

Nursing students sue college

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Body

A new lawsuit charges that Albany-based Excelsior College hides aspects of its nursing program and intentionally prolongs students' studies to get them to pay more.

The class-action lawsuit was filed last week in U.S. District Court in Brooklyn on behalf of 17 students from 11 states who are seeking \$10 million in damages from the school. They claim deceptive or misleading business practices and breach of contract.

Central to the suit are allegations that Excelsior College fails to disclose several aspects of its online RN nursing program, including an annual \$500 registration fee and the alleged true nature of a final examination.

The college is also accused of not disclosing true graduation rates.

Key to the allegations, according to the suit, is a "Clinical Performance in Nursing Examination."

The outcome of that test, the suit alleges, is subjective and manipulated by the college.

"The Plaintiffs were led to believe that the Defendant operates a bona fide nursing program with opportunities to expand their learning and receive an RN degree," the suit reads. "Excelsior did not provide consumers with the clinical education that it promises. Instead, it provides a test."

A spokesman for Excelsior College declined to comment on the specifics of the suit. The spokesman noted, however, that the school's associate degree program in nursing has been continuously accredited by the National League for Nursing Accrediting Commission since 1975.

The test at the center of the suit has also been evaluated by another organization, the College Credit Recommendation Service of the American Council on Education, and meets various

standards, spokesman William Stewart, an assistant vice president at the school, said in a statement.

"To date, 42,000 individuals have earned an associate degree in nursing from Excelsior and have gone on to successful careers as registered nurses all across the U.S.," Stewart.

Excelsior students also pass a national registered nurse licensing exam at a rate comparable to students from other programs, Stewart said. He cited a 2012 report from the Council on Adult and Experiential Learning.

The school currently has 36,000 students enrolled, with 16,200 of those in the nursing associate degree program. About 12 percent of students are from New York state.

The school is a private nonprofit. It was founded in 1971 by the New York State Board of Regents as Regents College. The Board of Regents granted it a charter to operate as a private nonprofit starting in 2001, according to the school.

Of the 17 students named as plaintiffs in the class-action suit, none is from New York. They allege that details of the program's success rate and of the test were withheld until it was too late to turn back.

Excelsior College "engaged in a pattern and practice of withholding certain material information regarding the [test] until the Plaintiffs and other consumers had expended resources and were irreversibly committed to completing the program," the suit reads.

The students allege the school wrongfully failed them in the final exam as many as three times. Each test cost about \$2,000 to take, according to the suit.

They also allege that the college designs, administers and manipulates the test. The school also has an interest in the results of the test, the suit says.

The students allege that the test as administered is not a fair and objective assessment of the students' skill and is "susceptible to arbitrary application."

The students are represented by attorney John Hermina of the Maryland-based Hermina Law Group.

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Notes

'Excelsior did not provide consumers with the clinical education that it promises. Instead, it provides a test.' From lawsuit against Excelsior

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