

IN THE MATTER OF SHAWNTAE BAILEY, RCYCP APPLICANT CASE NUMBER 19 - 0011	* * * *	BEFORE THE MARYLAND STATE BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM PROFESSIONALS
* * * * * * * * * * * * *		

CONSENT ORDER OF REPRIMAND

On or about October 20, 2017, Shawntae Bailey (the “Applicant”) submitted an initial certification application for Residential Child and Youth Care Practitioner to the Maryland Board for the Certification of Residential Child Care Program Professionals (the “Board”). Upon completion of a criminal history record check as required by Md. Code Ann., Health Occ. Article (“H.O.”) § 20-302, the Board discovered that the Applicant had a criminal history. The Board initiated an investigation. The Applicant submitted to the Board a narrative statement and subsequently provided supporting documentation regarding her charge and disposition.

Based upon the Applicant’s certification application, the court documents acquired during the Board’s investigation, and the Applicant’s narrative statement, the Board voted to offer a Consent Order of Reprimand to the Applicant, in lieu of issuing Charges for violations of the Maryland Residential Child Care Program Professionals Act (the “Act”), H.O. § 20-101 *et seq.* Specifically, the Board finds that the Applicant violated H.O. §§ 20-313(b)(1) (“Fraudulently or deceptively obtains or attempts to obtain a certificate for a...residential child and youth care practitioner...”). As a result of that offer, the Applicant and the Board agreed to the following Consent Order.

FINDINGS OF FACT

The Board finds that:

1. On or about October 20, 2017, the Applicant submitted to the Board an initial certification application for Residential Child and Youth Care Practitioner (the "Application").
2. In the character and fitness portion of the Application, the Applicant answered "NO" to Question 4: "Have you pled guilty, to, [sic] nolo contendere, been convicted of, or received probation before judgment for any criminal act (excluding misdemeanor traffic violations)?"
3. Court records obtained by the Board show that on July 10, 2007, the Applicant received probation before judgement for possession of CDS. The Applicant was sentenced to one year unsupervised probation.
4. On August 20, 2018, the Board received a copy of a Petition for Expungement of Records filed by the Applicant in the District Court of Maryland for Baltimore City dated August 16, 2018.
5. On or about August 20, 2018, the Applicant submitted a narrative statement addressing her criminal history. The Applicant explained that a friend placed "contents" into her purse which the police discovered resulting in the Applicant's arrest. The Applicant explained that she checked "No" on her Application because she believed the "charge was suppose[d] to be expunged automatically" form her record "but...didn't happen as promised..."

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that the Applicant violated Md. Code Ann., Health Occ. § 20-313(b)(1) (“Fraudulently or deceptively obtains or attempts to obtain a certificate for a program administrator or residential child and youth care practitioner, or for another...”), in that the Applicant did not disclose her criminal history on her Application for certification.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the request by the Applicant for certification to practice as a residential child and youth care practitioner in the State of Maryland is hereby **GRANTED**; and it is further

ORDERED that the Board shall **ISSUE** to the Applicant a certification to practice as a residential child and youth care practitioner in the State of Maryland; and it is further

ORDERED that the certification of the Applicant to practice as a residential child and youth care practitioner in the State of Maryland is hereby **REPRIMANDED**; and it is further

ORDERED that the Applicant shall comply with the Maryland Residential Child Care Program Professionals Act, Md. Code Ann., Health Occ. §§ 20-101 *et seq.*, and all federal and State laws and regulations governing the practice as a residential child and youth care practitioner in Maryland; and it is further

ORDERED that this document is a **PUBLIC DOCUMENT** under Md. Code Ann., General Provisions § 4-101, *et seq.*

12/14/18
Date

Krystal Holland
Krystal Holland, Chair
Maryland State Board for the Certification of Residential
Child Care Program Professionals

CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact and accept and submit to the foregoing Consent Order and its conditions. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.

12-11-2018
Date

Shawntae Bailey
Shawntae Bailey

NOTARIZATION

STATE: MD

CITY/COUNTY: Baltimore

I HEREBY CERTIFY that on this 11 day of DEC., 2018, before me, a Notary Public of the State and City/County aforesaid, personally appeared **Shawntae Bailey** and made oath in due form of law that signing the foregoing Consent Order of Reprimand was the voluntary act and deed of **Shawntae Bailey**.

AS WITNESSETH my hand and Notarial Seal.

SEAL



Notary Public

My Commission Expires: May 30, 2020