Formal Complaint against Edison State College (Revised)

To: President of SACSCOC

Submitted by Dr. Steve Atkins

May 30, 2012

# Formal Complaint Against Edison State College

I am Steve Atkins, former Vice President, Academic Affairs at Edison State College. This complaint is in reference to Edison’s document, recently submitted to SACS/COC *entitled Response Report to the Visiting Committee* (*Response*). The *Response* presents Edison’s case for reaffirmation of accreditation following 14 recommendations and which included a recommendation for Standard 1.1: The Principle of Integrity which states “*The institution operates with integrity in all matters.”* The Reaffirmation Committees narrative cited the College for: (1) *knowingly submitting inaccurate information in its compliance certification in March 2011* and; (2) *the integrity of the College’s academic programs*.”

I am a fourth-generation college employee and take great pride in my family’s contributions and records of accomplishments in public education. I care deeply about education and learning and would never knowingly compromise the public’s right to excellent stewardship from its leaders in higher education. I have served as Vice-President for Academic and Student Affairs and Dean of Arts and Sciences at Surry Community College in North Carolina, and served for three years as Vice President, Academic and Student Affairs at Edison State College. During my tenure of twenty-one years at Surry, I developed a reputation for ensuring and vigorously maintaining rigor and quality in all college programs. If questioned, my former supervisors at Surry will inform anyone that I would be the last person to knowingly accept illegal course substitutions or the variety of scandalous practices that I tried to stop at Edison. The record will show that after I reported retaliation and discriminatory hiring practices at Edison, the Current Administration became fearful when I started to uncover other unethical behaviors that would implicate them, and they became eager and willing participants to help Walker develop trumped up charges for terminating me.

Having served as Accreditation Liaison at two colleges as well as having served on numerous SACS COC Reaffirmation teams including on-site, off-site, special investigation, and substantive change committees over three decades (see Appendix 1), I have the utmost respect for the accreditation process and confidence in its processes for ensuring the highest standards of integrity. It is my belief that SACS provides a basic framework of conduct that protects its public reputation, and guards against actions that would result in false incrimination and/or civil litigation against itself or others. While I understand that SACS/COC does not intervene in internal procedures of institutions, or perform as a regulatory body, the fact that the very conditions at Edison State College that resulted in the 1.1. Integrity violation the College received last November remain to this day. Because of the retaliation against me, I have filed lawsuits in the United States District Court (Appendix 2) against the College’s Board and Trustees and former President, Kenneth Walker.

This complaint includes a few examples from among a large number that I possess that will provide evidence of the culpability of certain members of the college’s administration and how they systematically omitted from the SACS *Response* document any substandard programs, policies and actions for which they were responsible prior to and following the on-site visit in November 2011. Disclosing past and current practices of these individuals will provide a basis for understanding why the college’s SACS response was narrow and carefully shielded from college faculty and staff.

# Nature of the Complaint

In summary, my complaint is that: (1) The *Response* and the inclusion of my termination as a reason for addressing the Integrity Violation represents falsification of the facts, a distortion of my record, and a continuation of an effort to retaliate against me for having filed an EEOC grievance (Appendix 2) against the College when Dr. Robert Beeson and I discovered racially discriminatory hiring practices at the College – retaliation that has been documented in two separate and formal investigations, and has resulted in my bringing up suits against the College’s District Board of Trustees and its former President , Kenneth P. Walker filed in the United States District Court (Appendix 2)}; (2) The *Response* itself lacks integrity insomuch as it withholds vital information, misrepresents the facts about its academic programs, and blatantly scapegoats the very persons who had discovered and were attempting to remedy the problems with those programs, and (3) The college’s responses for each of the recommendations it received are inadequate, demonstrate non-compliance for each standard and others, and when taken together provide a composite and cumulative profile of an institution that is non-compliant on Integrity. Following is an enumeration of the specific standards that are the basis of the complaint. It is important to note that information that I have provided to demonstrate non-compliance for violations per standard, reflect the College’s past and continuing disregard for the practice of integrity.

# Specific Sections of the Principles of Accreditation Violated

* Integrity 1.1: The Committee recommends that the institution provide evidence that they have safeguards in place to ensure the integrity of its academic programs and all operations.
* CR 2.7.2: The Committee recommends the institution demonstrate that all degree programs embody a coherent course of study as appropriate to the designated field.
* CR 2.8: The Committee recommends the College ensure the number of full-time faculty members is adequate to support the mission of the institution and ensure the quality and integrity of its academic programs.
* CS 3.2.8 The Committee recommends the institution demonstrates they have qualified administrative and academic officers with the experience, competence, and capacity to lead the institution.
* CS 3.4.2 The Committee recommends that the institution provide evidence that their baccalaureate admission policies are clear and enforced in a consistent manner.
* CS 3.4.5 The Committee recommends that the institution publishes implements and consistently enforces policies related to course substitutions that adhere to principles of good educational practice.
* CS 3.5.3 The Committee recommends that the institution provide evidence that requirements for undergraduate programs are consistently enforced.

In addition to the above recommendations, evidence persists that the college is not compliant with additional SACS/COC requirements on the following standards.

* CR 2.7.3: In each undergraduate degree program, the institution requires the successful completion of a general education component at the collegiate level that (1) is a substantial component of each undergraduate degree, (2) ensures breadth of knowledge, and (3) is based on a coherent rationale. (General Education)
* CR 2.10 The institution provides student support programs, services, and activities consistent with its mission that promote student learning and enhance the development of its students. (Student Support Services)
* CS 3.2.9: The institution defines and publishes policies regarding appointment

and employment of faculty and staff. (Faculty/staff appointment)

* CS 3.4.10: The institution places primary responsibility for the content, quality, and effectiveness of the curriculum with its faculty.(Responsibility for curriculum)

# Background – Retaliation and Discrimination Complaint

In January, 2011, Dr. Robert Beeson, and I became aware of hiring practices at the College that appeared to discriminate against African-Americans. One case in particular involved Dr. Vivian Lilly, an African-American candidate for the Dean of the newly formed School of Nursing and Health Professions. Dr. Lilly had surfaced as the unanimously chosen candidate for the position after a national search which Beeson chaired. Dr. Lilly subsequently filed an E.E.O.C. complaint, which was settled with the College for a sum of $85,000.

After filing a complaint with H.R. on February 21, 2011 about our perception of the discriminatory hiring practices, Beeson and I were subjected to abuse and horrific retaliation by the former President, Kenneth Walker and the Senior Vice President, James Browder, which is detailed in my E.E.O.C. complaint (Attachment 2) and summarized below. In March, 2011, I was forced to resign due to the extreme hostility and pressure from my superiors following my complaint to the Human Resource Department. In April, 2011 the president of the college was pressured by college faculty, following a no confidence vote against him, to ask me to return to the college. I returned to the college in May, 2011. After returning, I experienced increasing retaliation, harassment, and hostility from the college president, Dr. Kenneth Walker.

The retaliation against us went unmitigated until October, 2011, when both Beeson and I were recommended by Walker for termination - me for insubordination, and Beeson for alleged involvement in a course substitution/waiver scandal that I discovered in December of 2010, and which Beeson assisted me in investigating. Beeson and I filed separate E.E.O.C. complaints against the College. In my statement, filed with the U.S. Equal Employment Opportunity Commission in Miami, on October 25, 2011, I clearly demonstrated that Walker and the College trumped up a number of false allegations as a means of getting rid of me for having reported racial discrimination at the College. The E.E.O.C. subsequently granted me the right to sue.

The retaliation against Dr. Beeson and me was documented in two separate investigations.

1. The first investigation (Appendix 3) was conducted by the College’s own law firm of Henderson, Franklin, Starnes, and Holt, P.A. (Henderson Franklin), after having been charged by the Board of Trustees to investigate Dr. Beeson’s and my discrimination complaint.
2. The second investigation (Appendix 4) was conducted by law firm, Fowler, White, Boggs, P.A. (Fowler White), hired by College to investigate the malfeasance of Dr. Walker and determine whether he could be terminated with cause.

The Henderson, Franklin investigation interviewed a large number of Edison employees to investigate Dr. Beeson’s and my discrimination complaints. The final report of the discrimination investigation conducted during the summer and to which I gave voluntary statements in accordance with my rights under the First Amendment of the United States Constitution was issued on August 22, 2011. While it removed the word “evidence” from the original draft and replaced it with phrases such as “disputed statements and documents, which if proven and accepted,” it insinuated that discrimination against Dr. Vivian Lilly had occurred, and that retaliation against Dr. Beeson and me for having reported the discrimination, had also taken place. The reason for the change in the language of the Henderson, Franklin report became evident when the Fowler White investigation (Appendix 4) concluded that Walker had interfered with the first investigation and had influenced the Henderson Franklin report by threatening to fire the law firm if it did not change its draft language from “evidence for” to the benign “disputed statements and documents, which if proven and accepted …” The Fowler White report, issued on January 21, 2012, indicated that Walker was derelict in his duties as President and could be terminated with cause for, among other things, having meddled in the Henderson Franklin investigation and also a separate audit conducted by the American Association of College Registrars and Admission Officers (AACRAO) that I had retained to investigate the course substitution/waiver issue. Walker was, in fact, terminated with cause by action of the Board on January 24, 2012.

Following the release of the Henderson Franklin report in August, 2011, Walker reviewed my statements taken during depositions. Following the release of the report, Walker began to systematically discredit me at every occasion and harassed me in direct retaliation for my complaints of racial discrimination. Finally on October 8, 2011, I emailed the college’s HR director that I intended to file an official grievance against Walker and an EEOC charge regarding his abusive and hostile retaliatory behavior towards me related to the discrimination complaint. Three days later, Walker placed me on administrate leave and recommended my termination to the Board, preempting my ability to file the complaint.

On October 25, Walker hired his own private attorney to present the “trumped up” reasons for terminating me. He claimed, among other things, that I was insubordinate by providing SACS with unsolicited information regarding illegal course swaps. In addition, he essentially blamed me for the course swap scandal which I uncovered and stopped. In fact, until the day that I was fired I was unable to convince Dr. Walker that course substitutions were a problem. He informed his staff the day following my termination that I had exaggerated the entire issue and had knowledge about the substitution scandal and did nothing about it for over a year.

I will begin to conclude this portion of my complaint by reiterating that at no time did I fail to perform my duties as Vice President of Academic Affairs. I received excellent evaluations for my work and have faithfully and honestly served the College for three years. Only after filing a complaint with the Equal Employment Opportunity Commission on behalf of an African American candidate for a job at the College did my performance and reputation come under attack. Unfortunately, during my short tenure at Edison, I discovered the college had horrific integrity issues and dishonest employees that constantly lied and thwarted any attempts to ameliorate its problems. I have done nothing improper but have been made a scapegoat for the illicit practices of a college in crisis simply for exercising my Constitutional Right to free speech, an act that I considered to be my moral and legal duty under the circumstances as both an officer of the College and a citizen of the United States. Unable to admit the truth concerning the real reasons for his desiring my termination, Walker chose to link me to the substitution scandal, accused me of insubordination in providing information requested from me by SACS, lied about my work to uncover the cause of the illicit course swaps, protected staff who lied and obstructed my efforts in discovering the cause and attempts to mend the College’s broken curricula, punished me for accurately report problem(s), protected the perpetrators of the scandals, used the Board of Trustees to retaliate against me, and after I discovered scandals and attempted to stop the repeated occurrence and other problems, had his personal attorney Michael Mattimore, to further smear my reputation with other bogus charges of insubordination. Further, I have reason to believe that the individuals that I have named in this complaint made false and libelous statements to SACS during the on-site visit about my role in course substitutions, and I fully intend to pursue information from on-site committee member’s notes and evidentiary information to support this claim.

1. Integrity 1.1: Ensures integrity of its academic programs and all operations

Edison State College received from the SACS visitation team lead by Mr. Andrew Fulp, between November 7-10, 2011, a recommendation for Standard 1.1: The Principle of Integrity which states: “The institution operates with integrity in all matters.” The Reaffirmation Committee’s narrative cited the College for: “(1) knowingly submitting inaccurate information in its compliance certification in March 2011 and; (2) the integrity of the College’s academic programs.” In the Response’s introduction, Edison claims, in part, to have addressed the Integrity Violation through the following personnel actions:

* Dean, Professional and Technical Studies, Bill Roshon, retired on October 31, 2011.
* Associate Dean, Professional and Technical Studies, Dennette Foy resigned on November 2, 2011.
* Vice President for Instruction and Dean, Arts and Sciences, Robert Beeson was terminated for cause on November 29, 2011.
* Associate Registrar, Ray Medhurst, retired effective March 21, 2012.
* Corrective actions including the terminations of former President Kenneth Walker, former vice presidents Steve Atkins and Robert Beeson and the governor’s appointments of five new trustees.

The inclusion of Dr. Beeson and my name (and exclusion of others) on this list represents scapegoating, falsification of facts, a distortion of our record, and the continued effort to retaliate against me for having filed an EEOC complaint against the College. My greatest regret is not realizing earlier the extent to which my colleagues whom I trusted at Edison were unethical and not qualified or competent within their positions, and did not provide me with reports that were accurate and truthful. Rather, after assuming the VP role at Edison, I found myself immersed in a corrupt organization and where College administration have wantonly destroyed my career in order to cover up their own complicity in a number of scandals and as a means of retaliating against me for reporting evidence of racial discrimination as was my duty as an officer of the College and a citizen of the United States. The result of their action is that I have sustained considerable damages, and have been rendered all but unemployable in higher education. I have been judged guilty of something I did not do, without regard to evidence, without the benefit of due process, and with no means to defend myself outside of the Federal Judicial System.

Please note that any reference to the “Current Administration” refers to the following five individuals who remain to manage the affairs at Edison. Also included below is information related to their credentials and their current and/or historical responsibilities at Edison that pertain to the information in this document.

1. Edith Pendleton – Until recently, served the college as Vice President of Institutional Effectiveness and Research. It was her responsibility to provide well researched data and reports that accurately reflect college practices. Pendleton also previously served as Edison VP of Student services and supervised the registrar’s office at the time inappropriate course swapping was initiated (2005). In spring 2011, Pendleton conducted a thorough investigation of substitutions, going back five years, and stated to the BOT that in “all cases the degrees were fine.” Two months prior to my termination, Walker attempted to reward Pendleton with a multi-year contract. Pendleton was a trusted friend and confidant of Walker.
2. Erin Harrel, Interim Vice President for Academic Affairs – Appointed by Walker as Interim prior to his termination. Co-authored Edison’s response to SACS for the college’s Integrity finding and currently has a complaint filed against her for recently submitting a fraudulent curriculum vitae to a hiring committee to obtain the Vice President’s position on a full-time basis. Note that she submitted the same fraudulent vitae to SACS (see Compliance Certification).
3. Gina Doeble, Vice President for Finance – Doeble’s previous role was to serve Walker’s needs as the college’s accountant. Doeble was promoted by Walker to Vice President for Administrative Services after I was terminated and prior to the SACS on-site visit.
4. Kristen Zimmerman, Dean of Baccalaureate Studies – Zimmerman’s responsibilities were recently expanded to include all intake operations - all admissions, advising, and the office of the registrar. Walker was often lauded by the college as “Father of the Community College Baccalaureate.” He protected Zimmerman and her baccalaureate programs from scrutiny. Since leaving the college, I have uncovered a great deal of information that depicts her involvement in facilitating a number of practices that severely compromised and continues to compromise Edison’s baccalaureate degrees. Among the Current Administration, as evidence in this document will attest, her expanded role will allow the past and current unprincipled activities to persist and increase in scope.
5. Mark Lupe, college attorney – Promoted by Walker to Vice President, Legal Services after I was terminated and just prior to the SACS on-site visit.

Dr. Harrel, in her Response to SACS, shamelessly credited herself in resolving the course swap scandal despite having no involvement, or minimal at best, in resolving the substitution problem. It was reported to me that faculty, mid-level administrators, and others who worked tirelessly throughout the summer and fall to resolve the issues were incensed when they reviewed the recent Response document that Harrel submitted to SACS, giving herself undue credit for resolving the problem. However, I have it on the authority of two Associate Deans still employed by the College that the illicit processing of course substitutions and waivers has continued to the present time (see response for CR 2.7.2 below). I hesitate to name them in this complaint because of the culture of fear that pervades the Edison staff in the wake of dozens of terminations in recent weeks. Documentation of this continued practice will be subpoenaed for evidence in my law suit. After my office had developed processes and procedures for stopping the illicit substitutions, neither Zimmerman nor Harrel provided oversight to ensure that the substitutions were discontinued. In fact, Zimmerman thwarted my efforts to implement needed changes in the registrar’s office that were recommended by the AACRAO consultant.

I implore SACS to interview faculty regarding the secretive manner in which Harrel and her team responded to the recommendations despite having made public statements regarding new levels of transparency following Walker’s termination. It has been reported to me by several faculty and administration that their input into the recent report was redacted and several issues that faculty felt were ongoing violations were not disclosed. I was informed by faculty that the final Response document was not disseminated to faculty or staff prior to its release. Rather, individual faculty that expressed interests in the document were sequestered in a room as Kristen Zimmerman supervised the person’s reading of the document. If requested, I will provide SACS/COC a list of faculty who are knowledgeable about the current administration’s handling of their response. It was reported that Harrel and Zimmerman – the two who crafted the response to the Integrity finding – were confronted by reviewers (a number of faculty and administrators) for initially inaccurately and libelously attempting to attribute the Integrity finding to Dr. Beeson and me. Moreover, despite the culture Walker created and the myriad of scandals that occurred under his leadership, Walker’s name is missing from the list of individuals held accountable for the Integrity finding. It is evident that the current administration scapegoated a handful of people for its Integrity finding and avoided acknowledging their role(s) in inappropriate course swaps, and other academic and administrative violations of policy. In fact, to have fully and faithfully disclosed all issues related to the college’s integrity finding would have implicated current administrators’ roles in contributing to Walker’s culture of fear and scandal.

Based on the growing list of recently terminated employees, it appears that the Current Administration has engaged in a practice, common to institutions that have integrity findings, of erasing the institution’s memory of their personal involvement with Walker in each of their respective roles in the numerous scandals and hurriedly rewriting their professional history prior to the advent of a new president. Since my termination, Harrel has continued to carry out Walker’s agenda – attacking department chairs and terminating and reprimanding staff and faculty who supported my attempts to resolve the issues and who were aware of her deficiencies as a college administrator. It would be worthwhile to review my EEOC complaint and note how Walker and the BOT resented the department chairs that had played a central role in the vote of “no confidence” against Walker. Several of the Chairs and faculty leadership have been targeted by Harrel during the past few months as evidenced in her recommendations for removing certain department chairs, chastisement of individuals for their “lack of collegiality”, intimidation through nebulous reprimands, and attempts to reduce previously agreed-upon chair compensation. Upon request, I will supply SACS/COC with a list of terminated employees and those who have been reprimanded for petty and personal reasons by Harrel with background related to Harrel’s motives.

The two persons who reportedly had the greatest role in producing the Response to the SACS Visiting Committee were Erin Harrel and Kristen Zimmerman. Both are thoroughly implicated in the course substitution/waiver scandal. Both were promoted and given substantial raises by Walker shortly before his termination, and both have continued to carry out the practices that they performed as Walker’s minions, including perpetuating the myth that Dr. Beeson is somehow responsible for the substitution/waiver problem. For her part, Harrel has two quite different Curriculum Vitae, one more modest and accurate than the other. The false C.V. (Appendix 5) was submitted on two occasions for SACS/COC documentation and included with the Compliance Report under Standard 3.2.8. It grossly misstates her work experience in higher education, and statistical analysis skills that she does not possess. She later submitted this false version of her C.V. in application for the Vice President of Academic Affairs position (see CS 3.2.9, CS 3.2.10 below). In fact, a faculty member filed a formal complaint for the falsification of her resume several months ago. The College has yet to act upon it. Only in the Response Report to the Visiting Committee has Harrel made the correction with S.A.C.S., which is the third time she has submitted her C.V. with a SACS/COC document. Harrel has also chosen not to reveal the Jason Dudley report (as described later in this document) to SACS/COC in either of its two iterations. The suppression of this evidence is a clear indication that the issues of integrity cited by SACS/COC have not been resolved.

## Retaliation and Distortion of my Record for Filing SACS Complaint

Following my filing the formal complaint with SACS against the College (March 2012), the College’s Public Information Officer, continued the retaliation against me through a public response disseminated and published to local press (attached). As reported by the press “The College said they were "disappointed" to hear about Atkins' "unsolicited comments" and blamed him for the college's 14 accreditation violations.”

**Edison's full response:**

*“Edison State College was disappointed to learn that Dr. Atkins, former Vice President of Academic Affairs and Chief Academic Officer at Edison State College, may have offered unsolicited comments to the Southern Association of Colleges and Schools (SACS) regarding the college's accreditation process.*

*Dr. Atkins' job duties and responsibilities to the college and its students included ensuring compliance with the SACS and program level accrediting agencies' accreditation standards.*

*Unfortunately, during Dr. Atkins' tenure as Vice President of Academic Affairs at Edison State College, the college experienced a SACS accreditation visit that resulted in 14 adverse recommendations including a recommendation relating to integrity. Also, during his tenure the college experienced a failure to timely seek national program level accreditation for the baccalaureate nursing program.*

*Since Dr. Atkins' departure from the college, Edison State College has made substantial progress in achieving national accreditation in the baccalaureate nursing program. Under the guidance of Dr. Erin Harrel, the interim vice president of academic affairs, the college has made substantial progress in responding to the SACS recommendations.*

*Edison State College continues to move forward with a new era of service to its students and communities.”*

The response distorts my record and unfairly scapegoats me for the College’s 14 recommendations received in its ten-year SACS accreditation review and for a nursing accreditation scandal. Events surrounding the nursing scandal are detailed later in this complaint (see CS 3.4.5 below). The following narrative provides background related to my brief tenure as SACS liaison at Edison and the College’s gross/negligent mismanagement of its compliance for which I was publicly blamed.

# Edison’s Mismanagement of Compliance

Evan Dobelle in her publication “The President's Role in Building Internal Consensus for Accreditation” published in 2006 states “effective presidents set the stage for accreditation long before the accreditors arrive; leading by example, they build consensus, empower faculty and staff, share governance, and accept criticism collegially.” As established in the Fowler White investigation to terminate Dr. Walker for cause (attached), Dr. Walker did not provide this level of leadership, management, and supervision to ensure successful accreditation, nor did he follow established protocol and reasonable expectations in preparation for development of the Compliance Certification document.

Because Dr. Walker neglected to provide any degree of oversight to ensure adequate progress toward the college’s accreditation prior to January 2011, he forced Edison’s SACS team, led by Dr. Atkins, to compress what should have been two years of work into a two month time frame for completion. Dr. Walker’s neglect in assuring sufficient time for project completion severely compromised the integrity of the internal review process. Because Walker did not meet his responsibilities prior to January 2011, Dr. Walker and Dr. Browder (former Executive Vice President) required members of the SACS team to work every weekend and throughout the college’s spring break to complete the Compliance Certification document (January – February 2011). Providing insufficient time for completing the Compliance Certification document prevented the institution from adequately addressing its deficiencies through a self-analysis process, to ensure accuracy of reports, and to remedy programmatic and organizational problems that surfaced.

# According to SACS, as prescribed on page 17 in the document entitled Handbook for Institutions Seeking Reaffirmation the CEO is responsible for the following.

* The chief executive officer is expected to provide active leadership and ensure continuing support for the reaffirmation process.
* Ensuring the **integrity of the internal review process** and the accuracy of all submissions.
* Providing adequate personnel and financial resources to support the review process.
* **Reviewing progress reports** and providing feedback.
* Informing the institution’s governing board on a periodic basis concerning matters related to reaffirmation.
* Ensuring on-going compliance with the *Principles of Accreditation* and with Commission standards, policies, and procedures.

**Overview of Dr. Walker’s Dereliction of Duty Relating to the Internal Review Process**

In an email from Dr. Walker on September 29, 2010 to select administrators and members of the BOT Walker stated “After she (Thomas) was promoted to Executive Vice President she agreed to stay two more years to help get the organization structured for **effective** operations. She has **accomplished** that with only one major item remaining – that of getting the reports ready for sending to the SACS accrediting association which are due starting next March.  The SACS review committee will come here in mid November of 2011.” From this email it is clear that Dr. Walker was aware of the SACS deadline and comfortable with Dr. Thomas’ role as SACS liaison.

Following Thomas’ firing on or about September 29, 2010, Dr. Atkins was assigned the position of SACS liaison. Dr. Atkins soon learned that very little useful work was developed by Dr. Thomas for the pending SACS visit. In addition, Dr. Walker provided no evidence to Dr. Atkins that he had reviewed progress reports from Dr. Thomas or provided feedback to her regarding progress in meeting the March 2011 deadline for the Compliance Certification document (Note that “Reviewing progress reports and providing feedback” was one of Dr. Walker’s responsibilities as CEO as prescribed on page 17 in the Handbook for Colleges Seeking Reaffirmation). By mid-November, Atkins expressed his fear to Dr. Walker and Dr. Browder that meeting the SACS deadline in March 2011 would be nearly an impossible task. The development of a Compliance Certification document typically involves a minimum of two years.

A few days after Dr. Thomas’ firing, Dr. Atkins met with Dr. Walker and Dr. Browder. During the meeting, Walker told Atkins that he (Walker) had been deceived by Thomas for the past three years. Dr. Walker also stated that Dr. Thomas’ deception forced him to make regrettable personnel changes based on her recommendations; identifying Pam Fairfax, Robert Jones, and Edith Pendleton as the individuals related to the regrettable personnel changes. Dr. Walker stated that it was his intent to remedy the deception by restoring the personnel that Thomas had hurt. Dr. Walker not only restored but immediately promoted the three individuals to vice presidents and with significant increases in salary. By this time, Walker had developed a conspiracy theory and claimed that Dr. Thomas had devised a coup against him that would result in his termination and her appointment by the BOT as district president. As proof of the conspiracy, Dr. Walker provided an email to Dr. Atkins from Dr. Thomas requesting that the campus presidents report directly to her.

When Dr. Atkins expressed his belief to Dr. Walker that the college was utterly unprepared to complete the SACS deadline in March, Walker’s response to Atkins was that Thomas had planned to sabotage the college’s accreditation in order to discredit Walker. Dr. Walker also stated that Thomas had deceived him into believing that the accreditation progress was appropriate. Please note however, Dr. Walker provided no evidence to Dr. Atkins to support these claims. Again, Dr. Walker provided no progress reports to Dr. Atkins from Dr. Thomas or evidence that he had reviewed them, which was part of Dr. Walker’s responsibility as detailed in SACS criteria stated above. It is important to note also that Dr. Walker and Dr. Browder shared the “Thomas sabotage” conspiracy theory with all college administration, campus presidents and several members of the BOT. Please know that I was totally excluded from the compliance process until one semester prior to submission of the Compliance Certification document.

The SACS document was completed through implementing a production/factory model. Atkins coordinated writing teams that developed the Compliance Certification document and met the SACS deadline for March 2011. The document exceeded 200 pages and linked nearly 2,000 documents with narrative per each compliance standard. Development of the document lacked sufficient time to adequately study and address Edison’s problems in a significant and substantive manner providing a disservice to the college, its students, and the communities that it serves. Moreover, it reflects Dr. Walker’s irresponsible and ineffective leadership in regards to the college’s continued accreditation.

## Distortion of Record, Purchased Loyalty, and more Retaliation

Ultimately, a culture of fear and unethical behavior within an organization relies on both fearful and unethical staff members who are willing to compromise their principles of dignity and honesty and adapt to willingly carrying out the agenda of an unscrupulous CEO. Walker punished employees that were unwilling to adapt and he purchased loyalty through raises and titles. Consider that within my EEOC complaint are statements from Doeble and Lupe. The statements are all very supportive of my case against Walker and have been substantiated by the two previously described independent law firms employed by the Edison BOT to investigate discrimination and cause to fire Walker. After the EEOC complaint was released, on the day that I was terminated Walker promoted each of these two individuals.

In the case of Doeble, on numerous occasions she had requested that Walker expand her role with a new title: Vice President of Administration Services. Walker had turned down her request as late as July 2011; however, after I released the EEOC complaint, Walker provided her a salary increase and a more prestigious title (that she had requested earlier), effectively purchasing her silence. Currently, Doeble serves the college in her new role as Vice President for Administrative Services. It was later reported to me by reliable sources that Doeble had informed members of her own staff that Walker was furious with her after he read the EEOC complaint. He immediately knew that my allegations contained in the EEOC report were accurate and that the statements had originated from Doeble.

Knowing that he could not fire Doeble without causing himself further damage, Walker was aware that he had to placate Doeble and he needed her to deny my allegations. Moreover, Doeble served Walker well as the college’s accountant for several years and she was aware of his past unethical conduct. Firing her for her many leaks would have severe personal consequences for Walker and he had to “strike a deal” with her. Information was provided to me by Edison employees that Walker threatened to fire Doeble and she successfully convinced him that, if asked about the allegations in my EEOC complaint, she would deny having made the statements or simply state “I don’t remember.” In exchange, Doeble was rewarded for her willingness to be untruthful for Walker through an increase in salary and new title. Lupe was also promoted into a VP position and ultimately received a raise of approximately $70.000.

Prior to the release of my EEOC complaint on the day of my termination, Doeble had great confidence in my administrative skills and constantly sought my advice. During the time that I was placed on administrative leave she often called me at home and provided me with information about Walker’s continuing efforts to destroy me. She even communicated to my wife that Walker was attempting to sabotage my life and career and that I did not deserve it. She asked my wife what I was going to do to stop Walker. However, after my complaint was released and following her promotion she immediately joined ranks with Walker and supported his smear campaign against me in order to salvage her position. Employees reported to me that they heard her defaming me to others on a variety of occasions alleging that I was a terrible administrator. Walker paid her through a salary increase and a more prestigious title to deny her statements in the EEOC complaint and to join him in attacking me.

Since my termination and their promotions both Doeble and Lupe have tried to deny or reverse statements they have made and have made untruthful statements. I can provide evidence to support my allegation that Doeble provided false statements to attorneys Fowler White (Appendix 4) as the college was developing its response to the fourteen findings. As previously stated, Fowler White was contracted by the BOT to find cause for terminating Walker. It should be noted that I reported in the EEOC complaint that Doeble informed me and four other individuals, including Robert Beeson that Walker had attempted to interfere with the investigation of discriminatory hiring practices. Later Doeble was dishonest with investigators as she had promised Dr. Walker earlier (Fowler White), stating she had only disclosed the information to me and not others. In effect, Doeble accused the four other individuals, who had overheard her comments of lying to the investigators. These individuals independently confirmed to the investigator that they had witnessed Doeble’s comments.

## Termination of Susan Callanan, former Administrative Assistant to Dr. Atkins

To further erase the institution’s memory, Doeble terminated my Executive Assistant, Suzy Callanan on April 9, 2012. Callanan was present in the Academic Affairs office when Doeble came in and reported to me and four other Edison staff members that College President, Walker had attempted to interfere with the Henderson Franklin investigation of discriminatory hiring practices which was documented in my EEOC complaint. Doeble’s actions followed a history of retaliation leveled against Callanan that began with Walker. The day following my termination in October 2011, Callanan was locked out of her office at the Office of Academic Affairs, with locks changed, all computer access terminated, her work computer confiscated and carried out of my office in public view of other employees and students. Also, she had all job duties removed on that date. The punitive actions taken against her were much more extreme than actions taken against three other similarly situated Executive Assistants whose supervisors were fired by Dr. Walker for various reasons prior to this date.

On October 11, the date that after Walker placed me on leave, Bobbie Buczyna (SACS Project Director) and Susan Callanan were escorted to a conference room to meet with Dr. Walker and the HR Director. Callanan was advised at that time that Dr. Atkins had been fired and that they wanted to be certain of her "loyalty" to the college and not to Dr. Atkins. Dr. Walker also stated he was concerned that there was a "leak." Susan Callanan always maintained confidence and was never a “leak.” As evidenced in my EEOC complaint, Doeble constantly disclosed information regarding Walker and his questionable practices. Doeble often expressed to me and others her own personal and professional discomfort in carrying out Walker’s financial directives and agenda for the college. However, after my termination, Doeble scapegoated Callanan for disclosing leaks about Edison’s practices and denied all of the information that Doeble had disclosed to me.

Callanan’s knowledge of discriminatory hiring practices and statements emanating from Doeble were threats to Doeble and Walker. For example:

* Callanan had direct knowledge from her supervisors of proofs to support their report to the College President and Vice President of Operations that the unanimous merit-based selection decision made by the Selection committee for the Dean of Nursing had been overturned by the College President and Vice President of Operations based on the statement from the Vice President of Operations that the top candidate would not be hired because "the college had a bad history of hiring out-of-state African Americans."
* She had direct and personal contact with the candidate, Vivian Lilly, in the Academic Affairs office when she became a finalist and person selected as top choice by the Selection committee.
* She had direct knowledge of reports, conversations and voice mails from Michele Sandlin, the independent investigator of the course substitutions that were forwarded by me, in which Michelle Sandlin stated that after talking to the College President, she would tone down her preliminary report and change her findings. She also stated that the College President would like to hire her to help with Student Services of Edison State College.

The retaliatory and punitive actions taken by Dr. Walker and then Doeble were intentional and malicious and directly related to Callanan’s knowledge and involvement in work activities that were n the discriminatory hiring practices complaint made by Dr. Atkins and Dr. Beeson and the EEOC Discrimination Complaint filed against Dr. Walker by Vivian Lilly. No reasons were given to Callanan to explain these punitive and retaliatory actions taken against her other than the need to avoid a possible "leak" of information from the Academic Affairs Office.

In October 2011, Callanan applied for an open position for Auxiliary Services Specialist with the Office of Financial Services. In an interview with Vice President of Financial Services, Gina Doeble, Director of Auxiliary Services, Judy Pultro and Justin Dudley, an employment offer was made to Callanan. At that time Gina Doeble made the statement that the position was fully funded as of 7/1/12, but that there was a critical need to fill the position immediately and that adequate funding was available in the Office of Financial Services Budget to fill the position immediately. Callanan accepted the employment offer and transfer from her position as Executive Assistant based on her representation at the time of full funding for the position and critical need for the position, even though it entailed a reduction in her pay range. She performed the duties of the new position, which involved additional hours, working through her lunch most days and some work on weekends for the next five months.

Callanan was called into a meeting with Gina Doeble and Judy Pultro on April 9, 2012, and advised that she was being terminated without cause or notice due to reasons of need for budget cut of non-critical positions. It was stated that her performance was not a factor in this decision. She was not provided any written justifications or reasons for termination. There was no indication given that any written review or approval of the termination had been made by Human Resources or by the College President as the statutory appointing authority. She was removed immediately from her job and workplace and left the college campus.

The termination without cause or notice was arbitrary, discriminatory, and made without regard to any objective consideration of past performance, seniority, or other job-related factors. The asserted reason for the decision to terminate "budget cuts" is directly contradicted by the evidence and was, in fact, a pretext for unlawful, retaliatory action. Commonly accepted standards for college and university Human Resource policy governing job elimination and layoff due to budget cuts require objective and equitable basis for employee layoffs and job elimination due to budget cuts to ensure legal requirements are met for nondiscriminatory and arbitrary actions by administrators.

Edison College does have a Human Resource policy (Appendix 13) for “reduction in force” which calls for a staffing plan reviewed with the Vice President, Human Resources and approved by the Vice President, Operations. However, Callanan’s firing did not follow its own or any commonly accepted college or university Human Resource standards for fair and equitable treatment of employees in this termination and job elimination based on budget cuts. Despite reported need for budget cuts in the division, two or more new employees were hired by Financial Services in similar administrative support positions in the 60 days after or near Callanan’s termination, and have two months seniority as opposed to her eight years of seniority and history of outstanding performance evaluations. A number of options existed to reduce budget costs in the division, to transfer her to another open position and achieve the budget cut while mitigating damages to her caused by unjustified termination without cause.

Edison College firing managers also did not provide any reasonable notice for this layoff due to budget cuts. Commonly accepted college or university human resource standards for fair treatment of employees typically provide for 30-day notice to the employee. This is additional evidence of the retaliatory and hostile nature of her termination. Moreover, termination and removal immediately without any notice is in violation of college operating policy that limits immediate removal due to the employee posing a significant risk to other employees or the college. Callanan filed an EEOC complaint against the College in May 2012 for discrimination and retaliation against her as a clear violation of Title VII of the Civil Rights Act. Please see the letter (attached) from Callanan to Edison’s Interim President Goodlette. The letter exposes the College’s ongoing retaliatory activities and blatant disregard for its own hiring policies (see CS 3.2.9 violation below).

## Additional Examples of Retaliation and Unethical Behavior

Other examples of how administrators were rewarded for carrying out Walker’s agenda include: 1) Walker provided Harrel with a $30,000 increase above my salary as interim, even though she is serving only as interim and does not have the qualifications to hold the position; 2) He protected Pendleton and attempted to increase the length of her contract after she knowingly provided false statements to the Board of Trustees in the April 2011 meeting claiming that students’ degrees were not affected by the substitutions; and 3) Just prior to my termination, Walker protected Zimmerman from my attempts to reorganize her office although this reorganization was previously approved by Walker and was also detailed in the Focused Report and recommended by AACROA. Unfortunately, these individuals are currently continuing to mismanage the college’s affairs.

Through reliable contacts that I have maintained at Edison and further research (see supporting documents), I am convinced that following my departure that Harrel, Zimmerman, and Pendleton crafted responses to SACS with the intent of preserving their roles at the college and attempting to escape blame for the cover-up of Edison’s numerous scandals within their areas of responsibility. Because Harrel was appointed by Dr. Walker and maintained a close working relationship with Dr. Browder, she is not trusted by faculty and other administration. Her false and misleading allegations are direct attempts to discredit me, Dr. Beeson and others.

## Further Distortion of Record – Smear Campaign

Several faculty and administration called me following my departure and reported that Harrel was essentially conducting a smear campaign against Beeson and me. It was reported that Harrel had attempted to discredit us by making statements to several faculty that we had attempted to remove the baccalaureate degrees from Edison. If she were honest she would have reported what we had actually alleged regarding the degree and our attempts to ameliorate the problem (as detailed in the following sections of this document 2.7.2, 3.4.2, 3.5.3, 3.4.10. We uncovered a number of irregularities in Harrel’s and Zimmerman’s baccalaureate programs. After discussing our findings with Zimmerman she went to Walker and I was terminated by him within days. It was reported to me that following my meeting with Zimmerman that she went directly to Walker and was overheard crying hysterically in his office. Walker then immediately removed the registrar’s office and student services from me suppressing my ability to follow up and obtain reports related to our discovery. The faculty and administration, aware that our termination followed the discovery of baccalaureate problems and the close relationship that Zimmerman and Harrel maintained with Walker, were immediately suspicious. It is important to note that my termination occurred within two weeks of the on-site visit.

## College Attorney continues Defamation (Integrity violation)

Please note, as described in my EEOC complaint, that after I was rehired by Edison in May, 2011, Edison asked law firm Henderson, Franklin, Starnes & Holt to conduct an external “independent and objective” investigation into the discrimination allegations that I had raised with H. R. in February 2011. Before the investigation report was released, Henderson Franklin informed Walker that they believed that there was “evidence” that confirmed my suspicions that race was a factor in Edison’s hiring practices and that Edison had retaliated against me. Walker threatened to fire the law firm and ensured them that they would receive no more work from Edison. Walker was ultimately successful in manipulating the final report, which I believe was done directly to undermine my credibility and to attack my reputation. I was further humiliated during the August 23, 2011 BOT meeting when Edison’s counsel, Mark Lupe, reported to the Board that the investigation conducted by Henderson Franklin found that I faced no retaliation for reporting the discrimination complaint (Appendix 3). However, it was noted in a letter from Attorney’s Fowler and White, dated January 21, 2012, following the SACS on-site visit in November that Lupe was aware (Appendix4) that Henderson Franklin had discovered evidence of retaliation against Beeson and me. Fowler and White were contracted by the BOT to establish cause for Walker’s termination.

It was also discovered by Fowler White that Walker fired Doeble’s predecessor, Alan Francis, who served the college as its Vice President for Finance in 2007 after he confronted Walker regarding the legality of Edison’s Board of Trustees’ private meetings to discuss Walker’s contract. It is my view that Doeble and Lupe knew that Dr. Walker was clearly violating Florida open meetings law during meetings in which they participated in negotiating his contract with BOT members. If Doeble and Lupe had questioned Walker about the violation then they were both likely to have risked losing their positions and likely to have followed the fate of the former whistleblower, Francis, who was Doeble’s predecessor as Vice President of Finance. However, such knowledge would seem to be germane to their respective professions – CPA, Vice President for Finance and attorney – both requiring familiarity with Florida contract law. They each shirked their professional, civic, and ethical responsibilities by not reporting the college’s violation of Florida open meetings law to appropriate agencies.

1. Core Requirements and Comprehensive Standards – Continuing Non-Compliance 2.7.2, 3.4.2, 3.5.3, (3.4.10 relevant to section – additional detail provided later in document)

CR 2.7.2: Degree programs embody a coherent course of study as appropriate to the designated field.

CS 3.4.2 Evidence that their baccalaureate admission policies are clear and enforced in a consistent manner.

CS 3.5.3 Requirements for undergraduate programs are consistently enforced.

To understand the difficulty in unraveling the scope and nature of the substitution scandal, one has to know the context and culture of fear that Dr. Walker had created at Edison and his personal history in scandalous behavior in course related schemes at other colleges as well as Edison. In fact, headlines from an August 16, 2012 article from the Ft. Myers News press states “Bad Edison Course Swaps Called a Result of Staff Fear.” The article provides further supports to AACRAO consultant Michele Sandlin’s statement, “There is a culture of fear prevalent in the staff interviewed, particularly those in the registrar’s office, who stated a lack of trust and fear of job loss.” The culture that Walker crafted was well described in the AACROA report (Appendix 9 ) and his “don’t let rules and policies stop you from giving the students whatever they want” attitude was often communicated to college administration and some administration believed and practiced giving students whatever they wanted regardless of policy. **It is critically important for SACS to understand that members of the Current Administration practiced and are still practicing and defending a culture of disregarding rules and regulations.**

Attached are newspaper articles demonstrating that Walker was fired from Navarro College in Texas for registering hundreds of nursing home residents for college courses, some of which were classes in physical education. Later he resigned from Oklahoma Community College where several issues were raised in local media regarding questionable registrations of senior citizens and potential violations of the Oklahoma open meetings law. At Edison, under Walker’s leadership, new methods for generating greater enrollment funding through bogus substitutions and violating baccalaureate admissions policies were implemented. Again, it took me one year to discover his most recent course related scandal. It is apparent that Walker provided leadership for nearly thirty years in colleges that practiced course related improprieties and he found ways to grow college enrollment that increased his own personal wealth and professional status.

During our own investigation into the substitution/waiver matter, Beeson and I discovered that much of the illicit practice was centered in the baccalaureate degree programs (details below) and was used as a means of streamlining access to those programs and building enrollment. Those responsible included Kristen Zimmerman, Dean of Baccalaureate Studies, Dennette Foy, Associate Dean of Business and Technology programs, Mary Lewis, Acting Dean of the School of Nursing and Health Professions and Erin Harrel, Dean of the School of Education. Bill Roshon, Dean of Professional and Technical Studies, was complicit to the extent that he had approved many of the illicit forms. In a report that Beeson and I asked Edison employee, Jason Dudley, to run it was evident that many of the programs were, contrary to State Statute, admitting students who were deficient in Florida General Education requirements, program pre-requisites or were lacking an associate degree. Beeson provided Mr. Andrew Fulp with a preliminary copy of this report the evening that he was interviewed by the SACS visitation team on or about November 9, 2011. Harrel had been appointed acting Vice President of Academic Affairs after Beeson’ termination. When Beeson asked Dudley for a more refined report indicating which degrees, if any, the students in question possessed Harrel intervened (even though Dudley did not report to her) to prevent its release. Dudley, however has the completed report. Harrel ho has chosen not to release it or the preliminary report to SACS/COC as it reflects poorly on some of her Education programs.

Shortly before being placed on Administrative Leave in preparation for his termination, Beeson emailed the Executive Vice Chancellor of the Florida Department of Education Division of Community Colleges, Dr. Judith Bilsky asking for clarification on whether Edison’s substitution/waiver and admission policies were in compliance with State Statute. She wrote back in no uncertain terms that the baccalaureate degrees offered by the Florida Community/State Colleges, were strictly “2 + 2” programs and that students must possess an A.A. or an A.S. from a regionally accredited institution prior to admission (below). Before our terminations, both Dr. Beeson and I, shared this information with Zimmerman who continued to argue (see email below) that the Edison practice was acceptable, even despite further evidence that I provided from the Registrar’s Office in the form of a List Serve (enclosed) that indicated none of the other Community/State Colleges in Florida were doing as Edison. More details regarding program related violations follow later in this complaint.

## Past and Current Issues with Baccalaureate Degree Program

One week before I was fired by Walker, Dr. Beeson and I discovered additional problems related to the baccalaureate programs that initially focused on the BSN degree. In an exchange of email (provided below) from the college’s still acting registrar, Billie Silva, our suspicions were confirmed. Silva stated to Beeson in the email: “if I were a betting woman I’d bet it’s not just the BSN.” Dr. Beeson found an appreciable number of students provisionally admitted into baccalaureate degree programs who lacked general education courses and he requested reports to document that students enrolled in the BSN program were completing freshman level courses while currently enrolled in senior nursing courses. His concern was expressed to me two weeks earlier by nursing faculty who believed the practice to be unsound and that it created a hardship on students as they completed the rigorous upper division nursing courses while simultaneously enrolled in courses that should have been completed prior to admission. In June, 2011, I requested an error report from the college for all Baccalaureate programs. The report would demonstrate the extent to which students in all baccalaureate programs met college and State required entrance requirements to include: AA or AS degrees, completed required program prerequisites, passed general knowledge exam in education, met minimum GPA requirements, etc. I never received the report and later when Dr. Beeson requested a similar report he was fired precluding his ability to report our concerns to SACS.

In a meeting in October 2011, Dr. Beeson confronted Zimmerman about his concerns related to students admitted into her programs without meeting general education requirements. Zimmerman became furious and acrimoniously denied that the practice occurred in the BSN program or any of her baccalaureate degrees. Following the meeting, Dr. Beeson requested a report from Jason Dudley (data analyst) that confirmed his suspicions as evidenced in the email exchange below between Dr. Beeson, Dudley, and Silva (college registrar). In the email, Dudley confirms Dr. Beeson’s suspicion. Dudley states “we don’t provisionally admit students, I think they are admitting them straight into the program, and Silva’s statement: “if I were a betting woman I’d bet it’s not just the BSN.” This exchange and concerns were expressed one week prior to my termination from Edison and was part of Walker’s on-going retaliation against me for my complaint to Human Resources that the college was engaged in discriminatory hiring practices.

Please see the following email exchange. Please note that I can provide the full emails and documentation for any excerpts provided in this document.

Original email from Beeson

From: Robert Beeson   
Sent: Friday, October 07, 2011 8:48 AM  
To: Jason Dudley  
Subject: Data Request

 Dear Jason,

Would it be at all possible to have you run a report that indicates how many ESC students are enrolled in upper Division baccalaureate course work while still completing their General Education requirements?

It was argued earlier this week that we do not have any such students. I know better, and wish to be able to demonstrate it. Could you determine how many of these students, if any, have been provisionally admitted to baccalaureate degree programs? Finally, would it be possible to determine how many semesters the students fitting the description of completing General Education while enrolled in upper division course work, have been doing so. In other words, have they been doing this for one, two, three, or more semesters, in each case?

Thanks for any help you can provide.

Best,

Bob

Robert John Beeson, Ph.D.   
Lee Campus Vice President of Instruction  
District Dean, Arts & Sciences

Dudley’s Response

From: Jason Dudley   
Sent: Friday, October 07, 2011 3:06 PM  
To: Robert Beeson  
Subject: RE: Data Request

Here is a start.  I ran this report for Fall 2010.  Any student name colored red is not taking any upper division courses.

I don’t think that we provisionally admit,  I think they admit them straight into the program. Let me know if this will work.

Thanks,  
Jason

Silva’s Response

From: Billee Silva (registrar)  
Sent: Fri 10/7/2011 4:57 PM  
To: Robert Beeson  
Subject: RE: Data Request

If I were a betting woman I’d bet it’s just not the BSN.

## Edison Continues to Violate Requirement for Associate Degree as pre-requisite for Baccalaureate Admissions

As Roueche and Roueche (1999) point out ‘Universities do not hesitate to prohibit students from enrolling in courses for which they are not prepared or have not completed prerequisites; community colleges should do no less.’” (p.30).The FLDOE stipulates that its colleges require students to have received associate degrees from accredited colleges prior to matriculation into its four-year degree programs within a 2+2 framework. Two programs at Edison have permitted students to transfer 60 hours of credit in lieu of having earned an associate degree. Ordinarily, any variance from the associate degree requirement should, at a minimum, stipulate that the 60 credit hours are truly transferable and from a related field of study and equivalent to Edison’s associate degrees required for program admission into the baccalaureate. If a student lacks the associate degree; however, I have recently found evidence that Edison, in clear violation of FLDOE, accepts 60 credit hours in any field (no associate degree), diplomas, AAS, certificates, and a variety of other documents from colleges throughout the United States that are not equivalent to Edison’s AA or AS degrees. Evidence and greater detail regarding these and other violations occur in subsequent pages of this document.

Dr. Judith Bilsky’s letter (below) provides further evidence that Edison State College knew of the discrepancy, and did nothing to correct it, even as it was preparing for the visitation team’s arrival. The memorandum below demonstrates that Zimmerman, Dean of Baccalaureate Studies, submitted the memorandum to interim Vice President of Academic Affairs, Erin Harrel, on November 18, 2011 that presented her defense of practices that were out of compliance. Zimmerman’s memorandum to Harrel of November 18, 2011 was written after the SACS/COC visitation, after the submission of the Compliance Report, after submission of the Focused Report, and after she had received a copy of Dr. Bilsky’s explanation of State Policy

Beeson email to Dr. Bilsky (Vice Chancellor of the **Florida College**   
System)

From: Robert Beeson

Sent: Monday, October 17, 2011 2:40 PM

To: Bilsky, Judith

Subject: Question for clarification

Dear Dr. Bilsky,

We are attempting to determine whether our common practice at Edison State College of allowing students to take upper division, baccalaureate level courses without having completed all of the General Education and program prerequisites is in compliance with statute and state board rule. There appear to be three categories of student:

1. Those who have earned an A.A. or Bachelor degree, but are lacking some kind of state requirement, e.g. language, math, etc.
2. Those who have earned an A.S., but have not yet fulfilled the 36 semester hour General Education requirements.
3. Those who have accumulated 60 semester hours but do not have an associate degree, and are working on fulfillment of their General Education requirements.

My assumption is that students enrolled in courses such as SPC1017, WHO 1030, DEP 2004, AMH 2020, MAC 1105, MGF 1107, MGF 1106, PSY2012, HUM 2211, and so forth, are students who are working on Gen. Ed. requirements, or some program requirement, and not students simply taking additional coursework in the lower division in the pure pursuit of knowledge.

I have attached the analysis I have done of the data we have accumulated to date, and the Community College Registrar Listserv thread on this issue. If you would like to see the reports that we have run, I can forward them to you, but I wonder whether I need to redact the student names. Please advise.

Sincerely,

Robert John Beeson

Robert John Beeson, Ph.D.  
Lee Campus Vice President of Instruction  
District Dean, Arts & Sciences

Email response from Bilsky

From: Bilsky, Judith [Judith.Bilsky@fldoe.org)

Date: Monday, October 17, 2011 4:16 PM

To: Robert Beeson

CC: Frohe, Patricia; Alexander, Julie

RE: Question for clarification

Dr. Beeson-Thank you for sharing your analysis. I agree that there are some ambiguities in the Associate to Baccalaureate pipeline, as you have noted. As an original member of the BAS Task Force in 2006, I participated with several others from both the Florida College System and the State University System in "defining" the various routes to the baccalaureate. Since the Legislature had placed great emphasis on A.S. to BAS progression, and "workforce" oriented degrees, with minimal barriers, but maximum academic integrity, we were faced with some "evolutionary" redesign, --particularly the recognition and acceptance of the "inverted" baccalaureate, i.e, a degree wherein an A.S. graduate would complete/fulfill Gen. Ed. requirements while enrolled in the upper division. My "historical" interpretation is as follows:

1. Students with A.5. degrees may enroll in upper division career/technical coursework simultaneously with enrollment in remaining Gen. Ed. requirements, and foreign language requirements
2. Students with AA degrees may enroll in lower division career/technical coursework prerequisite to any upper division career/technical coursework required for the baccalaureate, including foreign language requirements.
3. Students without an AA or AS degree should not be formally accepted/allowed to enroll in baccalaureate/upper division programs or courses until they have completed Associate degree requirements.

Please let me know if you need more specific guidance and we'll work with you on that.

Memorandum from Zimmerman to Harrel – Contradicts Vice Chancellor Bilsky

EDISON STATE COLLEGE-

Baccalaureate Programs

**MEMORANDUM**

TO: Erin Harrel,

Ph.D. Interim Vice President of Academic Affairs

FROM: Kristen Zimmerman

Dean, Program Development and Baccalaureate Initiatives

DATE: November 18, 2011

RE: Review of Fall 2012 Baccalaureate Students- prior credit hours and degrees earned

For a number of weeks, there have been statements to suggest that the baccalaureate admission requirements have not been maintained or enforced. A report entitled *Enrolled Students with Courses for term 201210* was requested and distributed to identify baccalaureate students enrolled for the current term that included the following data elements:

1. The student identification information and program of study,
2. The term the student gained acceptance into the baccalaureate program,
3. Fall 2012 course enrollment, and
4. Previously earned degrees with dates conferred.

On November 17, 2011, I initiated a review of all 1,041 student records that appear on the report. The purpose of this component of the review was to determine if students accepted into the baccalaureate programs fulfilled the prior degree and/or credit hour requirements for admission. Of the 1,041 students on the list, the report data identifies 47 students that did not have an associate/level degree program awarded prior to the term of admission into the baccalaureate program. All 47 records have been carefully reviewed to provide justification of admission. In summary, all students (with the exception of one) had completed 60 hours, documenting sufficient credit hours to be coded at junior status. As you review the report, it becomes evident that students fall into five main categories:

1. Students were admitted based on transfer credentials which were not reflected within this report (7 students).
2. Banner term of admission or graduation inconsistencies (student did complete degree prior to admission into baccalaureate program- 5 students).
3. A provision within the admission requirements exists to permit admission of students with 60 hours earned and all general education requirements met (26 students).
   1. Students who had completed all general education requirements, but had not applied to formally graduate with the associate degree. Through the admission process this was discovered and students were advised to apply for the applicable degree. As a result, the degree was awarded in a term following eligibility.
   2. Students who had completed all general education courses, but were ineligible to receive the A.A. degree based on CLAST requirements. The CLAST has since been removed at the state level as a graduation requirement. Administrators were aware (from state level meetings) that the CLAST requirement would be removed.
   3. Students who transferred to ESE with all general education met, or who only needed minimal general education courses while at ESE, were not eligible to apply to graduate with an associate degree due to the 25% residency requirement. These students had completed all general education courses prior to admission.
4. Student was accepted through 10% admission provision in the School of Education which allows for flexibility of admission criteria for up to 10% of students accepted (1 student).
5. Students admitted by exception (8 students). Students had minimal remaining general education or associate in science requirements, but had exceeded financial aid eligibility for assistance beyond those few remaining courses. Students were permitted to become baccalaureate degree seeking to complete these courses, and others deemed appropriate as co-requisites. Less than one percent of students on this report fall into this category.

I am confident that there has been no violation of any state guideline, administrative rule, or statute within this process. As disseminated by the Division of Florida Colleges in an email dated May 9, 2008,

*Admission to Bachelor of Applied Science (B.A.S.) degree programs usually requires an Associate in Science (A.s.) or Associate in Applied Science (A.A.S.) degree in a related area. If a student has earned an Associate in Arts (A.A.) degree; or an A.S. degree, an A.A.S. degree, or its equivalent in an unrelated area, the student may he admitted on a case-by-case basis with approval of the appropriate academic administrator. Some majors may have licensure or other types of requirements prior to admittance. Due to the variance in specialized B.A.S.degree programs and concentrations, students are strongly encouraged to consult with an academic advisor at the B.A.s degree-granting institution.*

A provision not only exists for case-by-case admission approval, but also supports seamless transition for students eligible to begin the baccalaureate program. The few exceptions made were made in an effort to place the student at the center of the process, especially when they were faced with financial difficulty because of their previous credit hours earned. If I can provide any additional details regarding the information contained in this analysis, please contact me.

Edison’s admissions policy for its BAS in Public Safety Administration Program ,as depicted in the following excerpt from the college’s most recent catalog (below), demonstrates ongoing non-compliance. Note item 4 provides the Dean of Baccalaureate Studies the ability to effectively override program admission requirements.

Catalog excerpt demonstrating non-compliance with FLDOE Admissions policies and practices

**Admission Requirements**

**Bachelor of Applied Science in Public Safety Administration**

**Please read this entire page carefully prior to proceeding to the application link located at**

**the bottom of this page.**

1. Applicants must apply for admission and be accepted to Edison State College. Official transcripts from all previously attended colleges or universities must be sent directly to the Office of the Registrar.
2. Applicants must have a minimum cumulative grade point average of 2.0 on a 4.0 scale in relevant transfer courses that apply toward the BAS degree.
3. Applicants must have earned:
4. An Edison State College Associate in Science degree in Criminal Justice Technology, Emergency Medical Services Technology, Fire Science Technology, Paralegal Studies, or Crime Scene Technology awarded within the past 10 years, which includes 60 hours of transfer credit. Additional General Education requirements must be completed prior to graduation.

**OR**

1. An Associate in Arts degree, or **60 hours of transfer credit**, which includes the completion of the Florida State General Education requirements. Such applicants must have 12 credit hours earned in the past 10 years in one of the following content areas:

1. Criminal Justice

2. Crime Scene Technology

3. Paralegal Studies

4. Fire Science

5. Emergency Medical Services

6. Combinations of the above content areas upon recommendation by the BAS

Admissions Committee or approval by the appropriate academic Dean.

**OR**

1. An Associate in Arts or higher degree, or 60 hours of transfer credit, which includes the completion of the Florida State General Education requirements. Such applicants must have one of the following:

1. Florida Fire Officer I certification

2. Florida Paramedic licensure

3. Florida Department of Law Enforcement Criminal Justice Standards and Training Commission certification in law enforcement or corrections

1. Demonstrated competencies in the field of Public Safety upon recommendation by the BAS Admissions Committee or approval by the Dean of Baccalaureate Programs.

Transfer students with an AS degree in Criminal Justice, Emergency Medical Services, Fire Science, Paralegal Studies or Crime Scene Technology from a regionally accredited college or university awarded within the past 10 years may be admitted following a review of transcripts, faculty credentials, and course descriptions. Any outstanding General Education coursework must be completed prior to being eligible for graduation. The College reserves the right to review all applicant transcripts and to require supplemental coursework to correct deficiencies, should they exist.

1. Applicants not meeting stated admissions criteria may petition for program admittance if they feel that there are mitigating circumstances. Applicants must submit an official petition form available in the Office of the Registrar.
2. While the BAS program is designed to articulate associate degrees, Edison State College freshman and sophomore students may declare their intent to enroll in the BAS program through the Edison State College Admissions Application.
3. Prior to enrollment in any upper division courses, applicants must successfully complete ENC 1101, ENC 1102, and three credit hours of college level mathematics.

The Edison State College Registrar’s Office will ensure that previous coursework meets all relevant academic standards before acceptance for transfer. The Dean of Baccalaureate Programs and the BAS Admissions Committee will ensure adherence to the above admissions criteria.

**Baccalaureate Common Course Pre-requisites**

In the Annual Baccalaureate Performance Accountability Report required by the State, Zimmerman essentially admitted that the college violates State requirements for students’ completion of program prerequisites prior to admission. However, she states deceptively that “Edison State College continues to serve students who have achieved an Associate in Arts Degree, but have not completed the State mandated common course prerequisites and State Approval criteria for full admission into the Elementary Education program”... and …”ESC could appreciate the opportunity to participate in conversations to address this significant issue.” It is my belief that Zimmerman obfuscated the language in a deceitful manner that would provide cover for her if the FLDOE discovered that required program prerequisites were not enforced at Edison. If caught, Zimmerman could simply assert that she had appropriately disclosed the violation in her report by stating “we continue to **serve s**tudents…who have not completed … prerequisites.” However, “serving” students by allowing them to bypass program requirements was not an option. Moreover, the FLDOE most likely interpreted Zimmerman’s use of the word “serving” as “providing options to assist students in meeting prerequisites.”

Zimmerman requested that the college registrar remove admissions criteria from baccalaureate programs that were approved by faculty and the college’s curriculum committee. The following email, documents Zimmerman’s attempt to remove catalog information related to her baccalaureate program as means for increasing program enrollment:

Dr. Atkins,

Clarification please.

Dennette Foy asked us to add “Beginning Fall 2011, applicants to the BAS degree in Supervision and Management must complete MAN 2021 (Management Principles) prior to admission.”  Kristen asked her to take it out and wants Judi to put MAN 2021 as a pre-req on all upper division courses.  Unfortunately, Kristen’s request is not feasible at this time due to timing and it would need to go through Curriculum.

My question to you is:  do we leave the statement “Beginning Fall 2011, applicants to the BAS degree in Supervision and Management must complete MAN 2021 (Management Principles) prior to admission” in, or take it out?

Thank you.  Billee

In a subsequent email, Billee Silvee confirmed that the language was approved by faculty:

Dennette and Lori,

Because MAN 2021 was approved as a program prerequisite at the Dec. 2010 Curriculum Committee Meeting, it needs to stay in the catalog and students must have it completed before admission to the baccalaureate program in Supervision and Management.

Thanks.

Billee

**Foreign Language Credit Hours not Followed**

In early September 2011, I learned that Zimmerman ignored the college catalog and admitted transfer students into baccalaureate programs as having met foreign language requirement regardless of credit hours earned. The Edison catalog required 8-10 credit hours of foreign language. The following emails from Zimmerman on 9/7/2011 provide evidence of her inappropriate approach. Also, note that her use of “regardless of credit hours awarded” contradicts the college catalog.

From: Kristen Zimmerman  
Sent: Wednesday, September 7, 2011 11:30 AM  
To: George Atkins  
Subject: Foreign Language Requirements

Good morning~  per our conversation yesterday, I would like to follow up regarding current BAS and BS students who transferred to ESC with two semesters of a foreign language completed.  As we discussed, back in June of 2009 DOE staff confirmed that the College may determine if transfer students have attained the competencies covered in foreign language courses.  As a result, through the transfer evaluation process in the Office of the Registrar, students have routinely received transfer credit for levels I and II of foreign languages (both in languages we offer and do not offer at ESC).  Additionally, the degree audit process provided for this graduation requirement to be met with those courses, regardless of credit hours awarded, because the competencies students met were considered equivalent to ESC course competencies.  Further, the State Administrative Rule provides ESC with the autonomy to determine competency measures for students in languages ESC does not teach or are unavailable in the form of CLEP exams.  As a result, the College has consistently allowed two semesters of a single foreign language as a measure of competency.

Recently, the degree audit process changed and students are no longer seeing this requirement as met.  Prior to August, the requirement was indicated as met on their degree audit.  …

Thank you, Kristen

Email to Billee Silva (registrar) from Zimmerman

Billee- as stated in State Administrative Rule, the College may determine acceptable means for students to demonstrate foreign language competency in areas where a CLEP exam is not offered.  Our practice, based on previous discussions, has been to allow courses that match level II competency to fulfill the foreign language requirement, especially in languages either not offered by ESC or via CLEP exam.  What, if any, documentation will be necessary to consider this student as meeting the foreign language requirement? Thanks,  Kristen

Email from Edison Baccalaureate Specialist

From: Leslie Urban   
Sent: Tuesday, October 04, 2011 12:42 PM  
To: Lori Carroll  
Subject: Edison State College – [name redacted] - Foreign Language

Lori, Please see the policy below.  Is this still accurate?  Student [name redacted] has transferred in 7ch of American Sign Language.  Since we don’t offer ASL at ESC, he would not have an opportunity to complete the 8ch here.

Please let me know.

Thank you,

Leslie Urban  
Baccalaureate Specialist

Zimmerman planned to unilaterally violate the college catalog in order to ameliorate nursing problems. Please see the following email sent by the college registrar on Friday 8/26/2011 at 12:39 PM. Note the response from the registrar.

Email from Zimmerman

*Billee- based on our communications with a number of BSN students who were on target to complete their degree in December 2011, they are opting to slow their progress toward degree completion and take a lighter fall 2011 course load.  Apparently, the NUR 4636 and 4636L and NUR 4827 and 4827L courses are entered as* ***co-requisites for registration****.  We want to honor the student requests to take one of these course/lab combinations and* ***NOT require the second as a co-requisite****.  Students have been unable to drop online because of the co-requisite error.  Please allow these drops to occur, and continue to assist us with accommodating the students, if they do not accomplish this today.  Thank you, Kristen*

Registrar’s response

Kristen,

Dr. Atkins is the only individual who can override a Curriculum Committee decision.

Erin Harrel disclosed that she had knowledge that problems related to course substitutions, graduation and advising exist in baccalaureate programs (June 2011). In an email she notes that the Education Programs provide exceptions for admissions policies. It is troubling that she has never audited the process to ensure its accuracy. Harrel states that her program(s):

*“Provides 10% waiver of admissions policy into School of Education: I can provide documentation for all admissions exceptions made.  There is a committee that oversees this program and admits up to 10% of candidates that have not met admissions requirement.  However, it may be nice to do an audit to see if this process is working and ensure students have not been alternatively admitted.*

1. Core Requirements and Comprehensive Standards – Continuing Non-Compliance 2.7.3

CR 2.7.3: Successful completion of a general education component at the collegiate level that

## Edison operating outside the Florida State-wide Articulation Agreement violates general education requirements (AA/AS to BS degrees)

A significant issue that continues to compromise the integrity of baccalaureate degree programs at Edison is related to how the college awards credit for out-of-state AA, AS, and baccalaureate degrees. The Florida State-wide Articulation Agreement (Appendix 7) provides that colleges accept associate degrees from Florida public colleges into its baccalaureate programs and clearly stipulates that only these graduates have met all general education requirements for admission into its baccalaureate degree programs. As required by Florida Statute: “Students who have not fulfilled the state of Florida general education requirements must complete them. The Gen Ed requirements are waived for students who have an AA or bachelor’s degree from a public Florida SUS (State University System) or community/state college.” However, Edison waives the Florida general education core requirements for baccalaureate degree seeking students that have earned an AA or baccalaureate degree from any accredited college in the U.S.

Because general education courses and requirements vary from state to state, college to college, and across accrediting bodies, the FLDOE articulation agreement ensures consistency and coherency throughout all of its degrees. Moreover, AS and AA degrees are inconsistent across states and community colleges. There is even considerable debate that the Florida AS degree more closely resembles AAS degrees in other states and are not designed for transfer. Nevertheless, the State-wide Articulation Agreement does not include a provision for Edison’s practice for automatically accepting out-of-state associate and baccalaureate degrees as having met Florida general education requirements. Thus, Edison’s practice has unfairly resulted in graduating some students who potentially lack fundamental abilities that are common to baccalaureate recipients in Florida and other states. Moreover, numbers of students that have not met Florida general education requirements are currently enrolled in baccalaureate degrees and the college has not reached out to these students to provide alternatives for completing an appropriate program of study. Efforts that were implemented at Edison to ameliorate degree issues for the substitution scandal should be employed immediately to ensure the college’s ongoing compliance with SACS and FLDOE. It is critical that a forensic type curriculum audit be conducted by an external reviewer with Bannar® expertise for the college’s baccalaureate degrees. Past practices allowed the Dean of Baccalaureate Studies to develop her own reports for Walker and others.

 I asked Billie Silva, college registrar, to survey the Florida college registrar’s list serve and they reinforced our understanding that Gen Ed requirements are only waived for those students who have their degree from a public Florida institution.  (Please see following email).  However, Zimmerman’s belief and practice she implemented at Edison was one that permitted students who received a bachelor’s degree from any regionally accredited institution as having met their Gen Ed requirements. The registrar discovered that some students may have prior bachelor degrees but never have taken English or math. As I completed the college’s focused report, Beeson and I confronted Zimmerman with our concerns on this issue and others. She angrily denied our allegations. Our concerns were communicated by her to Walker who fired Beeson and me shortly after our conversation with Zimmerman.

Silva’s email

Dr. Atkins,

I need some clarification as there seems to be some confusion regarding Gen Ed requirements for the baccalaureate degrees.  I surveyed the registrar’s list serve and they reinforced my understanding that Gen Ed requirements are only waived for those students who have their degree from a public Florida institution.  (Please see emails below).  However, Kristen’s belief is students who have received a bachelor’s degree from any regionally accredited institution have met their gen Ed requirements.  Can you please clarify for me so we know how to program the degree audit?

Thank you.  Billee

Again, evidence (Appendix 8) demonstrates that Edison accepts several inappropriate types of degrees for its baccalaureate admissions that Zimmerman and her staff deem equivalent to the Edison associate degrees; however, the degrees are, in some cases, inferior to associate level courses in rigor or academic level and are not designed to transfer. Degrees that Zimmerman’s team accepts for transfer purposes include: AAS degrees, diplomas, certificates from public schools (technical centers, and college certificates) and from a host of institutions throughout the U.S. (see Appendix 8 - Baccalaureate Transfer Institutions by Program). To justify the acceptance of the degree, the registrar and Zimmerman contacted the institution and conversed with staff in HR, an administrator, or reviewed teaching requirements from college websites to demonstrate that faculty from sending institutions had met SACS credentialing guidelines. It was Zimmerman’s view that regardless of the level at which the instruction occurs…coursework accepted into the college only needs to have been provided by an individual with a master’s degree and 18 hours in the field. Appendix 8 depicts a number of degrees that Zimmerman deemed equivalent to Edison associate degrees.

1. Core Requirements and Comprehensive Standards – Continuing Non-Compliance CR 2.8

CR 2.8: Number of full-time faculty members is adequate

Erin Harrel put together Core Standard 2.8 (faculty resources) for the Compliance Certification document and was responsible for the inaccurate information sent to SACS regarding the number full-time faculty.

Good Morning Dobin,

Please find attached Standard 2.8 and all documentation.  I have reworked the evidence and extracted only the questions needed from surveys.  Therefore, some of the evidence changed.  I have attached all PDF documents numbered to match the list of documentation at the end of the narrative.  Some of the items are attached to other standards or things Bobby has so there may be a few items not listed in the documentation folder.   As we discussed, I left these blank in the list.  I have done my best to check and re-check every document.  If there are any questions or errors, you can reach me on my cell 239 470-1395.  I will be out of town until tomorrow evening, but will check e-mail, voicemail and texts.

 Thanks-  Erin

From: Robert Anderson  
Sent: Fri 2/11/2011 5:13 PM  
To: eharrel@edison.edu  
Subject: SACS 2.8

2.8 is attached.

In response to the college’s finding for Core Requirement 2.8, the college has attempted to hire additional faculty; however, the ratio of courses taught by full-time faculty compared to the total course sections taught is skewed by massive overload assignments. Administration has inappropriately assigned excessive overloads to faculty as recently depicted in an article from the News Press in Ft. Myers on April 24, 2012 (Appendix 14). The overloads are clearly violations and excessive. In 2009, the college developed an overload policy that Harrel clearly violated. The policy states: “Faculty members are limited to a **maximum of two overload** course assignments per semester, and the total teaching load is restricted to a **maximum of 24 hours**. Exceptions to these limitations require workload documentation, written justification, and will be considered on an individual basis and require the approval of the Vice-President of Academic and Student Affairs.”

I was recently informed that a Chemistry Professor at Edison had taught 76 credit hours during the past academic year. Further confirmation is evidenced in a recent News Press article (Appendix 14). Excerpts from the article are below.

Headlines: Exclusive: Edison State College professors pressured by class overload

Instructors earn average salaries, but some pick up tens of thousands more to teach extra classes and assume administrative duties.

12:05 PM, Apr. 24, 2012

“They are paid to teach a full load.”

“And faculty members do that, and then some.”

“Records show 95 of 161 professors, or 59 percent, are supplementing their otherwise middle-of-the-road salaries this semester by teaching as many as five extra courses. It is faculty’s version of overtime, one that boosts paychecks by as much as $9,304 for the four-month spring term.

Overloads aren’t professors’ only source of extra pay. Dozens sign special contracts to complete assignments normally handled by administrators, and those extra tasks have netted faculty up to $17,600 annually in past years.”

It is also important that credentials of new full-time faculty within the School of Education be reviewed by SACS. Because of her inexperience Harrel employed full-time faculty that lacked minimum qualification to teach upper division courses. She was convinced that graduate programs in the areas of Elementary Education and Middle School Math, Science, and Language Arts were virtually non-existent. Harrel did not hire qualified faculty for the Education baccalaureate degrees. I could not convince her that she had problems with faculty credentials. I finally requested that she ask a consultant from the University of Miami to review her faculty members’ credentials and transcripts. The consultant found that four upper division courses in Education programs were taught by faculty with inappropriate credentials.

From: Erin Harrel [mailto:Erin.Harrel@edison.edu]   
Sent: Tuesday, June 21, 2011 1:59 PM  
To: gmpelaez@miami.edu; Neimand, Susan; Carroll, Jeri  
Cc: George S. Atkins  
Subject: Need Assistance

Good Afternoon ,

I was hoping I might call upon your expertise to assist in reviewing a School of Education faculty members qualifications.  As you may know, we are in the midst of a SACs review and have had some issues raised about this particular faculty’s credentials.  I would like to ask for several outside reviews to assist with the qualification process.  I appreciate your expertise and value your time.   Please let me know if you are unable to assist at this time!

Attached you will find a  cover sheet with appropriate evidence following.  Please respond to the three items at the bottom of the cover sheet regarding the faculty members qualifications.  The faculty members name has been deleted to maintain anonymity.  If you have any questions, do not hesitate to reach me at 239 489-9319.

Many thanks-  Erin

The response from the consultant resulted in the following email from Harrel:

Not exactly what I was hoping for!  I will put all three reviews together and present them in a more formal format, but wanted you to see the initial review.

Erin

Erin E. Harrel, Ph.D.  
Dean, School of Education and Charter Schools

Review of qualifications

From: Neimand, Susan [mailto:sneimand@mdc.edu]   
Sent: Wednesday, June 22, 2011 2:15 PM  
To: Erin Harrel  
Subject: RE: Need Assistance

|  |  |  |
| --- | --- | --- |
| **Course** | **Yes** | **No** |
| EDE 3315 |  | X |
| EDE 4223 |  | X |
| EDE 4220 |  | X |
| EDE 4340C |  | X |
| EDE 4226C | X |  |
| EDE 4940 | X |  |

1. Core Requirements and Comprehensive Standards – Continuing Non-Compliance CR 2.10

CR 2.10 Student support programs, services, and activities that promote student learning

I was recently informed that Edison violates State and college practices for placement testing that result in inequities and inconsistent treatment of students. Also, I am privy to information from a college employee in Student Services that policies for placement testing are inconsistently administered across Edison campuses and do not meet State or College stated requirements. Practices across the district have created inequities and are counter to established psychometric practices for administering the test. One particular area of abuse is related to dual enrollment students enrolled at Edison’s Charter High School. Edison essentially promises its charter high school students that they can complete an associate degree and high school diploma in four years. The claim results in pressure on principals and others to ensure that most students have placed out of developmental studies during ninth grade. I can provide names of individuals on request of the SACS/COC that can confirm this charge.

1. Core Requirements and Comprehensive Standards – Continuing Non-Compliance CS 3.2.8, 1.1

CS 3.2.8 (and 1.1) Qualified administrative and academic officers with the experience, competence, and capacity to lead the institution.

The college has recently allowed members of its administration to falsify their qualifications for advancement into a senior administration position.

The two persons who reportedly had the greatest role in producing the Response to the SACS Visiting Committee were Erin Harrel and Kristen Zimmerman. Both are thoroughly implicated in the course substitution/waiver scandal. Both were promoted and given substantial raises by Walker shortly before his termination and both have continued to carry out the practices that they performed as Walker’s minions, including perpetuating the myth that Beeson is somehow responsible for the substitution/waiver problem. For her part, Harrel has two quite different Curriculum Vitae, one more modest and accurate than the other. The false C.V. (Appendix 5) was submitted on two occasions for SACS/COC documentation and included with the Compliance Report under Standard 3.2.8. It misstates her work experience in higher education, and statistical analysis skills that she does not possess. She later submitted this false version of her C.V. in application for the Vice President of Academic Affairs position. A faculty member filed a formal complaint for the falsification of her resume several months ago and the College has yet to act upon it. Only in the Response Report to the Visiting Committee has Harrel made the correction with S.A.C.S., which is the third time she has submitted her C.V. with a SACS/COC document. Harrel has also chosen not to reveal the Jason Dudley report to SACS/COC in either of its two iterations. The suppression of this evidence is a clear indication that the issues of integrity cited by SACS/COC have not been resolved.

## Harrel’s Fraudulent Vitae (further violation of integrity, staff qualifications, related human resources standards and requirements)

It should be noted that a faculty member filed a complaint against Dr. Harrel several weeks ago for Harrel’s known submission of a fraudulent curriculum vitae (Appendix 5) to a campus hiring committee during the time that she was crafting the college’s response to the Integrity finding. The vitae was part of Harrel’s application for the full time VPAA position at Edison. Harrel had previously submitted the same vitae to SACS in the college’s compliance certification document. I later learned from the SACS project director at Edison that she was reluctant to include Harrel’s vitae in the compliance document and confronted Harrel that the vitae was fraudulent. Harrel argued with the project director and informed her that the vitae was correct and demanded that it be sent to SACS. Subsequently, the director accepted the vitae that Harrel refused to correct and it was attached and sent to SACS. Harrel later submitted the same vitae for the college’s focused report but withdrew language related to what she claimed were skills in “advanced quantitative statistics and research, and extensive knowledge of SPSS statistical programs” that she alleged to possess. Harrel was aware that the preliminary SACS report, received by the college in June 2011, requested additional information regarding staff qualifications. One can reasonably infer that Harrel removed information that would have provided her greater credibility as the interim VPAA; however, because it was contrived and could not be supported in her personnel file or otherwise, she risked the possibility that SACS might expose her distorted record. Her fraudulent document is yet another ongoing lack of integrity within the Current Administration.

Harrel’s contested vitae (attached) states that she served Edison from 2003-2008 as faculty and department chair. In fact, Harrel was serving as adjunct faculty during this time, was never a department chair, and was not employed full-time at Edison until 2009. At present, the faculty complaint has not been resolved. Harrel would not have qualified for the VPAA position for which she had applied without having padded her resume. Upon the hiring committee’s discovery of her bogus credentials, the committee suspended the search and rewrote the job description requiring more experience for the position. Note that Harrel authored the original job description and then followed-up immediately with her own application for the position. Further, criteria that Harrel included in the job description included a “minimum of five years in college administration” which paralleled the five bogus years of experience (2003-2008) that she falsely claimed on her original vitae. Given Harrel’s position as Dean of Education and Interim Vice President, her behavior should be deemed inexcusable and appalling by college officials. I contend that this type of behavior has permeated the college and is a vestige of the unethical culture that has dominated the college for two decades.

Furthermore, after having received the interim position from Walker, Harrel was touted in local media for publishing over 70 scholarly works. She included the list of publications in all vitae previously described giving the impression that these publications were submitted to peer-reviewed scholarly journals. Quite the reverse, college faculty were angered to learn that all of the publications listed in her vitae and touted to the Press were all from a local parenting newsletter where she was columnist. One can only imagine that a valid search committee would consider that to be evidence that her perception of valid academic credentials is horribly askew and incompatible with the sense of discernment and professionalism expected from a Chief Academic Officer. Moreover college policies (Appendix 12) and practices for hiring, related to falsification of credentials (resume), are not enforced and neither are college policies followed that address employee complaints.

1. Core Requirements and Comprehensive Standards – Continuing Non-Compliance CS 3.4.5(and 1.1)

CS 3.4.5 Enforces policies related to course substitutions that adhere to principles of good educational practice.

I have it on the authority of two Associate Deans still employed by the College that the illicit processing of course substitutions and waivers have continued to the present time. I hesitate to name them in this complaint because of the culture of fear that pervades the Edison staff in the wake of dozens of terminations in recent weeks. Documentation of this continued practice will be subpoenaed for evidence in my law suit. As the administrator responsible for all baccalaureate programs, the responsibility for the past and present practice lies squarely with Zimmerman and Harrel.

Zimmerman conspired with Walker to mask the effect of substitutions on baccalaureate programs. Zimmerman provided Walker a report she generated that did not accurately reflect how substitutions impacted baccalaureate students. I learned that her reports could not be trusted. Zimmerman downplayed and minimized the effect of substitutions on her degree programs in the same manner in which she constantly attempted to mask the nursing accreditation scandal and baccalaureate admissions issues. A detailed analysis by an external auditor (AACROA – Appendix 9) should be employed to ensure that AS degree students that matriculated into baccalaureate degrees, after having received inappropriate substitutions, are provided/required opportunities to complete missing course work. Please note in her email to request to refer “interested parties to me.”

Zimmerman’s email to Walker

From: Kristen Zimmerman   
Sent: Tuesday, September 13, 2011 2:10 PM  
To: Kenneth Walker  
Subject: Admission data summary

Dr. Walker- as a follow up to our discussion, attached please find a summary of course substitutions as they relate to admission for students in pursuit of the BAS in Supervision and Management.  If I can provide any specific details of the data or student situations, please do not hesitate to contact me or refer interested parties to me.  Thank you, Kristen

Walker forwarded the report to me demonstrating his attempt to downplay the substitution scandal. He constantly stated to staff that I had exaggerated the problems.

Dr. Atkins,

Here is the document that shows course substitutions for students did not result in increased enrollment in our baccalaureate programs.

Perhaps this should be included in SACS report.

Kenneth P. Walker Ph.D.

Zimmerman’s claimed that the illicit substitutions in the AS degree programs designed to matriculate into Edison’s BAS program in Supervision and Management had no impact on the baccalaureate degree seeking students. FGCU did not accept Zimmerman’s confidence that the illicit substitutions did not affect the quality of Edison’s baccalaureate program, FGCU officials started to scrutinize the degree because of the substitutions. See the email below.

From: Lori Carroll   
Sent: Monday, July 18, 2011 12:41 PM  
To: Kristen Zimmerman  
Subject: FGCU

Kristen,

FYI-This morning Donna Morin (FGCU Advisor) reported that FGCU is looking at our BAS SMAN students.  She reported they are concerned over ESC BAS SMAN students who have entered into FGCU masters programs. She reported this is because of the substitution controversy and that it is being reviewed level by level to the top.

Thank you,

Lori

At the request of the COC, I will provide documentation regarding the substitution issue and how it was finally resolved.

During spring semester, following the submission of the Compliance Certification, Walker conducted a six week comprehensive investigation of substitutions led by staff member Edith Pendleton. Pendleton and other administrators found the problem to be much more severe than what was previously reported to me. However, despite desperate pleading from staff, Pendleton falsely reported to the Board of Trustees and Walker about her findings (Appendix 15). Pendleton is still employed with the College and played a significant role in crafting the college’s Response to the findings.

I retained the consulting services of A.A.C.R.A.O. during the summer of 2011. Senior Consultant, Michele Sandlin, was appointed to investigate the College’s course substitution practices and make recommendations for changes to procedures and policies. Her initial report to the College (Appendix 9.b) dated August 8, 2011, made reference to “a culture of fear prevalent in the staff interviewed, particularly those in the Registrar’s Office, who stated a lack of trust and fear of job loss.” This language was dropped from the final A.A.C.R.A.O. report. I later obtained evidence that Walker had offered Sandlin a job at Edison in exchange for removal of the unflattering phrase. In any event, neither of the two A.A.C.R.A.O. documents (draft or final version) made any reference to either Beeson or I not properly performing our duties in regard to the substitution/waiver issue. On the contrary, after I had discovered it, we had done everything we could to put an end to the wrongdoing and to hold the responsible parties accountable, but we were habitually lied to, otherwise deceived by those involved in the practice and obstructed in our efforts to discipline said persons

## Zimmerman’s role in Course Substitutions

In April 2010, approximately nine months before I broke the course swap scandal, I asked Zimmerman to provide me with a report on all Edison practices related to how the college awarded course credits for degrees. Because Zimmerman was allegedly working on SACS standards relating to course substitutions, transfer credits, and related practices for Dr. Noreen Thomas during that time, it was my hope that she would be able to provide insight into any problems related to the reported increase in substitutions. In addition, Zimmerman participated on the Advising Oversight Committee, depicted in an email 2/4/10, with former employees Dennette Foy and Jeanette Fritz who were both fired because of their roles in the illegal substitutions. The Committee was established to ensure that all staff were following college policy and providing recommendations to ensure that college policy was uniformly and appropriately followed.

It is highly likely that Zimmerman possessed knowledge that substitutions were occurring inappropriately within select associate degrees and in a manner that, if exposed, would tarnish several of her baccalaureate programs’ reputations. Her baccalaureate admissions counselors were responsible for ensuring that all students that applied for admission into Edison’s upper division courses met all necessary requirements. In addition, because the substitutions provided a means for increased graduation rates for two-year associate degrees, a requirement for admissions into Edison’s four-year programs, there existed motive for Zimmerman to not “blow the whistle” on illegal substitutions. In addition, as I will describe in the following narrative, Zimmerman engaged in practices for awarding credits for increasing her baccalaureate enrollments that circumvented college policy and Florida statutes, and were detrimental to establishing creditable programs. Zimmerman’s activities were conducted to ensure large enrollments through developing shortcuts and making curriculum decisions that were tantamount to the substitution problem.

## Nursing Accreditation

The efforts to assist BSN students, victimized by fraudulent information regarding the college’s accreditation status, needs to be closely monitored by SACS. At the present time, the college has not employed a Dean for the nursing program and lacks appropriate oversight. The Response scapegoated former employees for the integrity finding confining the issues to a single scandal, course substitutions. Conspicuously missing from the Response is the contribution of the nursing accreditation scandal toward the SACS finding for integrity. The Response describes how the college terminated employees for their role(s) in the substitution scandal. Some of the individuals were falsely terminated and others listed had marginal roles in the course swaps. However, including full disclosure of the nursing scandal would expose the scapegoating approach in the Response while concealing the activities of current administrators who intentionally misled nursing students and created yet another egregious scandal for the college. If the same standard for terminating employees for their alleged misconduct in the substitution scandal were applied to the nursing scandal, then at least one other administrator would be terminated. The following narrative provides a pattern of behavior that should provide cause for SACS to closely monitor truthfulness in operating the nursing program and other programs for honest communication and integrity.

Included in Edison’s Substantive Change Prospectus for the Bachelor of Science in Nursing degree submitted November 7, 2008 and authored by Zimmerman, Edison State College intended to pursue national accreditation from the NLNAC stating, “Upon approval from SACS to offer the BSN program, Edison will notify the NLNAC of the intent to pursue accreditation…” Earlier in the document it is stated ESC “plans to apply within two years of implementation” which occurred in fall 2009. The document clearly identifies Zimmerman (pg 21) with oversight of all baccalaureate polices, supervision, hiring, and admissions for the baccalaureate programs. It was Zimmerman’s role to manage the BSN accreditation policy. Because of her negligence in ensuring timeliness of the process, students graduated from a non-accredited program. This ignited a public controversy that she personally attempted to minimize, providing false and misleading statements to exonerate her own culpability and the gravity of the situation.

In July 2011, the college was notified by the Florida Department of Education (FLDOE) and the NLNAC that Edison misled its nursing students about the accreditation status for the nursing degree (BSN). Zimmerman sent an email on 7/18/2011 at 12:44 to FLDOE claiming that the College never misled students, stating

“ESC has never informed students or the community, that we had previously achieved national accreditation status.  We have made it clear, since December of 2008, that we have SACS regional accreditation for this and our other baccalaureate programs.  Students may have been informed that we are accredited through SACS, which is accurate.”

Zimmerman makes this claim after having known since November 2010 that the Dean of Professional and Technical Studies, Bill Roshon, sent a letter to all nursing students informing them that the College was working on BSN accreditation and would have it within a few months. Truthfully, the college had not submitted an application for candidacy and would not receive accreditation for nearly eighteen months following Roshon’s letter. In addition, Roshon stated falsely in the same letter that Edison had communicated their accreditation status with all colleges in Florida and that national accreditation was not needed for Florida MSN degrees.

After the college was notified about the misleading statements emanating from the nursing program, Zimmerman suppressed the letter, did not inform her supervisors or others that the miscommunication had occurred, and provided false and misleading information to students, the FLDOE, and others. Zimmerman obstructed the process of communicating effectively and constantly distorted the facts. The information below is from an email sent by Zimmerman to her assistant, Lori Carroll in 2010. I have reason to believe that Zimmerman played a role in crafting the communication. Please note the date / time of each email that follows.

## Emails Related to Nursing Accreditation Status Cover-Up

From: Kristen Zimmerman

Sent: Monday, November 08, 2010 11:51 AM

To: Lori Carroll

Subject: FW: Letter

Lori- attached, please find the letter drafted by Dean Roshon and sent to all BSN students.

Kristen

[Letter included on next page]

Note from the emails that follow, how Zimmerman consistently minimized and shrouded the volume of complaints, couching student issues in insulting tones such as “we have heard” and “anecdotal.” Moreover, Zimmerman and certain BSN staff constantly used the term “regional” and “national” accreditation as a deceptive practice designed to confuse students. Zimmerman referred to FGCU’s willingness to support Edison’s nursing students; stating in an email: “They have been extremely open to exploring options for ESC graduates and I commend them for their commitment to Edison students.” After learning that FGCU was not willing to accept Edison’s BSN students into its MSN program, Zimmerman continued to tell students otherwise.

I contend that Zimmerman’s actions were in bad faith as evidenced by the four emails provided below. The first email is to Zimmerman from the Florida Department of Education notifying her of a student complaint regarding false information. The second is Zimmerman’s response. The third is an email from Zimmerman’s staff member contradicting a portion of Zimmerman’s response to FLDOE related to FGCU’s commitment to assist Edison students. The fourth email to Zimmerman is from an Edison Nursing administrator correcting Zimmerman’s false statements. In the second email, notice how Zimmerman stated to FLDOE that “ESC has never informed students, or the community, that we had previously achieved national accreditation status.  We have made it clear, since December of 2008, that we have SACS regional accreditation for this and our other baccalaureate programs.” What Zimmerman does not disclose to FLDOE was her knowledge of Roshon’s letter to all BSN students stating that accreditation was essentially irrelevant for acceptance into Florida MSN degrees. Please note the time of day for each email and that Zimmerman did not follow-up with FLDOE and provide corrected information.

From: Cunningham, Abbey [mailto:Abbey.Cunningham@fldoe.org]   
Sent: Monday, July 18, 2011 12:04 PM  
To: Kristen Zimmerman  
Cc: Frohe, Patricia  
Subject:

Hi Kristen,

We received a phone call this morning from a person whose wife graduated from Edison’s BSN program recently.  We did not have an opportunity to speak with his wife, but the husband reported that her friends were informing her that graduates of Edison’s program were not being admitted to graduate programs due to not being accredited for their Nursing program (he did not indicate specific institutions), and now his wife is very worried about her status with universities, as she intends to continue on to graduate study.  We believe that even though that person did not leave his information, nor did he call back as expected, we think this is a significant issue that could impact students and for which we may continue to get calls.  After speaking with him, I found the following online in the School of Nursing Handbook on Edison’s website:

“The RN to BSN Program was approved by the State of Florida Department of Education in 2009 and the first 83 students were admitted in Fall 2009. These inaugural students graduated in December 2010. The program was approved for candidacy for accreditation with the National League for Nurses Accrediting Commission, Inc, in 2011.”  But, the program does not appear on the list of programs with candidate status on the NLNAC website. When you search their accredited programs, the only Edison program that shows up is the AS degree program. Here’s the website: <http://www.nlnac.org/Forms/directory_search.htm>.

Can you follow up with us on this?  It would be helpful for us to know how we should respond to students at least until they can contact someone at the college.  Even more importantly, it would be advantageous for us to know why (or if) students are encountering difficulty being admitted to graduate programs.  The man reported to us that his wife was told that the program was accredited.

Thanks,

Abbey

Abbey Cunningham   
Coordinator of Baccalaureate Programs   
Division of Florida Colleges

Zimmerman’s response

*Hi Abbey- I would like to engage Dr. Atkins, our Academic VP, and our nursing program administrators in formalizing any formal response.  At this time, we are in* ***the application for candidacy stage*** *with the* NLNAC*.  We are currently completing the self-study and expect to be formally accepted as a candidate for BSN level accreditation in the fall term.* ***ESC has never informed students, or the community, that we had previously achieved national accreditation status.****We have made it clear, since December of 2008, that we have SACS regional accreditation for this and our other baccalaureate programs.  Students may have been informed that we are accredited through SACS, which is accurate.*

*I believe many claims are being made, but no students have formally identified their lack of admission to a graduate level program.* ***Anecdotally, we have “heard” that students can’t gain admission into graduate programs.  While we know some programs will require graduation from a baccalaureate program that is nationally accredited, there are others that do not specify the same criterion.****Additionally, students will not be guaranteed admission into any graduate level program simply because they have completed a BSN.  There is other competitive criteria they must meet, as we know.*

***Last week, I met with FGCU officials who are establishing admission criteria for ESC graduates to allow their consideration, despite our candidacy status.  They have been extremely open to exploring options for ESC graduates and I commend them for their commitment to Edison students.*** *I would like to respectfully request that any and all ESC students be referred directly to me.  We will ask them to provide support documentation of their application to graduate programs, as well as documentation of denial of admission.  I have been waiting to bring any denial claims to your attention until we have documentation to* ***back up the students’ anecdotal claims****.  Thank you and please let me know if I can provide any additional information, Kristen*

*Kristen Zimmerman*

Loir Carroll – Zimmerman staff

From: Lori Carroll   
Sent: Monday, July 18, 2011 12:41 PM  
To: Kristen Zimmerman  
Subject: FGCU

Kristen,

FYI-This morning Donna Morin (FGCU Advisor) reported that FGCU is looking at our BAS SMAN students.  She reported they are concerned over ESC BAS SMAN students who have entered into FGCU masters programs. She reported this is because of the substitution controversy and that it is being reviewed level by level to the top.

Thank you,

Lori

Lori D. Carroll  
Coordinator   
Baccalaureate Programs

Denise McNulty

From: Denise Mc Nulty [mailto:Denise.McNulty@edison.edu]   
Sent: Monday, July 18, 2011 12:52 PM  
To: Kristen Zimmerman; Cunningham, Abbey  
Cc: Frohe, Patricia; George S. Atkins; Snyder, Dr. Paul  
Subject: RE:

 Kristen, please allow me to mention that we are not yet in the self-study stage. We have up to two years to complete this but need to be deemed a "candidate" first. We have not submitted the candidacy presentation but intend to do so very soon. As you stated, we are in the application for candidacy stage.

If there is a statement on the website stating that we are a candidate, this should be removed immediately. That statement did not come from my office.

Denise  
Denise McNulty, DNP, MSN, RN-BC, ARNP  
Associate Director RN to BSN Program  
Edison State College

Zimmerman constantly frustrated my efforts to provide accurate information regarding the nursing program; she obstructed processes through her constant denial and minimization of problems to Walker. It should also be noted that on August 8, 2011 after the previous email exchange, Zimmerman authored and submitted the college’s 2010-2011 Annual Baccalaureate Performance Accountability Report to FLDOE. The report asks for the status of regional and programmatic accreditation specifically for the baccalaureate programs. Zimmerman omitted any information to FLDOE in her report about the BSN accreditation debacle for which she was responsible.

Moreover, after meetings with Sharon Tanner, CEO of NLNAC, outlining her concerns and the large number of complaints that her office received from students and others, I tried to strategize on addressing Tanner’s issues; however, Zimmerman would meet with Walker and following her meetings with him, Walker would essentially accuse me of exaggerating issues related to nursing. I was even chastised by Edison’s BOT for referring to the accreditation scandal as a “serious problem.” One month after being notified by NLNAC and FLDOE about inaccurate information posted on ESC’s website, detailed in previous email, Zimmerman was still denying and creating problems. The next two emails depict the difficulty in my convincing her that the college had communicated falsely to students. It is my belief, based on meetings with Zimmerman that the basis of her denials was an attempt to curry favor with Walker by presenting the scandal in a better light and as a means to protect her position as oversight administrator for the BSN degree. Consider the content of the next set of emails within the context of the previous letter from William Roshon in 2010 and Zimmerman’s awareness of Edison’s false and misleading statements one year prior to FLDOE and NLNAC reporting of the accreditation scandal to the college.

From: Kristen Zimmerman  
Sent: Mon 8/15/2011 10:20 AM  
To: Denise Mc Nulty; George S. Atkins  
Cc: Kenneth Walker; Mary Myers; Mark Lupe  
Subject: FW: nursing handbooks

Good morning- I have reviewed the two previously posted nursing handbooks that had been removed from our webpage.  As I suspected, both documents refer to the Associate in Science Degree program, not the Bachelor of Science in Nursing.  Although the handbooks are entitled “Nursing Program”, the welcome letter on page two of both documents refers to the Associate Degree program and all courses, policies and procedures and graduation requirements refer only to the Associate level programs.  The statement regarding NLN accreditation does appear in both documents, but no other content refers to the BSN (except the appearance of the faculty on the organizational chart and faculty list).  I do not believe that the statements contained in these handbooks suggest any inference of NLN accreditation for the BSN program.  To your knowledge, have the students with claims produced any written documentation to support their claims?  Thanks, Kristen

Response from McNulty

Hi Kristen, this may be accurate based on the versions you have read but you would not have seen the copy that needed to be pulled from the website. I have a copy of that version for your review. That is the one NLNAC made reference to. It was the draft that Dr. Lewis worked on and it stated as follows on page 9: "The program was approved for candidacy for accreditation with the National League for Nurses Accrediting Commission, Inc., in 2011." I also have copies of emails from Dr. Lewis to students that state the same. It is also listed in the Nursing meeting minutes of April, 2011 (I did not attend that meeting). Dr. Lewis facilitated the meeting and stated the above to the faculty. I have copies of all the above if anyone needs to review.

 Denise  
 Denise McNulty, DNP, MSN, RN-BC, ARNP

One week after the previous email exchange, Zimmerman continued to communicate false information to students. The email below describes information that she sent to a student on 8/25/2011 at 4:35 PM. In addition, note how “anecdotal” information is appropriate for Zimmerman if it benefits her cause in stark contrast to her statements and use of the term in the email to Abbey Cunningham above. The email is in direct contradiction to information provided to Zimmerman regarding FGCU’s reluctance to accept Edison students into its BSN program. This statement by Zimmerman, was preceded by information that I shared with her following a conversation that I had with FGCU’s provost, Dr. Ron Toll. I shared with Zimmerman that the Provost informed me that under no uncertain terms would FGCU accept our BSN graduates into its MSN degree. Note that after responding to FLDOE, Zimmerman immediately forwarded me an email urging me to meet again with the FGCU provost. I believe her intent was to cover her false and misleading information that provided students some degree of hope that FGCU, located within minutes of Edison, would accept its BSN students**.** Also, note the small number of obscure private and out-of-state colleges and universities (and costly) that were provided as options for Edison students. Also, note that I directed Zimmerman to include the statement, in the forgoing email, “national certification is a common requirement” to ensure that she was honest.

Zimmerman email to student

Good afternoon, [name redacted]  Thank you for taking the time to email me with your questions.  We want to be certain our students understand that ESC is regionally accredited by SACS, meaning that all of our degrees are recognized as valid and offered with academic standards and integrity.  Within the nursing field, there is an additional benefit to students if they graduate from a program that holds national nursing accreditation status (which ESC is in the process of pursuing), especially because admission into graduate level programs is extremely selective and graduation from a nationally accredited BSN program is a common requirement.

…Each graduate program will have a set of admission criteria they consider.  There are master's programs that only require graduation from a regionally accredited College.  At this time, we know that schools including Nova, Kaplan, and Walden University are accepting our BSN graduates.  We have anecdotal feedback from previous BSN graduates that they have also begun degrees at the University of Southern Alabama and Frontier University.  We are continuing to identify institutions that have accepted our graduates and/or do not require graduation from a nationally approved program at this level.  Additionally, we are engaged in conversation with FGCU and other state and private universities regarding our curriculum and the standards it meets.  We want to advocate for our students, if helpful, and have reached out to UNF as well…

  thank you, Kristen

Two minutes later, after lying to the student about FGCU, Kristen asked me if I would meet Dr. Toll in hopes that FGCU would reverse its decision, thus rendering her false statement to become truthful.

Email following previous (Thu 8/25/2011 4:37 PM).

Dr. Atkins- do you think you will be reaching out to Dr. Toll again soon, in a venue where this misinformation can be addressed?  Please let me know if/how I can assist, Kristen

Kristen Zimmerman  
Dean, Program Development and Baccalaureate Initiatives

Note also that at the time that Zimmerman told the student (above) that Nova would ’s accept Edison nursing students, Edison did not have information that this was true. Two emails from McNulty attest to her concerns regarding Zimmerman’s dishonest communication to students. Moreover, note that Kristen refuses to accept student complaints without formal documentation; however, she provides information to students about other colleges agreeing to accept Edison students without anything in writing or formal articulation agreements.

McNulty’s emails to Zimmerman

Kristen, before contacting the students about Nova, I would suggest waiting. Waiting for Linda to provide something in writing.

 Denise

From: Denise Mc Nulty  
Sent: Mon 8/29/2011 2:49 PM  
To: Kristen Zimmerman; George S. Atkins  
Subject: Response from Nova re: BSN

Spoke with Linda Strommen at Nova today. She confirmed that they will not accept applicants to their Master's program who are not graduates of a nationally accredited program. They will accept applicants who have a bachelor's degree in another discipline but not in nursing if not from a nationally accredited program. She will speak to their admissions dept. rep. at Nova to make sure they are aware of this.

 Denise

1. Core Requirements and Comprehensive Standards – Continuing Non-Compliance CR 3.4.10

CR 3.4.10: The institution places primary responsibility for the content, quality, and effectiveness of the curriculum with its faculty (Responsibility for curriculum).

The policy change for baccalaureate admissions is fundamentally different from the program admission process submitted by Edison to SACS/COC and FLDOE for level II approval for substantive change. At the time the college was approved to offer baccalaureate degrees, Edison informed SACS and FLDOE that its programs required the associate degrees for program admission (see Appendix 9). Zimmerman constantly varied from both state guidelines and college policy established by the faculty Curriculum Committee. Edison’s baccalaureate degrees were developed by faculty and approved by the Curriculum Committee (appendix 10, 11) and subsequently approved by both FLDOE and SACS as 2+2 degree programs. Zimmerman was not supportive or respectful of the college’s curriculum committee and was in constant conflict with any administrator who dared to invoke any level of academic standards to her baccalaureate degrees. She constantly sought the path of least resistance for students. I believe that her intent was to accommodate the largest possible enrollment into the BAS degree programs. As Dennette Foy was protected by Dr. James Browder after the substitution scandal was exposed, Kristen Zimmerman was protected by Walker. Conflicts with her had severe implications for faculty and staff.

Appendix 11 demonstrates that the faculty curriculum committee approved entrance requirements for the BAS degree that included associate degrees as program prerequisites. Note the following excerpt from Curriculum Committee (see appendix 11):

PROGRAM PREREQUISTES: An AS Degree from Edison College in Criminal Justice Technology or Paralegal Studies awarded 2001 or later, or an AA degree from a Florida community college awarded 2001 or later, and Florida law enforcement or corrections certification, Florida Fire Officer Certification, or Florida paramedic licensure. Must also have taken one of the following: CJE 1300 Police Organization and Administration, PLA 2763 Law Office Management, or MAN 2021 Management Principles

Zimmerman resented the curriculum committee’s involvement in establishing admission criteria as evidenced by her question to the college registrar in an email dated May 2011: “Does the curriculum committee have oversight of admission requirements?” Please note that not following the prescribed curriculum is tantamount to the course substitution scandal. On numerous occasions, Zimmerman attempted to violate the college’s admissions criteria into baccalaureate programs. The example (below) documents her attempt to undermine criteria for admission into the Supervision and Management BAS program. Similar examples follow.

Zimmerman planned to unilaterally violate the college catalog in order to ameliorate nursing problems. Please see the following email sent by the college registrar on Friday 8/26/2011 at 12:39 PM. Note the response from the registrar.

Email from Zimmerman

Billee- based on our communications with a number of BSN students who were on target to complete their degree in December 2011, they are opting to slow their progress toward degree completion and take a lighter fall 2011 course load.  Apparently, the NUR 4636 and 4636L and NUR 4827 and 4827L courses are entered as co-requisites for registration.  We want to honor the student requests to take one of these course/lab combinations and NOT require the second as a co-requisite.  Students have been unable to drop online because of the co-requisite error.  Please allow these drops to occur, and continue to assist us with accommodating the students, if they do not accomplish this today.  Thank you, Kristen

Registrar’s response

Kristen,  
Dr. Atkins is the only individual who can override a Curriculum Committee decision.

1. Core Requirements and Comprehensive Standards – Continuing Non-Compliance CR 3.2.9

CR 3.2.9: Policies regarding appointment and employment of faculty and staff. (Faculty/staff appointment)

It does not appear the college’s interim president nor has his administration followed the institution’s policies for termination of staff or the handling of employee complaints (Appendix 12, 14). College operating procedures for handling employee complaints were not followed following the complaint regarding Harrel’s resume. Policy regarding hiring practices and submission of fraudulent resumes were not applied. In addition, the college did not follow its own policy with regard to the Susan Callanan situation described earlier in this complaint pursuant COP 05-1001 (Appendix 13)requiring a staffing plan approved by the vice president and president. The plan could not be produced by the college president when requested.

Due Process and Steps Taken to Exhaust Institutional Grievance Procedures

As my court filing and E.E.O.C. complaint indicate, I was denied due process by Edison State College. At no time before my termination was I given a hearing, prescribed by law and by the College Operating Procedures. On October 11, 2011, I was summoned to President Kenneth Walker’s office and read a letter (enclosed) that placed me on administrative leave, effective immediately. On October 27, 2011, I was sent a disposition statement and a “Notice of Rights to Appeal” (enclosed). The latter was merely a statement that referred to State Statutes that provide a process for any state employee terminated after the fact. I contend, based on the opinion of my legal counsel, that a letter enclosing the “right to appeal” sent on October 27, 2011, that a letter enclosing the “right to appeal” issued on October 27, 2011, enclosed with notice of the District Board of Trustees action to terminate me on October 25, 2011, in no way constitutes due process. From the time of my placement on Administrative Leave by Walker on October 11, 2011, I was banned from all campuses of the College. Within an hour my computer access was disabled.

Because of the restrictions of my administrative leave, I was unable to exercise my right to due process. At no time was I given the opportunity to address the Board in a pre-termination hearing, though this privilege was extended (see enclosed highlighted news article), and represented to the media as a “standard procedure for any employee who is the subject of an investigation” by the College’s Public Information Officer. On the contrary, Walker’s will was to have me terminated by the Board on October 25, 2011, after indicating to me his intentions to do so on October 11. His purpose, contained in the letter submitted to me in person at 1:00 p.m. on October 11, 2011, concludes:

*“On October 11, 2011 these matters [of alleged misconduct] were discussed with you. You elected not to voluntarily resign. I must now regrettably inform you that I will be recommending to our Board of Trustees that you be terminated from your position as Vice President of Academic Affairs Edison State Colleges”*

To repeat, the Board was scheduled to meet on October 25, at 4:00 p.m. In fact, Walker did recommend my termination at that meeting. Clearly, there was no attempt made to provide me any order of due process. I have been left only with the avenue of litigation by which to seek relief from the damage done to my reputation by the lies told by administrators at Edison State College in retaliation for my having exercised my right to free speech in reporting racially discriminatory hiring practices at the College.

Respectfully submitted,

George S. Atkins