

Stakeholder Advisory Board Meeting Minutes

June 19, 2019

In attendance:

Landen Boyd

Brandt Keller

Mike Worley

Brant Lane

Cory Rayburn

Burns Wetherington

Frank Gipson

Mitch Attaway

Michael Berry

Ben Ruzowicz

Mark Masters

L. Boyd called the meeting to order 9:02 AM

B. Ruzowicz completed a roll call of attendees

L. Boyd brought forth the matter to make a recommendation to the GSWCC regarding the suspension or revocation of Roy McHaney's trainer certification.

R. McHaney was not present, despite an invitation.

L. Boyd referenced documentation provided to SAB members, along with Exhibits A and B, prior to the meeting regarding the basis for the hearing. The opportunity was given to ask questions to GSWCC staff and receive statements from members.

- B Wetherington: After several warnings given to R. McHaney, why did it take so long to elevate the situation to the SAB? B. Ruzowicz replied that early warnings were for administrative-type situations allowing him time to correct his actions. It wasn't until allegations of falsifying information became known that it was brought to the attention of the SAB for consideration.
- B. Wetherington: Is this the first instance where a trainer has been warned for actions such as submitted test packets late, etc.? B. Ruzowicz stated that one other trainer had been warned, but has not had any other instances since then with that particular trainer. He also stated there are occasional instances where trainers have submitted information late, but it was due to unforeseen circumstances that caused the delay.
- B. Wetherington: Are there metrics or criteria in place to determine level of action needed? Do standards need to be set? B. Ruzowicz stated there are none at this time and it is up to SAB to decide on actions.
- B. Wetherington stated there will need to be a follow-up discussion with the SAB to determine when exactly a warning is to be given. What is the threshold? Statement noted.
- F. Gipson agreed with the statement made by B. Wetherington and that actions need to be taken sooner.

- M. Worley noted that discussions pertaining to R. McHaney's behavior have occurred at prior SAB meetings and that he has been forewarned. He also agrees with the statements made by B. Wetherington.
- B. Keller wants to make sure this is a fair hearing and all facts are checked in order to make an executive decision and that R. McHaney is not being singled out due to his actions.
- M. Berry questioned whether a prior example exists with similar warnings given. B. Ruzowicz replied there has been a previous instance where a trainer had given up their certification on their own.
- M. Berry stated that this is a pretty serious situation to consider only a suspension for R. McHaney as a final action. This case appears to be cause for full revocation of his trainer certification.
- B. Wetherington asked for clarification of information in Exhibit A. Has it been confirmed that the duplicate scantron tests were actually for the same person and not two different people, such as a father/son combination? Yes, it has been confirmed by the paperwork submitted, as well as a statement made by the class attendee. It was also noted that R. McHaney stated in a response to GSWCC that the test was out of his possession (administered by his son, who is not a certified trainer). Since this is out of protocol, this evidence should be included as part of Exhibit A. Several members agreed and statement was noted. B. Ruzowicz will follow up to make this a part of Exhibit A.
- L. Boyd opened up a discussion regarding suspension details, such a time frames, follow-up, and goals or end results. No suspensions have been given to date, so there is no precedence to follow. The SAB would have to decide on the steps to take and follow-up requirements.
- L. Boyd opened up for discussion regarding the allegations prior to concluding motions.
- M. Worley noted that with R. McHaney's on-going violations, along with falsifying information, are sufficient facts that should lead to revocation as a trainer.
- M. Berry agrees with the revocation option since R. McHaney was given many chances to improve and a suspension will not likely change his behavior in the future.
- C. Rayburn and M. Worley both stated the legal situation involved in falsifying information and fraudulent actions are beyond suspension and warrants revocation.
- B. Wetherington agrees with a revocation since statements made by R. McHaney to GSWCC indicate a behavioral trend and blatant disregard to rules, along with falsifying information.
- F. Gipson agrees with revocation based on R. McHaney making a statement that he takes full responsibility while his actions were out of protocol.
- B. Wetherington questioned whether R. McHaney is a competent trainer. B. Ruzowicz stated that GSWCC received some verbal complaints, but none in formal documentation. M. Masters replied with this is not a matter of competency, but to focus on the fact the R. McHaney submitted false documentation.
- B. Keller and M. Masters stated that as a certified trainer, standards must be met and that is not the case with R. McHaney.

- R. McHaney was not present to ask any questions or make any statements.

Other discussion:

B. Wetherington and B. Lane questioned if revocation is permanent or can a person reapply for trainer certification. B. Ruzowicz replied that there is no current standard set in place. He will follow up with the Attorney General's office regarding the legality and if re-application is a possibility. M. Worley indicated that procedures would have to be developed if revocation is not considered permanent. B. Ruzowicz also stated that he will research other State licenses to compare policies in place regarding revocation of licenses.

L. Boyd proceeded with considering motions to be made regarding the allegations.

A motion was made by Burns Wetherington that the SAB concludes as fact that Roy McHaney committed the violations in the first allegation. Brant Lane seconded the motion.

All members present voted YES and the motion was accepted.

A motion was made by Mike Worley that the SAB concludes as fact that Roy McHaney committed the violations in the second allegation. Brant Lane seconded the motion.

All members present voted YES and the motion was accepted.

L. Boyd then continued with considering a motion to be made regarding the SAB's recommendation to the GSWCC on the status as a trainer.

A motion was made by Michael Berry to recommend that the GSWCC revoke the status of Roy McHaney as a certified trainer. Mike Worley seconded the motion.

All members present voted YES and the motion was accepted.

L. Boyd made the motion to adjourn the meeting. Meeting was adjourned after a second motion at 9:49 AM.