiscal 2009, also didn't meet the standards of the Southern Association of Colleges and Schools. It was placed on probation from 2005 to 2007 for academic and administrative shortcomings, including an inadequate number of full-time professors, according to accreditation records. The school addressed the association's concerns, and the improvements it made during those two years have strengthened the university, Career Education spokesman Leshay said in an e-mail.

American Intercontinental moved its headquarters this year from Atlanta to Chicago and was accredited by North Central. American Intercontinental relocated because its online campus is based there, Career Education spokesman Leshay said.

Two other for-profits in the military market, Grantham and Columbia Southern, have a status known as national accreditation. Newer than the regional groups, the seven national bodies mostly approve for-profit colleges, including vocational and distance-education programs. Only 14 percent of colleges accept credits transferred from nationally accredited institutions, according to a 2006 study by the University Continuing Education Association in Washington.

Expanding Market

Three policy changes in the past decade opened the military market to for-profit colleges. The Defense Department, which had paid tuition assistance mainly to regionally accredited schools, began in 1999 to reimburse nationally accredited colleges as well. It increased funding in 2002 from 75 percent to 100 percent of tuition up to the \$250-per-credit ceiling. In 2006 and 2007, the Army cut 233 counselors who used to guide soldiers through college choices, replacing them with interactive Web sites that offer information, said Army spokesman Wayne V. Hall.

These moves coincided with the rise of Internet courses. For-profits were ahead of most traditional colleges in online education, which helps service members deployed worldwide keep up their studies. In fiscal 2008, the first year that the Defense Department collected such data, 64 percent of active-duty students took distance-education classes.

War Zones

Soldiers even take online classes in war zones. While in Afghanistan, Army sergeant Patrick Peake earned a bachelor's degree in criminal justice from American Military, enrolling in as many as four online courses at a time.

Cavalry scouts "set up a wireless connection at the mud- brick building we were at," Peake, 29, said in an interview. After studying counter-terrorism at AMU, Peake said, he told friends in Army intelligence about terrorist groups in the region. "This dumb grunt helped them out a little," he said.

Unlike most traditional schools, for-profits vie to offer inducements to students. American Military gives textbooks for free to undergraduates, who may resell them to the school's vendor after use for \$30 to \$50 per book, Miller said. Columbia Southern is considering a similar buyback program, according to Cooper.

Grantham, the seventh-biggest recipient of undergraduate tuition money from the Army in fiscal 2008, gave new laptop computers made by Dell Inc., from March to July to active-duty students who had completed at least four courses with grades of C or better. The free laptops were part of a pilot research project on student retention, said Tim Arrington, Grantham director of military programs.

Laptop Largesse

Michael Lambert, executive director of the Distance Education Training Council, which accredits Grantham, advised the school to stop the laptop largesse, he said.

"The concern is, schools will outdo each other and we'll have an arms race," he said. "Free laptops, free Kindles, free iPods, all coming out of taxpayers' pockets."

Servicemembers Opportunity Colleges, a Defense Department Washington-based contractor that develops policies for 1,800 colleges involved in military education, is also considering guidelines to limit laptop giveaways and other inducements. "I don't think it's out of hand, but the potential is there," said Kathy Snead, the group's director.

Former Marines

Career Blazers Learning Center, a New York-based vocational school, gave away laptops loaded with instructional software to Marines about to be deployed to combat zones, owner Paul Viboch said. It also hired former Marines as recruiters and paid referral fees to students for signing up other service members. Entire units enrolled, and Career Blazers received \$4.5 million in tuition assistance from the Marine Corps in 2006, the most of any post-secondary provider.

Career Blazers charged \$4500 -- the maximum that the military reimburses in a year -- for self-paced lessons on how to perform basic computer applications or balance checkbooks. Much of the material was available for less expense at workshops or community college classes on bases, education specialists said.

"The military overpaid for laptops," said Johanna Rose, an education technician at Camp Lejeune.

Relocated to Martinsburg, West Virginia, and renamed Martinsburg Institute, Career Blazers stopped giving away laptops three months ago. Its tuition assistance from the Marine Corps slipped to \$616,000 in fiscal 2009, as education officials on some Marine bases discouraged service members from enrolling, Viboch said. "I was too successful, too quickly," he said.

'Underhanded' Techniques

Unauthorized marketing pitches by for-profit recruiters have become widespread on military bases.

"Some of these schools are a little underhanded," said Pat Jeffress, branch manager of lifelong learning at Camp Pendleton, a Marine Corps base in California, said. "They try to backdoor me. They come onto the base when they don't have permission and they set up shop."

One recruiter for Ashford University recently ignored the anti-solicitation rule at Camp Lejeune, said Songer, the base's lifelong learning director. Bridgepoint, based in San Diego, has climbed 57 percent since the company went public on April 14. Bridgepoint fell 21 cents, or 1.2 percent, to \$17.37 at 4 p.m. today.

Songer said he told the recruiter, whose husband is in the military, that she could only meet students at the base's education center. Instead, she pitched the online for-profit in the recreation room of a barracks for wounded Marines. About 30 Marines showed up, said Brad Drake, a corporal who attends Ashford.

'Attractive' Recruiter

"It helped she was really attractive," said Drake, 23, who suffered a traumatic brain injury in Afghanistan when a rocket hit his truck. "That got everyone's attention."

The recruiter spoke at the barracks with the approval of the unit's commanding officer, Bridgepoint spokeswoman Shari Rodriguez said in an e-mail. "We keep our students' needs at the forefront of all we do."

Unit commanders are often unfamiliar with educational rules, Songer said. He told the recruiter, "If you cross that line again, you'll never be allowed on this base," he said.

Ashford's Enrollment

Ashford ranked sixth in Marine Corps enrollment in the year ended Sept. 30, 2009, with 1,018 students. At Camp Lejeune, Ashford had 119 active-duty students, up from 25 in the previous year, and six in fiscal 2007. About eight to 10 wounded Marines signed up for Ashford after the recruiter's presentation, among them Corporal Long, the brain-injured soldier, who also walks with a cane.

Long is pursuing a bachelor's degree in organizational management through Ashford. In his first class, students could retake the final test until they passed, he said.

"I took it 10 times," he said. "I kept getting the same answers wrong."

Long, who aspires to be an occupational or physical therapist, said he wonders if he can graduate. He is married and says he needs to provide for his family.

"I got my doubts," he said. "My family's more important than my doubts. That keeps me going."

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EXHIBIT 18

COMMENTARY FOR-PROFIT EDUCATION

College Regulator Proves Asleep at the Wheel



MARCH 13, 2017

This letter was prepared in response to a request for comments, published in the Federal Register on February 13, 2017, regarding the continued federal recognition of the Distance Education Accrediting Commission, through which some online colleges gain various privileges including access to federal financial aid.

Dear Members of the National Advisory Committee on Institutional Quality and Integrity and Staff of the Accreditation Group of the U.S. Department of Education's Office of Postsecondary Education:

Thank you very much for the opportunity to submit public comments regarding the application for renewal of recognition of the Distance Education Accrediting Commission (DEAC), pursuant to 82 FR 10479. As detailed below, there is considerable evidence suggesting that DEAC has not effectively fulfilled its responsibilities as a gatekeeper of federal student financial assistance. As a result, many institutions accredited by DEAC have received significant federal funding while employing practices contradictory to federal regulation and, based on the available data, demonstrating poor student outcomes. Not only have individual students suffered due to DEAC's lax oversight, but taxpayers have also had to pay. It is now time for the National Advisory Committee on Institutional Quality and Integrity (NACIQI) to hold DEAC accountable for its performance and demand significant reforms to protect students and taxpayers in a timely manner.

Lack of Student Outcomes Data Makes Adequate Assessment Impossible

In 2014, the Government Accountability Office called on ED to strengthen its oversight efforts by, among other things, "comparing accreditor sanction data with Education's information on student outcomes, to inform its recognition reviews."¹ A focus on student outcomes in ED's monitoring and recognition of accrediting agencies was part of efforts announced in 2015² and made more concrete by the recent release of key student outcome measures by accreditor.³

However, in regards to DEAC, the ED outcomes data currently available do not enable a meaningful assessment of its comparative performance, nor do they shed light on its effectiveness in ensuring that the education provided by its institutions meets acceptable levels of quality. Specifically, of the 12⁴ Title IV DEAC institutions included in ED's performance data, graduation and repayment rate data are available for just three institutions, while one has a graduation rate and another has a repayment rate.⁵ In other words, only 25 percent (3) of DEAC's institutions have data on these two key indicators of student outcomes, and just 42 percent (5) have any available data at all. Moreover, two institutions that receive a combined 41 percent of all Title IV funds among DEAC schools—Grantham University and Allied American University—have no data for either metric. Tapping into the College Scorecard for retention rates reveals that only six DEAC schools report such data.

Where data are available, the schools do not excel. The six DEAC schools for which retention rate data is available perform below the national average (68 percent), including the second largest Title IV DEAC school, Grantham University, with a 27 percent rate.⁶ Despite this low retention rate, Grantham University was awarded renewal of accreditation without conditions for a five-year period in February 2017.⁷ Among the five DEAC schools with graduation and/or repayment rate data, American Business and Technology University and the National Paralegal Institute have the lowest graduation (31 percent and 37

percent, respectively) and lowest repayment rates (22 percent and 34 percent, respectively), but the highest average net price (\$21,215 and \$13,997, respectively) and the highest median completer debt (\$19,000 and \$21,526, respectively). Despite these very poor student outcomes and high cost, both institutions were found to meet or exceed DEAC's standards in recent years and had their accreditation renewed for a five-year period without any conditions.⁸

Evidence Indicates Lack of Substantive Oversight

Although few DEAC schools participate in ED's Title IV student financial assistance programs, virtually all participate in either the Department of Defense's (DOD) Training Assistance (TA)⁹ and Military Spouse Career Advancement Account (MyCAA)¹⁰ programs, or in the GI Bill administered by the Department of Veterans Affairs (VA).¹¹ The two schools that are the largest DEAC-accredited Title IV recipients are among the top 10 schools with the largest number of GI Bill students in the nation: Columbia Southern University and Grantham University.¹² These schools are also among the 10 schools nationwide that received the most TA funding in FY 2011, while two other DEAC-accredited entities, Allied Business Schools and Penn Foster Education Group,¹³ earned this title among recipients of MyCAA dollars.¹⁴

A review of student complaint information published by DOD and VA reveal the following:

- DEAC's American Business and Technology University had the highest GI Bill student complaint rate in the nation.¹⁵
- Five DEAC schools (Penn Foster College, Allied Business Schools, Lakewood College, Allied American University and Columbia Southern University) were among the institutions with the most service member complaints, as released by DOD for FY 2014.¹⁶ Allied American University, which is now closed, was placed on probation by DoD in 2014.¹⁷ Columbia Southern University was awarded renewal of accreditation without conditions for a five-year period in 2016.¹⁸
- Two DEAC schools (Martinsburg College and Lakewood College) were among the institutions with the most service member complaints, as released by DOD for FY 2015.¹⁹ DEAC awarded both schools renewal of accreditation without conditions for a five-year period in 2014.²⁰

According to its website, DEAC accredits just 57 degree-granting institutions in the U.S., which makes the above lists even more alarming in terms of its share of schools receiving such a high number and/or rate of complaints by service members and veterans.²¹ Under 20 U.S. Code § 1099b (a)(5)(I), accrediting agencies must have standards that assess their schools' "record of student complaints received by, or available to, the agency or association." Moreover, under 34 CFR 602.23 (c)(3), an accrediting agency must "review in a timely, fair, and equitable manner any complaint it receives against an accredited institution or program that is related to the agency's standards or procedures." Given the findings above, DEAC should be asked to explain whether these complaints were disclosed and what actions it took, if any, to determine their validity and severity.

A sample review of additional sources also uncovered numerous instances of improper behavior or violations of federal and state law by DEAC institutions:

Ashworth College

In 2015, Ashworth College settled deceptive marketing charges levied by the Federal Trade Commission (FTC). According to the FTC, the school “misrepresented to students that they would get the training and credentials needed to switch careers or get a new job, and that the course credits they earned would transfer to other schools” when, “in reality, many of its programs failed to meet state requirements for desired careers, and the claims made about credit transfers were often not true.”²² Despite enrolling more than 35,000 students at the time and boasting that “93 percent of students report achieving their goals after completing their studies,” the college could not afford to pay the \$11 million fine.²³

DEAC renewed Ashworth’s accreditation in 2014.²⁴

Penn Foster College

In 2014, CBS News reported that Penn Foster College was involved in an alleged scheme through which “a marketing company made huge profits to secretly funnel military students to an unaccredited college at a wildly inflated cost to taxpayers,” described in unsealed court documents and uncovered by a whistleblower.²⁵

In 2015, the Oregon Justice Department ordered Penn Foster College to refund a former student’s tuition and to change its claim about accreditation, after misleading students about its accreditation and transferability of credits.²⁶ The student filed a complaint after Portland Community College refused to accept Penn Foster credits, although Penn Foster claimed on its website that it had regional accreditation and transferable credits.²⁷ Penn Foster was ordered to refund the student’s tuition, pay the cost of the investigation, make a \$50,000 donation to organizations serving disadvantaged youth, pay restitution to legitimate complaints by other misled students, and be truthful in its advertising.²⁸

In 2016, DEAC awarded Penn Foster College renewal of accreditation without conditions for a five-year period.²⁹

Heritage College

In November 2016, all 10 campuses of the for-profit Heritage College abruptly closed, leaving thousands of students without degrees and few options to continue their studies, despite repeated assurances to students and employees that the school would stay open.³⁰ Heritage, which was “behind on its bills and staring down multiplying lawsuits from disgruntled faculty,” including “a 2011 lawsuit from former employees that say Heritage...falsified grades and other records in order to pocket their college loans.” The school was owned by “Fort Collins used car dealer Earl Weston,” who is also the owner of two other DEAC schools, McKinley College and U.S. Career Institute.³¹

Heritage College closed, but not before paying six-figure salaries to its executives in the months prior to declaring bankruptcy, including \$507,000 to Weston.³²

Ellis University

Citing “substantive and pervasive problems at the institution related to administrative oversight, integrity, planning and budgeting, financial and human resources, and the oversight of teaching and learning,” the Higher Learning Commission revoked the accreditation of Ellis University in 2008.³³

DEAC, however, continued to accredit Ellis³⁴ until 2015 when it ordered a show cause.³⁵ Ellis University finally closed at the end of 2016.³⁶

DEAC Must Be Held Accountable for its Schools’ Troubling Records

Under 20 U.S. Code § 1099b(a)(5)(E) and (G), accrediting agencies must have standards that assess their schools’ “fiscal and administrative capacity as appropriate to the specified scale of operations,” and “recruiting and admissions practices, academic calendars, catalogs, publications, grading and advertising.” DEAC should be asked to explain whether it was aware of the information described above and what actions it took, if any, to determine their validity and severity, especially in regards to violations of its accreditation standards.

The institutions identified here have not been subject to any adverse actions in recent years. Quite the contrary: with the exception of the now-closed Ellis University and Allied American University, which also closed in December, all other institutions remain operational and have been either initially accredited or awarded multi-year renewals without conditions as they were found to “meet or exceed each of the Commission’s standards for accreditation.” During the 2013-2016 period, just two institutions were denied accreditation by DEAC.³⁷

The numerous compliance problems and violations, high rates of student complaints, as well as poor outcomes, related to several DEAC schools raise serious questions and concerns about DEAC’s effectiveness and performance “as a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits,” as required under 34 CFR 602.16 (a), especially when considering the relatively small number of schools the Commission accredits. At a minimum, it is critical for DEAC to answer key questions, such as whether it was aware of the above information, whether it inquired to obtain more information from the schools involved, and whether and how it used such information in exercising its responsibilities under federal law as a recognized accrediting agency. If DEAC was aware of the compliance issues, ED should examine how DEAC used the information in its reviews of accreditation requests and/or in its decisions to renew accreditation without any conditions for multiple years.

Further, while DEAC serves a Title IV gatekeeper for a small number of schools, it also serves as a gatekeeper for other educational programs that require recognized accreditation as a condition of participation, including those administered by the VA and DOD, as indicated above. Moreover, it is important to note that accreditation is the only permissible educational standard under the State Authorization Reciprocity Agreement (SARA), which includes 47 states and the District of Columbia. Through this agreement, 21 DEAC-accredited institutions—including six that do not participate in Title IV—enroll over 43,000 students in 43 states. Thus, a review of DEAC's standards and performance should not be limited to its Title IV schools and it is critical for the Accreditation Group to look closely at the broader set of DEAC-accredited institutions. DEAC's responsibility is to ensure that its schools meet acceptable levels of quality, regardless of whether they participate in Title IV.

We appreciate the opportunity to comment on DEAC's application.

Spiros Protopsaltis, Ph.D., Contributing Author

Robert Shireman, Senior Fellow, The Century Foundation

Appendix

Appendix A: DEAC Schools that Received Title IV in AY2016-17 Q1, Not Included in ED Dataset³⁸

Name	Loans	Pell	Total	DEAC Category	OPE ID
Sonoran Desert Institute	\$257,160	\$416,652	\$673,812	Degree Granting	04244900
International Sports Sciences Assoc.	\$44,941	\$63,305	\$108,246	Postsec. School	04243400
Gemological Institute of America	\$29,778	\$65,659	\$95,437	Postsec. School	02231900
Catholic Distance University	\$30,857		\$30,857	Degree Granting	04124200

Appendix B: DEAC Non-Title IV Postsecondary Schools Participating in VA and DOD Programs

Name	GI Bill	TA	MYCAA
Ashworth College	X		X
At-Home Professions	X		X
Blackstone Career Institute	X		X
Gemological Institute of America	X		
Institute of Logistical Management	X		
International Sports Sciences Association	X	X	X
Modern Gun School	X		
National Tax Training School	X		X
New York Institute of Art and Design			X
New York Institute of Photography	X		X
Penn Foster Career School	X		X
U.S. Career Institute	X		X

Notes

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College Regulator Proves Asleep at the Wheel

2. United States Department of Education. (November 6, 2015). "Department of Education Advances Transparency Agenda for Accreditation, <https://www.ed.gov/news/press-releases/department-education-advances-transparency-agenda-accreditation>.
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4. It is important to note that additional DEAC schools may participate in Title IV, but are not included in the dataset released. For example, the DEAC-accredited Sonoran Desert Institute, an Arizona gunsmithing college, received \$257,000 in federal student loans and \$417,000 in Pell Grants in Q1 of AY 2016-17. See Appendix A for a complete list of DEAC schools that have received Title IV this year, but are not listed in the ED dataset.
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9. "The Tuition Assistance (TA) program provides financial assistance for voluntary off-duty education programs in support of a Soldier's professional and personal self-development goals...The Department of Defense (DOD) has directed a uniform per semester hour cap of \$250 for tuition assistance (TA) and an annual ceiling of \$4,500...for up to 16 semester hours of TA funded courses per fiscal year," https://www.goarmyed.com/public/public_money_for_college-tuition_assistance.aspx.
10. "MyCAA provides a maximum education benefit of \$4,000 with an annual fiscal year cap of \$2,000 to assist eligible military spouses who need professional credentials to meet their portable career goals. Annual cap waivers are available for licensure and certificate programs if there is an upfront tuition cost that exceeds \$2,000 (up to the maximum education benefit of \$4,000)," http://download.militaryonesource.mil/12038/MOS/Factsheets/SECO/MyCAA_Factsheet_Overview.pdf.
11. In addition to degree-granting DEAC schools, the vast majority of DEAC's postsecondary schools also participate in VA and DOD programs. For a complete list, see Appendix B.
12. United States Department of Veterans Affairs. "GI Bill Comparison Tool Data," http://www.benefits.va.gov/GIBILL/docs/job_aids/ComparisonToolData.xlsx.
13. Allied Business Schools is a postsecondary school. Penn Foster Education Group operates three DEAC-accredited schools: Penn Foster High School, Penn Foster Career School and Penn Foster College.
14. United States Senate, Committee on Health, Education, Labor and Pensions. (2012). "HELP Committee analysis of Department of Defense data," https://www.insidehighered.com/sites/default/server_files/files/022312_DOD_percent20TA_percent20Data_percent20Charts.pdf.
15. Based on author's analysis of "Number of POE Complaints by Main Campus" data provided under the "Complaints" tab of the VA "GI Bill Comparison Tool Data," http://www.benefits.va.gov/GIBILL/docs/job_aids/ComparisonToolData.xlsx.
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17. Allied American University is closed as of December 31, 2016, <http://www.deac.org/Public-Notices/Closed-Institution.aspx> and <https://www.dodmou.com/Home/InstitutionList>.
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EXHIBIT 19

Home » Stories » 2019 » January

Martinsburg College sues woman for defamation over Facebook posts

FILINGS

By Kyla Asbury | Jan 29, 2019



KANSAS CITY — Martinsburg College is suing a woman it claims defamed the school on Facebook.

Ten unknown and unnamed individuals were also named as defendants in the suit.

Career Skills Institute of West Virginia, which is doing business as Martinsburg College, claims Cheryl Murray, under the alias of Sheryl Shine, has been posting statements on Facebook that were done to harm the college, according to a complaint filed Jan. 23 in U.S. District Court for the District of Kansas.

On Jan. 11, Murray posted that the college was a complete scam and that it had its national accreditation in jeopardy.

"This statement is false," the complaint states. "Plaintiff is a bona fide provider of educational services and its national accreditation has not been challenged in any manner."

Murray also stated in a Facebook post that no employer would accept certifications or degrees from Martinsburg College, which the school claims is misleading and untrue.

"Plaintiff does not prepare students for occupations that will require a specific credential, therefore it is impossible for an employer not to [accept] our certificates of completion," the complaint states. "There is no evidence that any employer has refused to hire a graduate simply because they graduated from Plaintiff."

Murray stated that "because of it being a national accreditation NO decent college will accept their credits for you to continue your education elsewhere," according to the suit.

The college claims this statement is false, as at least 52 colleges and universities have accepted credits earned by the plaintiff's students, including Rutgers, University of Texas and a number of others.

Murray stated that Martinsburg College advertised an articulation program with several universities, which was also a false statement, because the college does not openly advertise its articulation agreements and instead, lists them on its website as per the requirements of its agreements, according to the suit.

TRENDING



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The college claims Murray further stated that her post was accurate and that there was only 0.5 percent real success stories regarding the school, as the rest were representatives who were forced to leave positive reviews to keep their jobs.

"This statement is false," the complaint states. "As noted herein, Defendant's initial post was false. Further, Plaintiff has not forced its reps to leave positive reviews, and none of the reviews presented on Plaintiff's website were provided by any past or current employee of Plaintiff."

Murray lastly urged students of Martinsburg College to file complaints against the school so that MyCAA would no longer fund them and to report them to the Better Business Bureau.

"Upon information and belief, Defendant Murray's statement was intended to cause harm to Plaintiff by encouraging Plaintiff's students and prospective students to cease doing business with Plaintiff and engage in abusive process by filing meritless complaints against Plaintiff," the complaint states. "Upon information and belief, Defendant Murray is actively seeking out Plaintiff's current and prospective students on an individual basis in order to disseminate the false statements and convince the current and prospective students to cease doing business with Plaintiff."

Murray's actions have caused the college harm, as at least one employee has resigned, citing the Facebook postings and numerous current and former students have filed complaints against the school using the wording from Murray's Facebook posts.

The school claims the complaints are causing financial harm.

The school is seeking compensatory and punitive damages. It's represented by William H. Meyer, Thomas J. Fritzlen Jr. of Martin Leigh PC; and Matthew A. Barlow and Roger J. Conkie of Workman | Nydegger.

U.S. District Court for the District of Kansas Case number: 2:19-cv-02036



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EXHIBIT 20



Home > Education & Employment > For Service Members > Choosing a College

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Postsecondary Education Complaint System

Who should submit a complaint?

If you or your family member receives tuition assistance or is a Military Spouse Career Advancement Accounts Scholarship recipient, you are encouraged to submit feedback here.

If you are not using TA or My Career Advancement Account Scholarship education benefits, please submit your complaint to the appropriate agency:

- Montgomery or Post 9/11 GI Bill® — [Department of Veterans Affairs](#)
- Federal financial aid, for example Pell Grants and federal loans — [Department of Education \(email complaint\)](#)
- Private student loans — [Consumer Financial Protection Bureau](#)

When to submit a complaint

You may submit a complaint if your school is failing to follow the **Principles of Excellence**. This initiative is designed to empower you and your family members to report misleading or unfair actions by education institutions. Examples of education related issues may include, but are not limited to, misrepresentation or deceptive actions concerning multiple unsolicited phone calls or emails used as a high-pressure recruitment tactic, false representation about degree programs, misleading statements regarding accreditation or promoting costly private or institutional loans. The types of complaints Department of Defense will review include the following:

- Recruiting and marketing practices
- Quality of education
- Accreditation
- Grade Policy
- Financial issues (for example, tuition and fee charges)
- Release of transcripts
- Student loans
- Transfer of credits
- Post-graduation job opportunities
- Refund or collection issues
- Change in degree plan and requirements
- Other

If you are experiencing issues specific to your TA or MyCAA education benefit, for example, eligibility, application/request form or payment, please direct them to your Department of Defense military service education representative.

How to submit a complaint

If you are using TA or MyCAA education benefits, please click the Submit a Complaint button below to file your complaint.

[Submit a complaint](#)

After submitting a complaint

The process and subsequent actions after a complaint is submitted include the following steps.

1. Student submits a complaint. Upon submission of a complaint about an issue with a school, you will receive status updates via the email address you provided when you submitted the complaint.

2. Department of Defense and the military service review school complaints.

Complaints will be sent to your Department of Defense military service education representative for review. The education representative will work with your school and provides you with a response to your complaint. If they determine another government agency would be better able to assist, we will forward your complaint to them and provide you an update. Please note that all verified complaints will be submitted for the record to the Federal Trade Commission's Consumer Sentinel Network.

3. Department of Defense, military service and the school respond to the complaint.

As your complaint is being reviewed, the Department of Defense/military service education representative will communicate with you as needed and, with feedback from the school, will prepare a response to your complaint.

4. Student receives a complaint response. Upon completion of the school's response, you will receive a case closure notification via the email address you provided when you submitted the complaint.

5. Department of Defense will follow up on the complaint. Complaint data is shared with state and federal law enforcement agencies as necessary. Complaints tell us about practices that may pose risks to students. If we need more information, we'll contact you.

Access

- The [Postsecondary Education Complaint System Summary Report for fiscal year 2014](#)
- The [Postsecondary Education Complaint System Summary Report for fiscal year 2015](#).

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