

**BEFORE THE DISTRICT BOARD OF TRUSTEES
OF PENSACOLA STATE COLLEGE, FLORIDA**

IN RE THE MATTER OF:

PRESIDENT'S RECOMMENDATION FOR

THE DISMISSAL OF ROBERT MICHAEL ARDIS

_____ /

**PRESIDENT'S PETITION AND NOTICE
TO RESPONDENT OF HEARING RIGHTS**

To the Honorable Members of the District Board of Trustees of Pensacola State College (hereinafter "Board"):

The Petitioner, as President of Pensacola State College, hereby petitions the Board for Mr. Robert Michael Ardis (hereinafter "Mr. Ardis" or "Respondent") to be dismissed effective at the earliest possible date determined by the Board of Trustees and suspend him without pay effective December 16, 2010. Petitioner requests formal proceedings on this petition as provided for in Chapter 28, Florida Administrative Code, Sections 120.569 and 120.57(1), Florida Statutes, and the applicable collective bargaining agreement provisions.

In support of this Petition, the Petitioner sets forth the following charge as grounds for dismissal:

1. The name and address of the Agency affected is the Board and/or Pensacola State College, 1000 College Blvd., Pensacola, Florida 32504, (850) 484-1700.
2. The Petitioner's name, address and telephone number is Dr. C. Edward Meadows, President, Pensacola State College, 1000 College Blvd, Pensacola, Florida 32504, (850) 484-1700. As President, Dr. Meadows' substantial interests will be affected by the Board's determination in this matter in that it is his duty and responsibility as President to recommend

and/or petition the Board for the dismissal of continuing contract employees in appropriate circumstances and to prosecute the charges upon which such recommendations and petitions are based. The Respondent's substantial interest will also be affected by the Board's determination in that his current continuing contract will be dismissed.

3. The Petitioner is not at this time aware of all issues of disputed material fact, and states that these issues will be made known when and if the Respondent avails himself of his hearings rights, under FAC 28-106.203, to file an Answer to this Petition.

4. On January 9, 2009, Mr. Ardis filed a Sabbatical Leave Application requesting leave for one academic semester for the purpose of completing a master's degree in American Government. A true and correct copy of the Sabbatical Leave Application is attached hereto as Exhibit "A".

5. Mr. Ardis supported his request for sabbatical leave by making a commitment that the coursework he would undertake in getting his master's degree would improve the level of his education and make him a more qualified employee. To support his assertion, he made the following statements in his leave application:

A. He indicated that "the students in the criminal justice program would benefit due to their professor being more educated and informed in the area of government."

B. He indicated that by undertaking the coursework in the Master's program his department "would gain a more thoroughly qualified colleague."

C. He further indicated that "PJC will gain a more knowledgeable and learned faculty member and colleague."

6. Mr. Ardis took sabbatical leave during the Spring semester of 2010 and the first Summer term of 2010. During his sabbatical leave he was released from his normal teaching duties, but he continued to receive his regular pay from the College for the purpose of allowing

him to complete the requested Master's degree coursework. While on sabbatical leave, Mr. Ardis elected to teach several overload classes for which he was paid over and above his regular contract pay.

7. Upon conclusion of his sabbatical leave, Mr. Ardis was required to submit a Sabbatical Leave Report and provide documentation that he had fulfilled the commitment he made in his Sabbatical Leave Application. A true and correct copy of the relevant text portion of the Sabbatical Leave Report (without the attachments thereto) is attached hereto as Exhibit "B".

8. The Sabbatical Leave Report indicates that Mr. Ardis received a Master's degree from Belford University, and the transcript he submitted from Belford University indicates that he received a Master of Business Administration degree with a major in Public Administration. A true and correct copy of the Belford University transcript is attached hereto as Exhibit "C".

9. Upon review of Belford University, the College found that it is neither regionally accredited nor accredited by any accrediting organization recognized by the U.S. Department of Education.

10. Further review of information regarding Belford University revealed that it has a routine practice of offering Master's degrees based upon "life experience" or by taking an "online equivalency test". Neither method is recognized as an appropriate routine practice for obtaining a legitimate degree by any recognized accrediting organization. True and correct copies of various pages captured from the Belford University website are attached hereto as Exhibit "D".

11. Belford University advertises on its website that a purchaser can apply and receive a master's degree in just 15 days. The University further advertises online that its standard fee will "graduate" a purchaser with a 3.0 GPA, and that for an additional fee the purchaser can "graduate" with honors based on the following fee scale:

\$25 to graduate Cum Laude (3.4 to 3.6 GPA)
\$50 to graduate Magna Cum Laude (3.61 to 3.89 GPA)
\$75 to graduate Summa Cum Laude (3.9 to 4.0 GPA)

12. The activities of Belford University are so contrary to the standards of higher education that the institution's degrees are listed as "fraudulent or substandard" by the Texas Higher Education Coordinating Board ("THECB"). A true and correct copy of the relevant portions of a document published on the website of the THECB entitled "Institutions Whose Degrees are Illegal to Use in Texas" is attached hereto as Exhibit "E". The THECB states in that document that Belford University claims to be located in Houston, Texas, but that it is unaccredited and under investigation by the Texas Attorney General for operating a mail forwarding service in Houston, and that it mails "fraudulent or substandard" diplomas from the United Arab Emirates. Therefore, it is a criminal offense under Texas Penal Code Section 32.52 to attempt to use a degree from Belford University in the State of Texas to "obtain employment; obtain a license or certification to practice a trade, profession or occupation; obtain a promotion, compensation or other benefit, or an increase in compensation or other benefit, in employment or in the practice of a trade, profession or occupation . . ." The foregoing Texas statute is not applicable in the State of Florida, but the College administration urges the District Board of Trustees to deem this information persuasive when weighing the facts in this matter.

13. The stated purpose of Mr. Ardis in taking a sabbatical with no regular teaching duties and no interruption of his salary was to obtain a Master's degree. Further, Mr. Ardis stated that his intent in obtaining the degree was to increase his salary by qualifying for the classification of Master's Plus as outlined in the CBA.

14. The College administration asserts that the degree obtained by Mr. Ardis from Belford University in fulfillment of his sabbatical project has no educational value whatsoever, and that his tendering the Belford Degree for that purpose constitutes a fraud upon the College

and is misconduct in office. Obtaining the fraudulent or substandard degree did not make Mr. Ardis any more educated, informed, qualified, knowledgeable or learned as an instructor as he claimed it would in his Sabbatical Leave Application. Mr. Ardis received and planned to seek monetary compensation for obtaining the fraudulent or substandard degree because he did in fact receive compensation to pursue the degree, and he expressed his intent to seek an increase in pay by obtaining it.

15. Rules and Statutes, which entitle Petitioner to relief, are Chapter 1001, Florida Statutes and Chapter 6A-14, F.A.C. The relief demanded by Petitioner and that to which he deems himself entitled is the suspension of the employee without pay effective December 16, 2010 and the dismissal of the respondent on the grounds of misconduct in office, gross insubordination, incompetency, and/or willful neglect of duty.

NOTICE OF HEARING RIGHTS

To: Mr. Robert Michael Ardis

You are hereby notified that you have a right to a public hearing on the charges stated in this Petition and in the President's recommendation for your dismissal. If you wish a public hearing, you must so notify the Board in writing within ten (10) days after the date of service of a copy of this Petition upon you.

Upon receiving such request, the Board will within fifteen (15) days decide to accept or reject your request of a public hearing and will give you notice at least fourteen (14) days in advance of the hearing date and location. The College does not offer mediation procedures for this Petition.

The hearing, if requested, will be conducted in accordance with Chapter 120, Florida Statutes, and in substantial compliance with the Model Rules of Administrative Procedures,

Chapter 28, Florida Administrative Code, unless the Parties mutually agree to an alternative hearing procedure.

If you do not request a public hearing, the Board will proceed to take appropriate action.

If you do request a hearing, a hearing officer will be appointed from among the members of the Board. You will be notified who the hearing officer will be. Once the hearing officer is appointed, this person will have the authority to set a hearing date.

You may also request an informal hearing regarding the decision to suspend and withhold pay.

Your attention is invited to Sec. 120.569 and 120.57(1), Florida Statutes, Chapter 28 and 6A-14, Florida Administrative Code, and the faculty collective bargaining agreement, for additional information concerning the hearing procedure and rules, and your rights with regard thereto.

WHEREFORE, Petitioner requests relief as specified hereinabove.

Respectfully submitted,


Dr. C. Edward Meadows, President

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition has been furnished to Robert Michael Ardis at 4133 Aqua Vista Drive, Pensacola, Florida 32504 by Regular U.S. Mail, on this ____ day of December, 2010.
