



OKLAHOMA DEPARTMENT OF HUMAN SERVICES

Southern Oklahoma Resource Center
3210 S. Chickasaw Street
Pauls Valley, Oklahoma 73075



May 2, 2012

Sheila Scott
Direct Care Specialist II, Z12B, Pay Band F
U60692, PS#134922
Permanent/Classified
Residential – Unit 6/Turner
Southern Oklahoma Resource Center
Developmental Disabilities Division

**Notice of Final Disciplinary Action
Discharge**

This is to notify you of my decision to discharge you from your Permanent/Classified position of Direct Care Specialist II at the Southern Oklahoma Resource Center (SORC). Please read this notice carefully as it explains both the reasons for this action and your rights pursuant to this final determination.

In arriving at this decision, I have carefully considered the reasons for this action as specified in the Notice of Proposed Formal Discipline dated March 19, 2012. I also considered the Pretermination Hearing decision and the testimony presented to the hearing officer at the Pretermination Hearing. In addition, I reviewed and considered your response to the proposed notice.

A review of your personnel file indicates you have not received prior discipline and this was considered before issuance of this action.

This action is taken as a result of a confirmation of client abuse by the OKDHS Office of Client Advocacy (OCA), reference number FY12-6451 dated December 7, 2011, with an Addendum to Case FY12-6451 dated February 14, 2012 and an Addendum to Case FY12-6451 dated March 14, 2012, which provided additional information, but did not retract or change the original findings of confirmed client abuse.

You were responsible for the care of vulnerable adults, and you intentionally subjected F. M. to abuse through manipulation of F. M.'s food and water, as well as through the use of demeaning and abusive behavior and language. You deprived F. M. of appropriate nutrition and care which had the potential to cause physical and mental injury, and caused F. M. to experience an increase in incidents which involved food.

Staff reported your behavior and actions with regard to F. M. as demeaning and abusive as defined by OAC 340:2-3-2.

Joseph Easton, Direct Care Specialist I, reported he heard you call F. M. a "black bitch." Mr. Easton stated he heard you tell F. M. that you "hated F.M.s guts and wanted to slit F.M.s throat."

He also reported F. M. would slap water out of staff's hands when they would bring her a glass of water. According to Easton, F. M. stopped slapping the water away after you left the unit.

Kelsy Harrell, Direct Care Staff II, reported she heard you call F. M. a "black bitch" and that you told F. M. you did not like having to deal with her.

Janet Holland, Direct Care Specialist II, reported you were hateful to F. M. and were always yelling at her. Ms. Holland stated you have a "filthy mouth" and you always say "MF this" and "MF that" and that you "talk filthy" in front of F. M.

Kathy Williams, Direct Care Staff II, reported that based on things she had seen, she believes the allegations that you were aware jalapeno peppers were placed in F. M.'s food, and that you made her eat them. Ms. Williams stated she saw the gallon size jalapeno jar open while you were cooking and at times, F. M.'s food smelled like jalapenos. When the OCA investigator asked Ms. Williams specifically if she had seen jalapenos on F. M.'s food, she stated, "Yes, on more than one occasion she had seen jalapeno peppers that were cut up and put in and on F.M.'s food." Ms. Williams stated you were assigned 1:1 supervision for F. M. so you stood nearby and made F. M. eat. In addition, you would make F. M. eat all the food on her plate and would not allow F. M. to have anything to drink with her meal. Ms. Williams reported you told her to only give F. M. a small amount of water to take her pills. According to F. M.'s Individualized Habilitation Plan (IHP), there were no liquid restrictions. Ms. Williams recalled eating at a B-B-Q restaurant during a trip to San Antonio. She reported you made a statement to her that you would like to give the clients who were with you the jalapenos to eat. She stated you said, "But you would not let me" and Ms. Williams replied that you were right, she would not let you do that. Ms. Williams reported you made statements to several staff that you did not like F. M. Ms. Williams also stated you liked to bully staff members who say anything against you.

Tyra Watts, Direct Care Specialist II, stated she heard rumors that you "put stuff in F.M.'s food and water." Ms. Watts reported she heard you had called F. M. a "black bitch." She stated you are "mean" and that you cuss all the time to other staff members. Ms. Watts recalled an incident when you, Ms. Watts and F. M. drove to Oklahoma City. You stopped at Church's Chicken restaurant to eat lunch, but F. M. did not have any money. You did not offer to buy her lunch. Ms. Watts said you were going to eat in front of F. M. so Ms. Watts bought F. M. lunch out of her personal money. Ms. Watts stated that since you have moved off the unit, the unit has gotten better. She also stated F. M. is better; however, while you were working on the unit, F. M. was visibly afraid to move. Ms. Watts said you made a statement if anybody turns you in, you would know about it because you would be given their statements to read.

Jessica Taylor, Direct Care Staff II, reported that when you came in, you made F. M. sit in a bean bag chair and would not let her get up. She stated you scolded F. M. for everything she did. Ms. Taylor stated she has heard you call F. M. a "black bitch" to her face. When she heard this, Ms. Taylor said to you, "You have to be kidding!" and you replied, "That's what she is." When Ms. Taylor said you were not proper, you replied, "I hate her" and "That's just the way I am. I'm hateful." Ms. Taylor reported you had no compassion for F. M. Ms. Taylor stated you were "hateful and always putting F.M down." She also stated, you "had no kindness for F.M, just demands and threats." Ms. Taylor reported that at times you fed F. M. in F. M.'s bedroom and would not let her eat with other clients, and that you would eat and drink in front of F. M.

Neva Searan, Direct Care Specialist III, supervisor on the third shift in Turner, reported Ms. Watts and Ms. Taylor informed her of the concerns regarding the first shift giving salt water to F. M. and putting pepper sauce in her juice. Ms. Watts reported to Ms. Searan that you called F. M. a "black bitch," and Ms. Watts told you not to call her that. Ms. Searan reported Ms. Watts said you would make F. M. sit with her head between her legs on more than one occasion. Ms. Taylor reported to Ms. Searan that on one trip away from SORC, you were not going to let F. M.

eat, but that Ms. Walts informed you she would be allowed to eat. Ms. Searan stated she had been told you knew F. M. had pica, and you would eat cookies in front of her. Pica is an eating disorder in which individuals have an appetite for substances largely non-nutritive. Ms. Searan said this caused "F.M. to start screaming, but Scott ignores F.M. and does not even look at her."

James Stark, Psychological Clinician II, reported he observed F. M. having increased behavioral incidents. He stated he heard rumors you were adding jalapeno peppers to F. M.'s food and salt to her water. Mr. Stark reviewed the time frame and number of behavioral incidents of F. M. and noted the number had increased from six in August 2011 to 30 in September 2011. In addition, Mr. Stark stated that not only did the number of incidents increase, but the duration of the incidents increased as well. Mr. Stark said, "Most of these increased incidents related to food or drink and F. M. obsessing about food. Mr. Stark stated he did not know the reason for the increase in incidents; however, when you were pulled from the unit, the number of incidents decreased to 11 in October 2011. Mr. Stark stated that F. M. has a meal card and jalapeno peppers were not on it.

Stephen Ford, Construction Maintenance Technician, reported that when he was occasionally assigned to work in F. M.'s unit, there was "lots of yelling." Ford stated F. M. was "made to always sit on a bean bag and was told not to get up."

In your interview, you stated you did not call F. M. a "black bitch" and that you "never saw jalapeno peppers put on F. M.'s food." You also stated you never saw F. M. given salt water to drink by anyone. Based on the preponderance of evidence, you have treated F. M. in a demeaning and abusive manner, and you failed to report honest and accurate information to the OCA investigator.

Your actions are in violation of OKDHS policy OKDHS:2-1-7(i)(2)(F) Dishonesty (ii) making false reports or claims and (vi) knowingly withholding information of official interest; OKDHS:2-1-7(i)(2)(H) Discourteous treatment of clients, other employees, or the general public; OKDHS:2-1-7(i)(5) Conduct unbecoming a public employee; OKDHS:2-1-7(i)(7) Maltreatment of OKDHS clients; and OAC 340:2-3-2. Copies of these policies are attached.

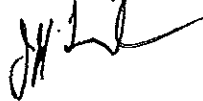
After considering the agency's evidence and the documents submitted, the Pretermination Hearing officer found that there were reasonable grounds to believe that the charges against you were true and that the grounds supported the proposed termination. A copy of this decision is attached.

Based on the facts described above and in accordance with Oklahoma Department of Human Services policies cited above, I believe this discharge is warranted. Accordingly, it is my decision to discharge you from your employment with the Oklahoma Department of Human Services effective at the end of your shift on May 2, 2012. This action is taken pursuant to 74 O.S. 840-6.5, OKDHS:2-1-11 Discharge and Pretermination Hearing, and Merit Rule 455:10-11-17 Discharge. Copies of these policies are attached.

You have the right to file an appeal of this decision within twenty (20) days of your receipt of this notice. Unless you obtain permission to file an appeal by paper, you must file on-line at <http://www.ok.gov/okmpc/>. If you do not have an email address, you may request permission from the Oklahoma Merit Protection Commission to file a paper appeal. A request to file a paper appeal does not extend your deadline to file an appeal. A copy of the MPC-200 and a request to file a paper appeal are attached. The address of the Oklahoma Merit Protection Commission is 3545 NW 58th Suite 360, Oklahoma City, Oklahoma 73112. The voice telephone number of the Oklahoma Merit Protection Commission is (405) 525-9144. The fax number is (405) 528-6245. Questions regarding on-line filing or procedure for permission to file a paper appeal should be directed to the Oklahoma Merit Protection Commission. You also

have a right to file a grievance using the agency's grievance policy. Filing a grievance does not extend your time to file an appeal with the Oklahoma Merit Protection Commission.

Sincerely,



Jeff Livingston
Resource Center Director
Southern Oklahoma Resource Center
Developmental Disabilities Division

Attachment: OKDHS:2-1-7
OKDHS:2-1-11
74 O.S. 840-6.5
Merit Rule 455:10-11-17
MPC-200
Request to file a paper appeal
Pretermination Hearing Decision

cc: OKDHS Office of General Counsel
HRMD Corrective Discipline Manager
OKDHS Personnel File
OKDHS Finance Division, Payroll Unit
SORC Human Resources Unit
SORC Department/Unit Supervisor