

SUBJECT: Consideration of Review for **Scott Allen Gompert**, Case No. **C-2012-066R**

SUBMITTED BY: Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education

MANAGEMENT TEAM REVIEW: March 7, 2013

BACKGROUND INFORMATION:

Scott Allen Gompert applied for a Substitute certificate on September 6, 2012.

Mr. Gompert answered “yes” to having been arrested for any offense for which he was fingerprinted. Mr. Gompert disclosed an arrest on October 30, 2007 for: 1) Forging Signature of Judge or Court Officer and 2) Bank Fraud, in Phoenix, Arizona.

Mr. Gompert was advised that his application required a review by the Professional Practices Advisory Committee (“PPAC”) of the State Board of Education (“State Board”).

On December 11, 2012, the PPAC conducted a review of Mr. Gompert’s application. Mr. Gompert explained that prior to committing the offenses, he approached judges and political committee members in an effort to reduce the financial losses perpetuated against the Medicare insurance program. He stated that he became frustrated that his efforts were to no avail.

The PPAC found that the following conduct occurred:

- While employed as an investigator for the U.S. Department of Health and Human Services, in the spring of 2005, Mr. Gompert created a fraudulent seizure warrant, forged the judge’s signature and presented the false document to a bank he regularly worked with in the past. Mr. Gompert did the same in the fall of 2005 and in the spring of 2006.
- According to an F.B.I. Investigative report, Mr. Gompert admitted to taking approximately \$250,000 in May of 2005, \$588,000 in the fall of 2005, and \$160,000 in the spring of 2006. Of this money taken, Mr. Gompert paid the balance of the loan of his house, worth between \$160,000 and \$170,000, bought a \$35,000 Toyota Avalon for his wife, and paid approximately \$450,000 for a piece of land in a gated community in Peoria, AZ.
- In or about October 2006, Mr. Gompert self-reported his misconduct to authorities, which culminated in his pleading guilty to Forging Signature of Judge or Court Officer, a Class D Felony offense and Bank Fraud, a class B Felony offense. Subsequently, Mr. Gompert was sentenced to twenty six (26) months prison; thirty six (36) months supervised release, \$5,000 fine, and returned any financial gain from his misconduct.

The PPAC found no aggravating factors.

The PPAC found the following mitigating factors:

- Mr. Gompert self-reported his misconduct.
- The prison sentence was reduced, as was his probation term.
- Letters of reference by individuals aware of the prior misconduct; including one from a supervising teacher and a professor able to evaluate his content knowledge.
- Candor in application and before the PPAC.

By a vote of 4 to 0, the PPAC recommended that the State Board **grant Scott Allen Gompert's** application for certification. The members were impressed with the fact that Mr. Gompert self-reported a crime that likely would have gone undetected.

On January 28, 2013, the State Board considered a motion to adopt the PPAC's findings of facts, conclusions of law, and recommendation to grant Scott Allen Gompert's application for certification. No action was taken by the Board due to an insufficient number of votes. Members voting in favor of the motion: Dr. Rottweiler, Mr. Tyree, Mr. Molera, Mr. Moore, and Mr. Jacks. Ms. Ortiz-Parsons voted against the motion.

On February 25, 2013, the State Board considered a motion to adopt the PPAC's findings of facts, conclusions of law, and recommendation to grant Scott Allen Gompert's application for certification. No action was taken by the Board due to an insufficient number of votes. Members voting in favor of the motion: Mr. Tyree, Mr. Moore, Mr. Miller, and Mr. Jacks. Members voting against the motion were Ms. Klein, Mr. Molera, Ms. Hamilton, and Ms. Ortiz-Parsons.

BOARD ACTION REQUESTED: [] INFORMATION [X] ACTION/DESCRIBED BELOW:

That the Board accept(s) the findings of facts, conclusions of law, and the recommendation of the PPAC to **grant Scott Allen Gompert's** application for certification.

ATTACHMENTS: YES [X] NO []