

TATTNALL COUNTY GA
FILED IN OFFICE

1

Pamela Swain
1553 Community Rd
Glennville, GA, US 30427-2258

2013 SEP 20 PM 2:50

Debbie Crews
CLERK OF COURTS

CIVIL COURT OF TATTNALL COUNTY, GEORGIA

Pamela Swain,
Plaintiff.

Case No.: 012010

Vs.

Violation of Rights as a disabled student

Career Education Corporation, Colorado
Technical University, Bentley B Rayburn,
Joanne Preston, Joshua Fry, Steve
Fitzgerald,
Defendants.

1. Plaintiff Pamela Swain (hereinafter "Plaintiff"), makes the following allegations against Defendants Career Education Corporation, Colorado Technical University, Bentley B Rayburn, Joanne Preston and Steve Fitzgerald. (Hereinafter "Defendants").

JURISDICTION AND VENUE

2. This Court has jurisdiction over all Defendants because all Defendants are Academic institutions that cross state lines. Plaintiff lived at 1553 Community Rd, Glennville, GA, 30427 while enrolled in the defendants' online school.
3. Venue is proper because the causes of action stated herein arose in this judicial district. Venue is further proper in this Court because:
 - (a) Defendant Pamela Swain resides in this County;

PARTIES

4. Plaintiff, Pamela Swain ("Plaintiff") is an individual who resides in the County of Tattnall, State of Georgia.
7. Defendant Career Education Corporation is the corporate headquarters of Colorado Technical University located in Schaumburg, Illinois, in the County of DuPage; Defendant Colorado Technical University is an online university that is located in Colorado Springs, Colorado located in county of El Paso; Bentley Rayburn, Joanne Preston, Joshua Fry, and Steve Fitzgerald are employees of CTU and Career Education Corporation (hereafter collectively referred to as "Defendants").
8. Plaintiff is informed and believes and thereon alleges that, at all times herein mentioned, each of the Defendants sued herein was the agent and employee of each of the remaining Defendants and was at all times acting within the purpose and scope of such agency and employment.

FACTUAL ALLEGATIONS

9. *Plaintiff, in the beginning of 2010, was enrolled at Colorado Technical University in the class, Research Design and Methods with Steve Fitzgerald.*
10. *Plaintiff began an email dialogue where she expressed her confusion over an assignment and was lightheartedly conversing with Defendant when the dialogue grew angry and dark on his direction. It became so hateful, that plaintiff requested he not email her anymore. He disregarded her request and continued to berate her though she chose not to open or read them after her request to stop.*

11. Plaintiff is a diagnosed ADHD by Dr. Paul R. Hawkins, MD in 2004, and does use accommodations to aid her in keeping her GPA above 3.0. When stress or other outside complications take over, she drops to one class per semester.

12. Plaintiff felt she needed to contact, Defendants about the incident to at least have a censure placed on Dr. Fitzgerald on his professional record for the abusive incident. Dr. Preston refused to do so while pretending to be an advocate for Ms. Swain. Dr. Preston engaged Joshua Fry to aid her in seeking to have Ms. Swain removed from the CTU Advanced Studies program again without seeking to be her advocate.

13. Defendant Joshua Fry then allowed other teachers such as Kevin Grant, David Jamieson, and Tiffany Yates to manipulate Ms. Swain's GPA and course of study.

14. CTU Advanced Studies violated Plaintiff's rights as a student. They also have manipulated her transcript which has destroyed her chances of a job and now that she is applying to another school, that new school insists that a letter be written by CTU stating that plaintiff is in good standing with CTU before they can admit her into their program.

15. This situation repeatedly violates plaintiff's rights to move forward in her life. Not only that, these "professional educators" repeatedly demeaned her ability to complete the Doctorate program.

16. *Plaintiff is seeking*

(a) Damages of \$400,000 for lack of work and emotional stress;

(b) All failed classes during the DM Advanced Studies time removed from transcript from January 2010 to November 2011;

(c) An official letter to be placed in her records stating she is in good standing with CTU;

(d) Letters of censure and reprimand added to the permanent professional records of Steve Fitzgerald, Joanne Preston, Joshua Fry, Kevin Grant, David Jamieson, Tiffany Yates, and Bentley Rayburn; and due discipline to those at fault in creating this situation.

(e) A special outlet to all victims of this type of harassment and LD advocacy made available to the CURRENT STUDENTS of ALL of COLORADO TECHNICAL UNIVERSITY and SATELLITE SCHOOLS.

A lawsuit has been commenced against you in the above-entitled Court by the Plaintiff. Plaintiff's claim is stated in the Complaint served with this Summons. In order to defend against his lawsuit, you must respond to the Complaint by filing an Answer stating your defense in writing and serving a copy to the Plaintiff's undersigned attorney within 20 days after the service of this Summons, excluding the day of service. If you served outside the state, you will have 60 days after service of this Summons. A default judgment may be entered against you without notice.

Dated this 16th day of September, 2013

Pamela Swain
1553 Community Rd
Glennville, GA, 30427-2258

Fitzgerald's Abusive Emails

Then please, I do not wish to argue over an article that isn't even what I'm looking for in my research. That was then problem. These articles were supposed to be posted in Moodle but there where not any indicators on the file saying which is which. I hope the rest of the material is posted in Moodle correctly for future use.

And again, I told you that I was confused with this Lit Review. A lit review is basically a critique that involves analysis and personal opinion on the use of its contents to my research. And also the "How to read an article" shared with me that it's good to provide a positive and a negative and when I read that I realized that hadn't done that in the Lit Review I sent.

I hate mindless back and forth, so here we go....You are right, I am wrong.

I am in the beginning of research and haven't written anything to be published and this interpersonal email between Teacher and Student. A level of open and honest communication is encouraged in order for the correct skills to be learned and Dr Ken let's me call him sweetheart, cause he is a sweetheart. I also call others in my cohort sweetheart.

Trust me, when the day comes I put myself intellectually out on the line, my behaviour will be professional. It's the only way I'll get respect from anyone.

Pamela Swain

--- On Sat, 1/30/10, Steve Fitzgerald <sfitzgerald@coloradotech.edu> wrote:

From: Steve Fitzgerald <sfitzgerald@coloradotech.edu>
Subject: RE: RE Lit Review
To: "pamela swain" <pamela_swain@yahoo.com>
Date: Saturday, January 30, 2010, 1:19 PM

Pamela,

It is critical here for your work that:

- (a) you accurately understand and articulate the meaning that the authors of an academic article wrote, not your opinion about it. This is the nature of scholarly work. This is not a class in editorial writing.
- (b) I am your professor in this class. If you are to become a doctor in management, you need to operate as a professional. Addressing your professor or a colleague as "sweetheart" is inappropriate at best. Misrepresenting academic peer reviewed sources is highly unprofessional.

First Email - * * A note on the name thing: At my other university we have a norm of using Dr. last name, which feels too formal for me at CTU, so I use Dr. Steve. It shows he wanted a more informal setting.

I am here to support you in becoming a doctoral level professional. That is my intent here.

Dr. Steve

From: pamela swain [pamela_swain@yahoo.com]
Sent: Friday, January 29, 2010 9:33 AM
To: Steve Fitzgerald
Subject: RE: RE Lit Review

Sweetheart, let me make myself clear

I don't care enough about the article to make a public statement as to you or your other friends intention or putting words in your mouth. Why are you getting upset? If it matters to you about my understanding, then explain it to me and break it down.

Look, I am in a very different field than you. I was looking at this with different eyes and you need to take that into consideration. And I didn't put words into your mouth....Those were my words about my opinion and I proudly claim them for myself. And need I remind you this was my opinion....I'd rather do more study on this before I made any definite statement about it. I don't want to be rude, but I need my opinion in Lit Reviews. I TOLD YOU THIS FIRST ONE was less than to my liking.

I hope this is the last email concerning this topic.

--- On Fri, 1/29/10, Steve Fitzgerald <sfitzgerald@coloradotech.edu> wrote:

From: Steve Fitzgerald <sfitzgerald@coloradotech.edu>
Subject: RE: RE Lit Review
To: "pamela swain" <pamela_swain@yahoo.com>
Date: Friday, January 29, 2010, 2:50 AM

Pamela,

You are completely misunderstanding and misrepresenting our work. We are not in any way advocating anything regarding Hitler or any other dictators, terrorists, etc. You did not understand the article or what we are saying.

Please stop putting words in our mouths or attributing ideas to us that we did not express or intend, thanks.

Dr. Fitzgerald

From: pamela swain [pamela_swain@yahoo.com]
Sent: Thursday, January 28, 2010 11:31 AM
To: Steve Fitzgerald
Subject: RE Lit Review

Hi Pamela,

In this first paper, you were asked to read a review article on a topic that interests you from the list available as a resource in Moodle and then answer the following:

1. What are the key definitional issues about this construct or topic that the authors discuss?
2. What definition(s) do they propose based on their review?
3. What are the key conceptual topic areas that they use to structure their review, and what do they mean (very briefly)?
4. What are a few of their key recommendations for future research?
5. Pick ONE of these as something that you might like to use as a focus for your papers in this course, and say why.

You happened to pick an article that I co-wrote, and mis-read/mis-understood, and therefore mis-represented, the article. We are not arguing that terrorist organizations should be "appreciated", nor are we equating the shadow with the negative or evil. I would be happy to discuss this with you to help clarify, but the paper you chose is not one of the review articles provided in the syllabus. Please redo this paper based on one of the review articles provided, because you will not be able to develop the sort of lit review you need as a foundation for the rest of the sketches in this course. These are listed on pp. 4-5 of the syllabus (I believe - double check. They are clearly indicated). Ask your classmate(s) to show you where the review articles are listed in the syllabus if you have any question about it.

Also, your paper is less than 2 pages long, and you add spacing between paragraphs, which when removed reduces the paper to less than 1.5 pages in length. Length is not the issue, however, depth and specificity is. Doctoral work is about depth and specificity, and you cannot address all of the assignment questions with sufficient depth and specificity in that amount of space.

Please email me to let me know once you have resubmitted this paper, thanks.

Dr. Steve

Wow...

I really did not mean to step on one's toes on this Lit review, specially since I didn't think my review of it was adequate for it anyway.

I found the links after the fact, so thanks, anyway for the heads up.

I still do not like that article and I wish I had found another one to review, but I guess that's my mistake too. That's probably why it was so horrible. Hitler was a great military leader but to give him any credit for his "success" is repulsive to me. Quite frankly, I would rather read an article on the failures of western civilization's mismanagement of world affairs in the late 20's and the early 30's that allowed Hitler to even "be" successful. The slaughter of a whole race is just too repugnant to me.

But this is all an opinion...means nothing in the long run. I'm still trying to gather every though I have together to delve into my topic that seems so broad at this moment. Thanks for your help. I will resubmit another lit review.

Pamela Swain

FIRST CLASS EMAIL

Mon, Jan 4 2010 at 2:53 AM

Jan 4, 2010

Greetings one and all, happy new ...

from Steve Fitzgerald to you

Greetings one and all, happy new year, and WELCOME to MGM805/825 during the Winter session! What an INVIGORATING way to kick off the new year!

Dr. Wall and I are your co-pilots on this dynamic adventure into the heretofore mysterious world of doctoral scholarship. I look forward to meeting many of you on Wednesday morning. We have class sessions Wed and Thursday 9-12 and 1-5, and Saturday afternoon 1-5 pm. If any of you are on the fence about coming to residency and still have the option - just do it - it will help you tremendously. If you live nearby and are only planning to come to part of the residency - come to the class sessions. It will make the rest of this course much more comprehensible for you. For those who are not coming to residency, we are hoping to have in place a system (Eliminate) that will enable you to listen in during the class sessions remotely, or to review the recordings of them afterwards. Since this amounts to about 18-20 hours of time, please plan to carve that time out of your schedule in the first two weeks of the course. This will be the first time CTU is working with Eliminate - and I have extensive experience in facilitating classes and meetings using it - but there are numerous technological gremlins that could interfere with our intentions.

If you are not coming to residency and would like to listen in and participate from home or work if possible, please reply to this message and let us know which days/times. The class sessions build on each other. You of course will benefit from sitting in on any one, but may not understand parts of it having missed some of what has gone before. A student from last session, Niloufar, gave me a letter to new students entering the course to share with you, and I have posted it under the open forum. I invite and encourage you to take a few moments to read it. The syllabus has been reposted with one addition re email policy.

I am in the process of moving to a new home so things are a bit hectic here. If you send an email I will do my best to get back to you tomorrow night.

Welcome again and I look forward to co-creating a rich learning environment with you all this session,

Dr. Steve

PS: A note on the name thing: At my other university we have a norm of using Dr. last name, which feels too formal for me at CTU, so I use Dr. Steve.

Do whatever feels most appropriate and comfortable for you. When I was in my doctoral program I never knew how to refer to my professors and it felt awkward in my first year, so in case you have that going on, I can relate.

Fitzgerald's Final Insult

I'm calling Dr. Preston tomorrow. This has just gone way over ridiculous....since this full week is the last week of the semester. And I hope this "ASSEXTENSION" was a typo. I didn't ask for an extension because it was done but I wasn't comfortable enough to turn it in yet.

Pamela Swain

--- On Tue, 3/16/10, Steve Fitzgerald <sfitzgerald@coloradotech.edu> wrote:

From: Steve Fitzgerald <sfitzgerald@coloradotech.edu>

Subject: For those requesting course extensions ...

To: pamela_swain@yahoo.com

Date: Tuesday, March 16, 2010, 9:13 PM

For those requesting course extensions and/or submitting the final paper after the due date, please review the relevant section of the syllabus from pp. 10-11 which I have pasted in for you below. Also, if you request a course extension, you must submit (a) the reason for the request, and (b) a specific completion plan with dates for submitting the outstanding work.

Course Extension Policy

Students may request an incomplete in the course, and the instructor may grant such a request *only* if the has successfully completed (i.e. passed) the literature view steps 1 and 2 papers, and the qualitative and quantitative outlines, and actively and substantively participated in the class forums and conference calls.

If you need a course extension but do not meet the above requirements due to a documentable medical condition or other substantive personal issue, please consult with your professor.

During the regular course session, requests for assignment extensions should be made to your professor before the assignment submission due date and time. However, NO ASSIGNMENT ASSEXTENSION will be given on the final mixed methods paper, which is due on Monday, March 15 at 5 pm PST. Instead, the student must submit in writing to his or her professor a request for a course extension, will be granted IF the student meets the requirements listed in paragraphs 1 or 2 above.

Note: If a student requests a course extension but submits his or her final paper before the end of the course, s/he may not receive feedback or an assignment or final course grade until after the course has ended.

Revise and Resubmit Course Assignment Policy

It is possible to earn a passing grade in this course even if you do not earn a passing grade on a couple of the paper assignments, due to the 15 points possible for participation. You will be given an opportunity to revise and resubmit a paper *if and only if* you cannot pass the course based on the grade received on that particular assignment. You will only be allowed one revise and resubmit per paper, and only two revise and resubmits for the entire course.

Dr. Steve

Pamela

--- On Thu, 9/30/10, Jennifer Schaffer <jschaffer@coloradotech.edu> wrote:

From: Jennifer Schaffer <jschaffer@coloradotech.edu>

Subject: CTU: Satisfactory Academic Progress Requirements

To: pamela.swain@my.cs.coloradotech.edu, pamela_swain@yahoo.com

Date: Thursday, September 30, 2010, 12:51 AM

Our records indicate that you are **not** making satisfactory progress in your academic program of study as outlined in the CTU catalog. As a result, I regret to inform you that you have been dismissed from Colorado Technical University and are no longer eligible to receive financial aid.

If special or mitigating circumstances contributed to your inability to meet our satisfactory academic progress requirements, you may appeal this decision. **Appeals must be submitted in writing (email is acceptable) to the Registrar's Office within 10 days of the date of dismissal notification.** Your appeal should include an explanation of the circumstances that contributed to the dismissal and your plans to eliminate those potential obstacles in the future. **Please send all email appeals to registrarsoffice@coloradotech.edu to ensure timely processing.**

We wish you the best of luck in your future endeavors. Please feel to call the Registrar's Office at 719.955.4688 if you have any questions.

Colorado Technical University –Colorado Springs

jfry@coloradotech.edu | 719-590-6824

4435 N. Chestnut St | Colorado Springs, CO 80907 | 719-590-6817 (fax)

From: Jennifer Schaffer

Sent: Thursday, September 30, 2010 9:13 AM

To: pamela swain

Cc: Joshua Fry

Subject: RE: CTU: Satisfactory Academic Progress Requirements

Hi Josh,

Would you contact the student to counsel on why she is in a "pending dismissal" status? The student was dismissed due to completion rate and not her grade.

Thank you,

Jennifer Schaffer

Assistant Registrar/Online Liaison

Colorado Technical University - Southern Colorado

Direct Line: 719-590-6891

Registrar Office: 719-955-4688

Fax: 719-260-2382

jschaffer@coloradotech.edu

From: pamela swain [mailto:pamela_swain@yahoo.com]

Sent: Wednesday, September 29, 2010 11:31 PM

To: Jennifer Schaffer

Subject: Re: CTU: Satisfactory Academic Progress Requirements

Jennifer,

I guess an A- is not considered satisfactory for CTU.

I will be consulting legal counsel. My previous failure was due to a teacher harassing me by email. I still have those emails. I spoke to Dean Preston and brought it to her attention and she and I discussed my disapproval of the instructor. I am scheduled to attend symposium in October and was contacted this week to do so.

- Josh

Joshua Fry, BS
Associate Registrar | Moodle Systems Administrator | IT Systems Administrator
Colorado Technical University - Institute for Advanced Studies
Student Senate Advisor
Colorado Technical University –Colorado Springs
jfry@coloradotech.edu | 719-590-6824
4435 N. Chestnut St | Colorado Springs, CO 80907 | 719-590-6817 (fax)

From: pamela swain [mailto:pamela_swain@yahoo.com]
Sent: Thursday, September 30, 2010 9:28 AM
To: Joshua Fry
Subject: RE: CTU: Satisfactory Academic Progress Requirements

So I would need a word document stating the situation and send it to you? Josh, I spoke with Dr. Preston about this situation a few weeks ago. I feel that had I had been given Dr. Horn originally as a teacher, there would be no F on my GPA. I will write an appeal, but also, the "F" needs to go. I've had Dr. Horn telling me that my performance was excellent. I am tired of 2-handed communication from CTU. My original plan was never to take less than 2 classes but that's how this turned out due to the problem back last winter with Dr. Fitzgerald.

I will write this up and send it, but I really do not like having to experience this.

Pamela Swain

--- On Thu, 9/30/10, Joshua Fry <jfry@coloradotech.edu> wrote:

From: Joshua Fry <jfry@coloradotech.edu>
Subject: RE: CTU: Satisfactory Academic Progress Requirements
To: "Jennifer Schaffer" <JSchaffer@coloradotech.edu>, "pamela swain" <pamela_swain@yahoo.com>
Date: Thursday, September 30, 2010, 11:20 AM

Hi Pam, even though you were successful this last term. It can sometimes take some time to build your completion rate back up to the standard. Don't worry, since you were successful during this last term, there should be no problem reinstating you. However, I still need for you to write an appeal so we can move you out of 'Pending Dismissal'. Please send me your appeal as soon as possible so we can take care of this.

Thank you and if you have any questions, please feel free to let me know.

- Josh

Joshua Fry, BS
Associate Registrar | Moodle Systems Administrator | IT Systems Administrator
Colorado Technical University - Institute for Advanced Studies
Student Senate Advisor

Joshua Fry

Pamela, your Academic Appeal has been approved. Please review the attached Academic Plan. This plan **must** be met during the Fall 2011 term. If it is not, you will be dismissed from the University. I cannot stress enough how important it is to meet the Academic Plan.

If you have any questions, please let myself or Dr. Preston know.

Josh

olution that you would want to happen but according to CTU policy which we must abide by in order to keep our accreditation, grades remain on the transcript. The good news is that the grade does not reflect in your GPA. I am sorry it is beyond either Josh or I to do anything about your request.

Joanne *refused to help at all*

Joanne C. Preston
Doctoral Dean of Management
Colorado Technical University –IAS
Ph. 719-590-6755

From: pamela swain [mailto:pamela_swain@yahoo.com]
Sent: Thursday, September 30, 2010 9:36 AM
To: Joanne Preston
Cc: Joshua Fry
Subject: Fw: RE: CTU: Satisfactory Academic Progress Requirements

Dr. Preston,

I feel that the "F" on my gpa is really not a fair representation of my ability especially after the delicate situation that brought on the circumstances. Could you be so kind to remove that from my record? I think that would be a fair conclusion to the whole matter.

Pamela Swain

I understand Josh. I will get that to you.

— On Thu, 9/30/10, Joshua Fry <jfry@coloradotech.edu> wrote:

From: Joshua Fry <jfry@coloradotech.edu>
Subject: RE: CTU: Satisfactory Academic Progress Requirements
To: "pamela swain" <pamela_swain@yahoo.com>
Date: Thursday, September 30, 2010, 11:30 AM

I understand Pam and I know this can be aggravating. If there is still an issue with your grade, you will have to discuss with Dr. Preston.

Thank you and I will keep my eyes out for your appeal.

Satisfactory Academic Progress (SAP)

from Bentley B. Rayburn to you + 1 more

[Show Details](#)

-
-
-
-
- 1 Attachment
- 279.1KB

• PDF

Pamela Swain unofficial transcript.pdf

[Save](#)

Pamela,

Since there seems to be confusion over your GPA, I thought the best plan would be to walk you through your grade history to date. I have attached a copy of your unofficial transcripts. It is a four page document. The first page and a half deal with your master of business administration degree. The last two and a half pages deal with your doctoral degree in management, organizational development and change. Toward the top of the second half of page 2, you can see the summary of your masters degree program in business administration. You earned a GPA of 3.57. You attempted 52.00 credits and earned 44.00. Just below that summary line is where your doctoral program transcript starts. Each term is broken out with a solid horizontal line and each term has a term GPA and a cumulative GPA. In the summer of 2011 (last entry on page 3) you were on an academic plan because your cumulative GPA at the end of the spring 2011 term was below that needed to graduate. Minimum GPA to graduate from the doctoral program is 3.3. You were successful in completing your Summer 2011 Academic Plan by earning two A's in MGMT810 and MGMT816. But, since those A's only brought your cumulative GPA up to a 2.86, you remained on an academic plan to build your GPA up to an acceptable level. The academic plan for the fall of 2011 called for you to repeat MGMT 820 and achieve a minimum term GPA of 3.3. You earned a B- in MGMT 820 and withdrew from MGMT821, which resulted in a term GPA of 2.7. As stated in your Fall 2011 academic plan, "If you do not meet the requirements to achieve Satisfactory Academic Progress, in order to remain enrolled and financial aid eligible you must meet all the below listed requirements." The 'below listed requirements' included repeating MGMT820 and achieving a minimum term grade point average of 3.3. It was your failure to meet the requirements of your academic plan that is the reason for your dismissal from the doctoral program. I've included the portion of the CTU catalog that deals with SAP for your reference below. I trust this will help clarify any policy questions with regard to your transcript.

Very sincerely,
Bentley

Satisfactory Academic Progress (SAP)

All students must maintain satisfactory academic progress in order to remain enrolled at the school. Additionally, satisfactory academic progress must be maintained in order to maintain eligibility to receive federal financial assistance. Satisfactory academic progress is determined by measuring the student's cumulative grade point average (CGPA) and the student's rate of progress toward completion of the academic program at the end of each grading period.

Warning and Probationary Periods

At the end of each term after grades have been posted, each student's CGPA and rate of progress is reviewed to determine whether the student is meeting the above requirements.

- A student will be placed on FA (Financial Aid) Warning immediately after the first term in which the CGPA or the rate of progress falls below the values specified in the tables above. At the end of the next term, the student will be removed from FA Warning and returned to SAP Met Status if the minimum standards are met or exceeded. A student who continues to fall below the specified values will be placed on FA Probation. The student will be required to appeal in order to maintain eligibility for federal financial assistance.
- A student who successfully appeals and is on FA Probation will be evaluated at the end of the second term of monitoring. A student who meets or exceeds the minimum standards will be

NO RIGHTS FOR DISABLED STUDENTS

Email Student Right to Know 2010

Thursday, June 24,

from William [Joe] Williamson to you + 1 more

[Hide Details](#)

From

- [William \[Joe\] Williamson](#)

•

To

- pamela.swain@my.cs.coloradotech.edu

- pamela_swain@yahoo.com

The purpose of this e-mail is to make you aware of informational materials that are available to you as a student. All of this information is available to you in the "Documents" section of the student portal for our school. If you do not know how to access the student portal, contact the school. You are encouraged to review these materials and become familiar with them.

CONSUMER INFORMATION

Our school distributes a variety of publications that contain information regarding the school and its financial aid programs. If you do not have any of the following information and wish to obtain it, it will be furnished upon request.

- . Financial aid programs that are available to students
- . How students apply for aid and how eligibility is determined
- . How the school distributes aid among students
- . The rights and responsibilities of students receiving aid
- . How and when financial aid will be disbursed
- . The terms and conditions of any employment that is part of the financial aid package
- . The terms of, the schedules for, and the necessity of loan repayment, required loan exit counseling, and conditions under which students may obtain deferments.
- . The criteria for measuring satisfactory academic progress, and how a student who has failed to maintain satisfactory progress may reestablish eligibility for federal financial aid
- . Regulatory agencies that accredit, approve, or license the school and its programs.
- . Costs of attending the school (tuition and fees, books and supplies, room and board, and applicable transportation costs, such as commuting) and any additional costs of the program in which the student is enrolled or has expressed an interest
- . The school refund and withdrawal policy and the federal Return of Title IV funds requirements when a student withdraws from school, including the order in which financial aid is refunded
- . General information about the school's academic programs, facilities, faculty, and services available to disabled students
- . Whom to contact for information on student financial assistance and whom for general school issues
- . Information regarding the availability of federal financial aid for study abroad programs
- . School policies on transfer of credit, including the criteria it uses regarding the transfer of credit earned at another school, and a list of any schools with which it has established an articulation agreement
- . Emergency Response and evacuation procedures to reach students and staff

TREATMENT OF TITLE IV AID WHEN A STUDENT WITHDRAWS - REQUIREMENTS OF 34 CFR 668.22
Information regarding treatment of Title IV aid when a student withdraws is posted on the portal.

CAMPUS CRIME STATISTICS

The school distributes the campus security policy and campus crime statistics to all current and prospective students annually by October 1, in accordance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The statistics are posted on the student portal or by requesting a paper copy as outlined. This report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by the school; and on public property within, or immediately adjacent to and accessible from, the campus (as applicable). The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters.

SUBSTANCE ABUSE INFORMATION

The school distributes information relative to substance abuse to all current and prospective students. This information is posted on the portal.

GRADUATION & PLACEMENT RATE INFORMATION

The school calculates graduation statistics as required by the federal Student Right-to-Know Act. Graduation and placement rate information is posted on the portal.

IMPROVEMENTS TO ACADEMIC PROGRAMS

The school reviews its academic programs on a regular basis to ensure relevancy with current employment requirements and market needs. As deemed appropriate, the school may change, amend, alter or modify program offerings and schedules to reflect this feedback. If you have questions about this process, contact the Education Department.

COPYRIGHT INFRINGEMENT

Students should be aware that the unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, is subject to civil and criminal liabilities. Penalties may include monetary damages, fines and imprisonment. The school prohibits use of its computers and computer networks for the unauthorized downloading and uploading of copyright-protected material, or for maintaining or storing unauthorized copyright-protected material. Disciplinary action, up to and including expulsion from the school, will be taken against students who engage in unauthorized distribution of copyrighted materials using the school's information technology system.

STUDENT DEMOGRAPHIC INFORMATION

Information about the composition of the students at our school is available on the College Navigator website (www.nces.ed.gov/collegenavigator). College Navigator is maintained by the U.S. Department of Education National Center for Educational Statistics. To view information about our school, enter our school name into the search tool. Here are a few highlights of information that you will find within the various sections:

- Enrollment: gender and race/ethnicity distribution of students
- Financial Aid: data regarding the various financial aid sources for students, including federal grants (Pell and SEOG)
- Retention/Graduation Rate: Retention rate of certificate- or degree-seeking, first-time, full-time, undergraduate students

The Career Services Department serves as a liaison between students and employers, serving the students by promoting the School to prospective employers. For additional information, contact the Career Services Department staff.

FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

Information regarding your rights under the Family Educational and Privacy Act (FERPA) of 1974 are provided in the catalog as well as on the portal.

removed from FA Probation and returned to a SAP Met status. If the minimum CGPA and rate of progress requirements are not met at the time of evaluation, the student will be placed on FA Dismissal Status and will be dismissed from school.

If at any point it can be determined that it is mathematically impossible for a student to meet the minimum requirements, the student will be dismissed from the school.

Notification of academic dismissal will be in writing. The Code of Conduct Policy section of this catalog describes other circumstances that could lead to student dismissal for non-academic reasons. A tuition refund may be due in accordance with the institution's stated refund policy.

During the period of FA Warning, a student is considered to be making satisfactory academic progress and remains eligible for financial aid. A student is also considered to be making satisfactory academic progress and remains eligible for financial aid during the FA probation period if an appeal is accepted by the institution.

A student on FA Warning and FA Probation must participate in academic advising as deemed necessary by the institution as a condition of academic monitoring. A student who fails to comply with these requirements may be subject to dismissal even though their CGPA or rate of progress may be above the dismissal levels. – This policy clearly goes AGAINST the 1990 law for disabled persons since “reasonable accommodations” were not allowed for Ms. Swain.

Appeal

A student who has been placed on FA Probation may appeal the determination if special or mitigating circumstances exist. Any appeal must be in writing and must be submitted to the Academic Appeals Board within 7 days of receiving notification of his/her dismissal. The student must explain what type of circumstances contributed to the academic problem and what action is being implemented to overcome the mitigating circumstance in the future. The decision of the Academic Appeals Board is final and may not be further appealed. (

For the appeal of non-academic dismissals, please refer to the grievance policy within this catalog.

Reinstatement

A student who was previously academically dismissed may apply for reinstatement to the institution by submitting a written appeal to the Academic Appeals Board. The appeal should be in the form of a letter explaining the reasons why the student should be readmitted. The decision regarding readmission will be based upon factors such as grades, attendance, student account balance, conduct, and the student's commitment to complete the program. Dismissed students who are readmitted will sign a new Enrollment Agreement, will be charged tuition consistent with the existing published rate, and will be eligible to apply for federal financial aid.

VACCINATIONS

Good health practices are encouraged for all students. However, the School does not require any specific vaccinations beyond those required by state and other laws as a condition for admission. Some programs may have specific requirements. Review the admissions requirements section of the catalog to determine whether this impacts the student's particular program. Students are encouraged to consult with their health care professional to discuss obtaining or updating vaccinations.

PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS

Students should be treated equally and fairly. The school facilitates free and open exchange of ideas. Students should not be intimidated, harassed, discouraged from speaking out or discriminated against.

You are entitled to receive a paper copy of this information at no additional charge. To obtain a copy, contact the school in person, by telephone, e-mail, or in writing. Should you have questions about any of this information, please contact the school.

FACULTY FOCUS

HIGHER ED TEACHING STRATEGIES FROM MAGNA PUBLICATION

[Cart](#) [My Account](#)

 **Text Size:** [A](#) [A](#) [A](#)

- [Browse Topics](#)
- [Faculty Focus Articles](#)

JUNE 28, 2012

Preventing Bullying in the Academic Workplace

By [Rob Kelly](#) in [Academic Leadership](#)
[Add Comment](#)

Does your institution have a policy that addresses bullying? If it does not, there are some pretty compelling reasons to consider creating such a policy. In an interview with *Academic Leader*, Suzanne Milton, chair of the faculty bargaining unit at Eastern Washington University, talked about bullying and its consequences, and ways to address it to create a workplace more conducive to getting work done without a lot of problems.

Eastern Washington University's bullying policy is relatively new. In 2009 the institution formed a taskforce that included administrators, classified staff, faculty, staff from the equal employment office, and the human resources director.

The taskforce looked at many definitions of bullying and eventually decided on the following:

"Bullying is behavior that is:

- intentional;
- targeted at an individual or group;
- repeated;
- hostile or offensive; and,
- creates an intimidating and/or threatening environment which produces a risk of psychological and/or physical harm.

"Bullying behavior may take many forms, including, but not limited to, physical, verbal, or written acts or behaviors. It may also manifest as excluding behavior such as ignoring or dismissing individuals or groups.

"Hostile behaviors include, but are not limited to, behaviors that are harmful or damaging to an individual and/or property. Behaviors that are intimidating, threatening, disruptive, humiliating, sarcastic, or vicious may also constitute hostile behavior.

"Offensive behaviors may include, but are not limited to, inappropriate behaviors such as abusive language, derogatory remarks, insults, or epithets. Other offensive behaviors may include the use of condescending, humiliating, or vulgar language, swearing, shouting or use of unsuitable language, use of obscene gestures, or mocking."

When there are no policies in place that address these behaviors, those who feel that they are victims of bullying are uncomfortable addressing it. In addition, those on the tenure track may be more hesitant to speak up when there's a problem.

"When you look at all the peer-reviewed literature in this country and others, what they're finding is that when management is perceived as not addressing these kinds of issues, there's an ethical ambivalence that sets in, and the ethical ambivalence isn't just coming from the person who feels he or she has been targeted. They think the management is ambivalent and isn't behaving ethically," Milton says.

Allowing bullying behavior to occur can have some serious consequences, including lower productivity, increased turnover, lower morale, and increased use of sick time. "If you look at the literature on the cost of not addressing bullying in the workplace, you actually end up spending much more money when you don't address it because you're looking at a loss of talent. Every time you have turnover, you're recruiting and spending a lot of money on the whole recruitment process. If you have someone who ends up having medical issues as a result of bullying going unaddressed you're going to have absenteeism, and disability costs," Milton says.

Milton provides training to faculty, staff, and administrators on preventing bullying. She sees this as a necessary step to educate people about what is acceptable behavior in the workplace. She recommends a training approach that is not just a top-down requirement but also a shared responsibility "because in order to change you have to create an environment that doesn't tolerate bullying. Behavior will not change in an environment that supports it, ever. It's only when the environment says we're not going to tolerate it that an individual who is a bully will realize that either they have to change their behavior or they have to leave, rather than always having the target feel that they have to leave because there is no redress for being bullied. That's one of the key things that if you look at all the lit in the field of psych you'll find that behavior modification doesn't occur unless the environment changes," Milton says.

Having a bullying policy in place will reduce ethical ambiguity and give supervisors guidance on how to address these behaviors. Eastern Washington University has a clearly defined investigative process so that there is transparency and everybody knows what is going to happen and when. When a bullying complaint is filed, the investigative process requires that the accused be informed that an investigation will take place. Then the fact-finding process begins. This can include interviewing witnesses, scrutinizing emails, and looking at other sources of relevant information.

An important part of the investigative process is establishing clear protocols for reporting instances of bullying. In cases where a person feels targeted by his or her supervisor, there needs to be an alternate person to report this behavior to. To address this issue, the university has created a flow chart to guide bullying victims to the right person to file a complaint. "We spelled out all these things for people so that nobody was blindsided or said that they didn't know what the process is. It's a two-way street. It provides protections for the person being accused, and it provides protections for the person who feels that they're a target," Milton says.

In the event that bullying behavior has been substantiated, there are some progressive disciplinary measures that can occur. It could be that the perpetrator is required to go to counseling or attend training

on how to communicate more effectively. "Some people aren't even aware that they're coming across as bullies. ... There are a lot of different scenarios, and each one is going to be handled differently as far as the disciplinary part," Milton says.

Having policies and procedures in place reduces ambiguity and gives leaders a way to address bullying. "When there aren't any policies in place, I think it makes it very difficult for somebody in a management position to really be able to deal with [bullying] effectively. Administrators have said to me, 'I was aware that there was bullying, but I didn't know how to go about dealing with it, so I just kind of let it go.' It was eye opening for me to hear that over and over. They were aware there was a problem, but they didn't know how to deal with it. Having a policy and procedure in place is really important for administrators to grapple with it," Milton says.

EWU's bullying policy is available at cfweb.ewu.edu/policy/PolicyFiles/EWU_901_04.pdf.

Excerpted from Preventing Bullying in the Academic Workplace, *Academic Leader*, 27.5 (2011): 2,3.



John Fry Registrar



Colorado Technical University - Colorado Springs

Date: 05/14/2012

Page 2 of 3

4435 N. Chestnut Street
 Colorado Springs, CO 80907
<http://my.cs.coloradotech.edu>

Student: Pamela Swain

Student ID: 07B9650512

DOB: 22/Jan

Grade History											
Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points	Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 9901 Winter 1 2009 01/04/2009 03/21/2009						MGMT800 Fundamentals of Management					
MGMT504	Organizational Behavior	4.00	4.00	A	16.00	MGMT801	Research and Writing I	5.00	5.00	B+	16.50
ECON616	Applied Managerial Economics	4.00	4.00	B	12.00			3.00	3.00	S	0.00
		8.00	8.00		28.00			8.00	8.00		16.50
Term GPA: 3.50		Cum GPA: 3.46									
Term: 9904 Spring 1 2009 04/05/2009 06/20/2009						Term: 1001 Winter 1 2010 01/03/2010 03/29/2010					
HRMT540	Strategic Human Resource Management	4.00	4.00	A	16.00	MGMT805	Research Methods & Design	5.00	0.00	F	0.00
		4.00	4.00		16.00	MGMT806	Research and Writing II	3.00	3.00	S	0.00
Term GPA: 4.00		Cum GPA: 3.53									
Term: 9907 Summer 1 2009 07/05/2009 09/19/2009						Term: 1004 Spring 1 2010 04/04/2010 06/19/2010					
MKTG618	Marketing Research Methods	4.00	4.00	A	16.00	MGMT805	Research Methods & Design	5.00	0.00	W	0.00
		4.00	4.00		16.00	MGMT811	R&W III: Action Research Theory	3.00	3.00	B-	8.10
Term GPA: 4.00		Cum GPA: 3.57									
Business Administration		GPA: 3.57	52.00	44.00							
Program: Management: Organizational Development and Change											
Award: Doctor of Management											
Enrollment #: SW09089650		Enroll Status: Dismissal									
Start Date: 10/4/2009		LDA: 12/17/2011									
Term: 9910 Fall 1 2009 10/04/2009 12/19/2009											

** Indicates Retaken Course
 R* Indicates Retaken Override

Not official unless signed by registrar.

* Indicates a course from a previous program that is applicable to current program of study

Colorado Technical University - Colorado Springs

Page 3 of 3

Date: 05/14/2012

4435 N. Chestnut Street
 Colorado Springs, CO 80907
<http://my.ctu.coloradotech.edu>

Student: Pamela Swain

Student ID: 07B9650512

DOB: 22/Jan

Grade History					
Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 1010 Fall 1 2010 10/03/2010 12/18/2010					
MGMT810	Qualitative and Ethnographic Methods	5.00	0.00	F	0.00
		5.00	0.00		0.00
Term GPA:	0.00	Cum GPA: 2.39			
Term: 1101 Winter 1 2011 01/02/2011 03/19/2011					
MGMT815	Quantitative Methods	5.00	5.00	B-	13.50
		5.00	5.00		13.50
Term GPA:	2.70	Cum GPA: 2.46			
Term: 1104 Spring 1 2011 04/03/2011 06/18/2011					
MGMT820	Strategic Organization Design	5.00	0.00	F	0.00
		5.00	0.00		0.00
Term GPA:	0.00	Cum GPA: 2.02			
Term: 1107 Summer 1 2011 07/03/2011 09/17/2011					
MGMT810	Qualitative and Ethnographic Methods	5.00	5.00	A	20.00
MGMT816	R&W IV: The Practice of Action Research	3.00	3.00	A	12.00
		8.00	8.00		32.00
Term GPA:	4.00	Cum GPA: 2.86			

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 1110 Fall 1 2011 10/02/2011 12/17/2011					
MGMT820	Strategic Organization Design	5.00	5.00	B-	13.50
MGMT821	R&W V: Process Consulting & Intervention Theory	3.00	0.00	W	0.00
		8.00	5.00		13.50
Term GPA:	2.70	Cum GPA: 3.29			
Management, Organizational Development and Change GPA: 3.29 60.00 37.00					
Degrees awarded for Business Administration enrollment					
Degree		Date Awarded		Date Cleared	
Master of Business Administration		09/19/2009		09/19/2009	
*** End of Transcript ***					
Authorized Signature				Date: 05/14/2012	

Degrees awarded for Business Administration enrollment		
Degree	Date Awarded	Date Cleared
Master of Business Administration	09/19/2009	09/19/2009

*** End of Transcript ***

Authorized Signature

[Signature]

Date: 05/14/2012

** Indicates Retaken Course
 R* Indicates Retaken Override

Not official unless signed by registrar.

* Indicates a course from a previous program that is applicable to current program of study



John Fry, Registrar



Official Transcript

Prepared for: Pamela Swain on 05/14/2012
 DID#: TRYGLX
 Docufile Student ID: 5662026
 Student SSN: 1129
 Page 1 of 4



Josh Fry
 Josh Fry, Registrar



Colorado Technical University - Colorado Springs

4405 N. Cheyenne Street
 Colorado Springs, CO 80907
<http://my.ctu.edu>

Date: 05/14/2012

Page 1 of 3

Student ID: 0789650512

Student: Pamela Swain

DOB: 22/Jan

Course Description		Grade History		Course Description		Credits Attempted		Credits Earned		Grade Points	
Course Code	Course Description	Course Code	Course Description	Course Code	Course Description	Course Code	Course Description	Course Code	Course Description	Course Code	Course Description
Program: Business Administration Adviser: Master of Business Administration Enrollment #: 5567957328 Start Date: 8/14/2007 Grad Date: 09/18/2009											
Term: 0765M	Spring 2 2007	05/14/2007	06/22/2007	Term: 0804	Spring 1 2008	04/00/2008	06/01/2008	Term: 0810	Fall 1 2008	10/05/2008	12/20/2008
INTD607	Creative Leadership	4.00	4.00	A	16.00	ACCT614	Applied Managerial Accounting	4.00	4.00	B+	10.00
		4.00	4.00	A	16.00	MGMT600	Applied Managerial Decision Making	4.00	4.00	A	16.00
Term GPA:	4.00	Cum GPA:	4.00	Term GPA:	3.35	Cum GPA:	3.54	Term GPA:	3.30	Cum GPA:	3.50
Term: 0767	Summer 1 2007	07/09/2007	09/22/2007	Term: 0807	Summer 1 2008	07/06/2008	09/20/2008	Term: 0810	Fall 1 2008	10/05/2008	12/20/2008
ECON616	Applied Managerial Economics	4.00	0.00	F	0.00	FNC615	Applied Managerial Finance	4.00	4.00	B+	13.20
IT600	IT Management	4.00	0.00	F	0.00			4.00	4.00		13.20
Term GPA:	0.00	Cum GPA:	4.00	Term GPA:	3.30	Cum GPA:	3.50	Term GPA:	3.30	Cum GPA:	3.47
Term: 0710	Fall 1 2007	10/08/2007	12/22/2007	Term: 0810	Fall 1 2008	10/05/2008	12/20/2008	Term: 0810	Fall 1 2008	10/05/2008	12/20/2008
PMGT600	Project Management Processes in Organizations	4.00	4.00	B	12.00	MKTG630	Applied Managerial Marketing	4.00	4.00	B+	13.20
Term GPA:	3.00	Cum GPA:	3.50	Term GPA:	3.30	Cum GPA:	3.47	Term GPA:	3.30	Cum GPA:	3.47
Term: 0801	Winter 1 2008	01/06/2008	03/22/2008	Term: 0810	Fall 1 2008	10/05/2008	12/20/2008	Term: 0810	Fall 1 2008	10/05/2008	12/20/2008
IT600	IT Management	4.00	4.00	A	16.00			Term GPA:	3.30	Cum GPA:	3.47

* Indicates Retaken Course
 R* Indicates Retaken Overdue
 Not official unless signed by registrar.
 * Indicates a course from a previous program that is applicable to current program of study

THIS DOCUMENT IS OFFICIAL ONLY IF IT BEARS THE OFFICIAL UNIVERSITY SIGNATURE AND SEAL.

ACCREDITATION

Colorado Technical University is accredited by the Higher Learning Commission and is a member of the North Central Association of Colleges and Schools. As of July 21, 1997, Huron University in Sioux Falls became Colorado Technical University in Sioux Falls. As of February 1, 2005, Sanford Brown College in North Kansas City became Colorado Technical University in North Kansas City.

DEGREES

Colorado Technical University is authorized to confer degrees at the Associate, Bachelor, Master, and Doctorate levels.

A minimum cumulative grade point average of 2.0 is required for graduation in the Undergraduate programs, 3.0 for the Master's program, and 3.3 for the Doctorate programs (as of October 1, 2007; was 3.5 prior to this date).

COLORADO TECHNICAL UNIVERSITY CREDIT

Undergraduate preparatory courses are numbered 0-99 and do not count toward graduation.

Undergraduate credit courses are numbered 100-499.

Master's foundation courses (not counted toward the degree) are numbered 500-599.

Master's credit courses are numbered 600-699.

Doctorate credit courses are numbered 700-899.

All credits are in quarter credit hours, with the exception of CTU-Sioux Falls credits earned prior to October 1997, which are in semester hours.

TRANSFER CREDIT

Transfer Credits will show with a non-quality grade (does not affect GPA) of TC. Transfer credit is only given for courses completed with C or better for undergraduates, B or better for graduates.

HONORS (awarded to Undergraduate students only)

BS Summa Cum Laude - CGPA of 3.3 - 4.0 (Prior to September 2003 Colorado Springs and Denver: 3.75 - 4.0)

Magna Cum Laude - CGPA of 3.75 - 3.89

Cum Laude - CGPA of 3.5 - 3.74

AS* Highest Honors - CGPA of 3.75 - 4.0

Honors - CGPA of 3.5 - 3.74

*Honors awarded upon graduation in a Diploma program.

President's Chancellor List, undergraduates, fulltime student, Quarterly GPA of 4.0

Deans List, fulltime student, Quarterly GPA of 3.5-3.99 with no grade lower than a "C"

Academic Distinction List, part time undergraduates (8-12 credits) students, Quarterly GPA of 4.0

GRADING SYMBOLS

QUALITY GRADE (AFFECTS GPA)

GRADE	EQUIVALENT POINTS
A	4.0
A-	3.7
B+	3.3
B	3.0
B-	2.7
C+	2.3
C	2.0
C-	1.7
D+	1.3
D	1.0
D-	0.7*
F	0.0
WF	0.0* Withdraw - Failing

NON-QUALITY GRADE (DOES NOT AFFECT GPA)

WI	Withdrawn/Incomplete*
I	Audit - no grade association*
I	Incomplete
IP	In Progress
W	Withdrawn with no grade established
WP	COA/Withdrawn passing*
P/F	Pass/Fail
IP	In Progress - limited course extension*
IK	In Progress - not registered extension*
S	Satisfactory - indicates satisfactory progress in Thesis/Dissertation
U	Unsatisfactory - indicates unsatisfactory progress in Thesis/Dissertation
PD	Pass Developmental
FD	Fail Developmental
Au	Audit
P	Pass
PR	Proficiency Credit
TC	Transfer Credit

*This grade used prior to 1/1/2011 grade scale