

Many AAMI Graduates in Connecticut Are Fighting for Their Careers

Let our unblemished careers speak louder than the eraser at the end of The Conference's pencil.

Those are the words of Tania L. Porta, a licensed funeral director and owner of Cornell Memorial Home in Danbury, Connecticut, who graduated from the American Academy McAllister Institute of Funeral Service in New York City and passed the National Board Exam in August 2008.

Porta submitted her testimony at a public hearing before the Public Health Committee on Feb. 22, which unanimously voted to send a bill titled “An Act Concerning Embalmers and Funeral Directors” to the Connecticut Senate.

The state Senate has not voted on the legislation, which would prevent the Connecticut Board of Examiners of Embalmers and Funeral Directors from taking any disciplinary action against licensees whose NBE scores were invalidated – as long as they graduated from an institution accredited by the American Board of Funeral Service Education and their passing exam scores stood for six months.

“The legislative committee that considered and voted on the bill never sought The Conference’s input,” says Dalene Paull, executive director of The International Conference of Funeral Service Examining Boards, which has invalidated the exam scores of about 300 AAMI graduates, including the scores of fewer than 20 individuals in Connecticut, she says. “We would welcome the opportunity to educate legislators regarding the basis for The Conference’s actions in invalidating scores, and from what we’ve read in the public record, there appears to be a lot of misinformation out there.”

The graduates allegedly participated in a scheme to share highly sensitive information about the NBE with AAMI faculty and students while enrolled at the school before a student notified The Conference, the New York Department of Health Bureau of Funeral Directing and the ABFSE committee about the alleged scheme in an email sent Sept. 16, 2013. The student did not reveal her name.

John Cascio, executive director of the Connecticut Funeral Directors Association, says his association supports the proposed legislation. “These licensed funeral directors that are affected certainly are upstanding individuals and ethical – there is nothing to invalidate them,” he says. “There are no claims against them other than what The Conference is accusing them of. I am hopeful and positive that this legislation will pass.”

Porta shared her story in a letter that was submitted to the committee as testimony.

“I was an online student,” she wrote. “At the conclusion of my schooling, I was required to attend a two-week intense board review and embalming practical on campus. Countless times during the review, the president, Mary Margaret ‘Meg’ Dunn, insisted that upon completion of the exam, we provide her all information we could recall, as soon as possible. She presented this sharing of information as acceptable and common practice. She also made it well known that she was at one time employed by The Conference. I now realize that she was fully aware of the potential consequence of this practice. She used her position of authority to influence our actions. She did so with complete disregard to what was in the best interest of her students. She, and the faculty never gave any indication that this could cause us irreparable harm.”

Passing the NBE “was one of my proudest accomplishments” Porta said, and she emphasized that she did not cheat. “I immersed myself in the material and earned the passing grades I received,” she wrote.

But she was still among the Connecticut licensees who received a letter from the Conference in August 2015 informing her that she could have her score invalidated. “It was threatening in nature, and gave no information as to what I was being accused,” she said.

Porta contended that any AAMI graduates whose NBE scores were invalidated should be allowed to keep their licenses, and she urged the committee to support the legislation.

But not everyone agrees.

The Connecticut Department of Public Health presented testimony of its own before the committee, arguing that the legislation is not in the interest of the public.

“Since 2015, the Department has been receiving notification from the International Conference of Funeral Services Examining Boards that certain licensed embalmers’ board exam scores, which are required for licensure, have been invalidated,” it wrote in a letter submitted as testimony. “During an investigation, The Conference identified a group of students that attended one embalming school who had access to and shared exam questions prior to taking the test. This information was shared among students primarily through emails. This is considered a violation of the Conference’s exam confidentiality policies, and consequently The Conference invalidated the scores for those students that were determined to have participated in these actions.”

The state Department of Public Health went on, “The Department has notified whose exam scores were invalidated, and provided them with the opportunity to maintain their license under monitoring, along with allowing them to retake the exam within a specified time frame. Those who pass the exam maintain their unrestricted license. Those who fail the exam must surrender their license, but may reapply once they pass the required exam.”

While the state Department of Public Health opposes the legislation, the state Board of Examiners of Embalmers and Funeral Directors did not testify before the committee to take any position.

In an article we published last week, Dalene Paull, executive director of The Conference, had stated that it was “working with the CT Board, who opposed the bill, to educate those involved of the true facts in the case.” When she said “the CT Board,” she was referring to the state Department of Public Health. She clarifies, “I was stating my understanding that the Connecticut regulators are in opposition to the bill. More precisely, the Connecticut Department of Public Health has taken a public stance against the bill. To our knowledge, the Connecticut Board of Examiners and Embalmers and Funeral Directors (which we understand is part of the Department of Public Health) has not taken a formal position on the bill.”

In its testimony against the bill, the state Department of Public Health noted that it was against the proposed legislation as it would provide an exception “for a small number of embalmers whose test scores were invalidated to continue to practice without meeting Connecticut’s requirements to practice embalming.”

Despite criticism from some in the profession, Paull stands by The Conference's decision to invalidate the NBE scores of about 300 AAMI graduates, including those in Connecticut.

"The level of involvement, and the degree of knowledge that sharing exam content was wrong, varies by individual based on the documents we have," Paull says. "In our interactions with AAMI graduates, many have taken responsibility for their involvement, although a very large number have also told us they felt tremendous pressure from the school to participate in the sharing of exam content. Unfortunately, regardless of an individual's intent, if he or she received exam content before taking the NBE, The Conference simply can no longer stand behind that exam score. The Conference owes it to the states, employers and other test takers to ensure that a passing score was legitimately obtained. And of course, AAMI's ability to prepare its students with confidential exam material wouldn't have been possible without the participation of some test takers."

She notes, however, that "The Conference takes no position on what actions the states should take in response to the score invalidations, and those decisions are squarely within the state's authority, not ours." She adds, "We generally understand that many other states are currently investigating and evaluating the issue."

Cascio is saddened by how The Conference has handled the affair. "They are criticizing the Connecticut legislation that would protect former students ... well, how are *you* protecting these students?" he asks. "They ought to look in the mirror," he says.

Affected graduates went to AAMI in "good faith," did their jobs and worked extremely hard to become licensed funeral directors, Cascio says. "Has The Conference given them due process? I don't think anyone has clarity on that," he says. "Is it all speculation? If I went to school and paid for something and worked hard at it and it was my profession and this happened ... that's upsetting!"

More Details

AAMI remains accredited by the American Board of Funeral Service Education – something that legislators in Connecticut apparently did not expect when during the February 2016 session, they passed an amendment to sHB 5537: An Act Concerning Various Revisions to the Public Health Statutes.

The amendment revised section 520, and was meant to protect AAMI graduates who were at risk of having their NBE scores invalidated.

The amendment stated:

Under existing law, DPH may take disciplinary action against a funeral director or embalmer for various reasons, including fraud or deceit in obtaining or attempting to obtain a license, registration, or inspection certificate.

Notwithstanding these provisions, the bill prohibits DPH from revoking or suspending the license of a funeral director or embalmer for the reason noted above before April 1, 2017 if the individual completed an examination as part of a program in funeral directing and embalming at a higher education institution that lost its accreditation within 24 months of the bill's passage.

What legislators failed to calculate, however, is that despite a complaint against AAMI that The Conference

submitted to the American Board of Funeral Service Education's Committee on Accreditation, the committee decided at its October 2016 meeting to take no action against the school.

In an Oct. 28 letter to A.R. "Sandy" Mahon, president of The Conference, Robert C. Smith III, executive director of the American Board, wrote that in making its decision, the Committee on Accreditation had reviewed the materials submitted in support of the complaint as well as the materials that the New York City-based AAMI had submitted in response to the complaint.

"Extensive discussions and thorough evaluation occurred during the regularly scheduled meeting of the COA on October 22nd and 23rd, 2016," Smith wrote. "Following this extensive review by the COA members, the COA has determined that it is satisfied that the issues raised in The Conference's complaint have been addressed and remedied by AAMI. The COA also noted that the Federal Court has issued a permanent injunction which prohibits the conduct referenced in The Conference's complaint. Additionally, the COA noted that AAMI has been proactive in its effort to avoid any such future conduct."

Smith's letter continues: "When the COA first became aware of the allegations against AAMI, the Committee reviewed its Accreditation and Policy Manual and recognized that the Manual did not directly address issues such as those discussed in the lawsuit. As a result, a new standard was added

Read More about the Complaint The Conference Submitted to the American Board

The International Conference of Funeral Service Examining Boards declassified documents that it had previously submitted to its members under a "classified" label on March 16..

The documentation includes a complaint that its delegate assembly voted to unanimously file with the Committee on Accreditation of the American Board of Funeral Service Education after its 2016 annual meeting.

Subsequently, the American Board's committee voted not to take any action against AAMI. In releasing the documents, The Conference stated in a memorandum, "At the time, this information was marked 'confidential' out of respect for the process of the Committee on Accreditation of the American Board of Funeral Service Education (COA). As that process has now been concluded, and in response to the many inquires the Conference has received for this information, it is now being released on the website. This information is no longer considered confidential as the COA action is finalized."

Funeral Service Insider previously shared The Conference's resolution to file the complaint; the documents The Conference released include the complaint itself.

Even if the COA of the American Board of Funeral Service Education had taken away AAMI's accreditation, The Conference's stance toward graduates who allegedly participated or benefited from the NBE scheme would be the same, Paull says. "The approach to AAMI graduates is based upon the unfortunate discovery of evidence reflecting that certain individuals either had advance access to exam content, which calls their scores into question, or shared exam content with others, which violated their test-taker agreement and jeopardized the security and integrity of the exam," says Dalene Paull, executive director of The Conference. "Holding AAMI accountable for the significant damage that has been caused to The Conference, the NBE and even to the graduates/students at AAMI is a separate question."

Read the declassified documents in their entirety at <https://theconferenceonline.org/update-resolution-coa>.

to the Manual in October, 2015 (Standard 4.6), which specifically addresses honesty and integrity required of all accredited programs.”

With the American Board failing to strip AAMI of its accreditation, the way was paved for the state Department of Public Health to take action against the AAMI graduates whose scores were invalidated. Because they did not attend a school that has lost its accreditation, they are not protected, which explains the push to pass new legislation.

Janice R. Giegler, town clerk for the City of Danbury, who spent 15 years in the General Assembly and was a former member of the Public Health Committee, pointed out the earlier legislative efforts in her testimony at the public hearing. She also criticized how the state Department of Public Health was going about its work, stating that it began advising certain funeral professionals in February 2017 that they were not eligible to continue licensure in Connecticut.

“They were provided a five-page Interim Consent Order to sign and have notarized to review stating they could consult an attorney through the process,” she said. “Need I add, that the initial letter was dated February 3 and it was to have been returned by February 17 or they were being threatened with formal disciplinary action. This action will cause immediate hardships to the operations of many of our state’s funeral homes who are depending on these individuals due to the fact that Connecticut has a single Director/Embalmer license. The majority of our CT funeral homes are small businesses and ones which are family operated where this action could force closures.”

Giegler characterized the funeral professionals that have been affected as “hard-working, dedicated individuals who are respected in our communities.”

Brian Sokoloff, an attorney with Sokoloff Stern LLP in New York City, who represents 10 former AAMI students in Connecticut and about 140 more former students in 25 states, said most of his clients took the NBE in 2007, 2008 or 2009. He decried the series of events in a letter he submitted as testimony.

“In 2015 or 2016, they received a very vague letter from The Conference advising them that The Conference has ‘credible evidence of your participation in a security breach, involving the harvesting and sharing of National Board Exam items at the American Academy McAllister Institute.’ In this vague, general, form letter that was sent out in a mass mailing, The Conference asks them to respond to this. They don’t advise them what evidence they have, they tell them nothing about the process, and they don’t have a hearing,” he wrote. “These letters often are emailed to email addresses, often an old email address. No matter what the person says, or if the person doesn’t respond, they all get a form letter back that their passing score on the exam has been invalidated. In some cases, these people were notified that The Conference has barred them from retaking the exam for five years. It’s a huge problem.”

Legislation is needed to protect Connecticut funeral directors with “unblemished records, who have been practicing in this state with licenses and no discipline, for years,” Sokoloff wrote.

Sen. Michael A. McLachlan, a Republican who represents the 24th district and is a sponsor of the legislation, also submitted testimony to the committee. “Currently, in order for these students to not lose their license, they are required to take the exam over again,” he wrote. “The students have to devote what may be several months to prepare to take the exam again, as the approved curriculum may have changed since the last test. They also have to pay out of their own pockets to retake the exam.” He added, “This legislation

would allow these affected students to not lose their license and continue working in their industry. The settlement with The Conference and their school served them a true disservice, and this legislation is needed to correct a true wrong that was done to them.”

Rep. Michael S. Ferguson, a Republican who represents the 138th district, also urged the committee to support the legislation. “It was the intent of the legislature and the governor to protect these individuals last year when legislation was passed and signed which included language to keep these students from losing their licenses,” he wrote. “However, the language was not clear enough to stop the Department of Health from pursuing the suspension and revocation of licenses. In essence, this bill seeks to clean up the language from last year in which the intent was clear to protect these individuals.”

He added, “If this legislation is not passed, these individuals will be made to retake the national exam, an exam which has changed and includes new content from the one that they passed nearly 10 years ago. Also, it’s important to remember that these are people who have been actively practicing in their communities for several years now. They are respected and active members within their communities.”

Others Express Views

Numerous other AAMI graduates – and others as well – urged the committee to move the legislation forward.

Thomas Havelka passed the NBE in December 2012, became an apprentice funeral director in Connecticut, completed the required 50 embalming cases and passed a state law test. “To keep a funeral director and embalmer’s license in the state of Connecticut, the director is required to complete continuing education credits every year,” he said. “The national exam is only a small portion of knowledge that is needed, and one would not be able to complete the year-long apprenticeship without knowing and understanding the material.”

Like many other former AAMI graduates, Havelka placed the blame squarely on Dunn and others at the school, refusing to accept any blame. “AAMI, namely Meg Dunn, president of the school, asked every student to report back to her directly on how they did, tips on taking the test, and any and all information that was remembered,” he said. “She instructed everyone to do so, so that information could be passed on to the next set of students and for the comprehensive review course that was required to graduate.”

Havelka, who noted his NBE score was invalidated, said it was done “without providing any information and without proof of why my scores were nullified. They also did not provide me with any chance of defending my case,” he said.

Rebecca Suzanne Jowdy, who has been licensed in Connecticut for five years, noted that she enrolled as an online student at AAMI in 2009. “Upon completion of the mandatory on-campus review, I was pressured by President Dunn to let her know when my boards were scheduled and once taken, to send her my recollections of questions from my exam,” she wrote in a letter submitted as testimony at the hearing. “In numerous emails after the exam, she inquired where my feedback was. She threatened to replace two of my final passing grades with incompletes if I did not comply to the deadline of which she wanted me to sit for the exam.”

According to Jowdy, she was “outranked” by someone in a position of power. “Why would the president

and faculty knowingly compromise the integrity of the exam, putting themselves and students at risk, with the potential of losing the school's accreditation?" she asked. "I complied out of fear. I shared my feedback of my examination with just one person, President Meg Dunn, a mentor, a professional educator, a licensed practitioner in the funeral service industry. I did as I was instructed to do."

Jowdy called passing the exam "the most gratifying accomplishment for me, as I worked hard and studied harder to pass my examination." She said that she and other students had no control over the situation they were drawn into. "The culpability is not with the students, or current licensees, but with President Dunn and the American Academy McAllister Institute," she wrote.

Daniel Ferry, a fifth-generation funeral director at John J. Ferry & Sons Funeral Home in Meriden, and an AAMI graduate, does not believe he should be punished for the unethical actions of the school. "When you enrolled in college, you trust your school and your professors to have your best interests in mind," he wrote in a letter submitted as testimony. "No one would ever think that the school and their faculty that they have entrusted with their education, career and their family's very livelihood would put us in a situation such as this. How can we punish students who on their own, passed all of their classes, exit exams and national boards because the president of the school, secretly tried to harvest questions and answers from the national exams? The sheer amount of information that The Conference could pull questions from is enormous, the only way to pass the exams is to genuinely have a solid understanding of the material."

Ferry noted that his father will be turning 70 soon and has been planning to retire. "If I were to lose my license, his retirement that he's earned over the past 40 years will be in jeopardy," he wrote. "How many other directors and their families will be affected?"

Leonard W. Santora testified in a letter that after much personal sacrifice, he graduated from AAMI in August 2012 and passed the NBE shortly after. "I thought I made it. I thought I was going to start seeing the results of my sacrifice, persistence and hard work. Instead, three and a half years after taking the NBE and three and a half years of serving families in a caring and professional manner, I receive a threatening letter from The Conference telling me that they have 'credible evidence' that I received and/or shared NBE test content," he wrote.

Santora said the allegations angered him "on so many levels." He added, "My sacrifice and hard work is being attributed to cheating. My whole career transition based on fraud ... with no evidence produced and no real opportunity to be heard. I am accused of emailing communications and materials to AAMI staff and students – I plead guilty to that ... I was an online student! That is what I did over the course of my two years in school. It was commonplace. It was how I learned. How I studied. However, I never transmitted NBE exam material or proprietary information. But – let's face facts – AAMI taught their students to the test. Not unlike any of the other test prep programs – SAT, ACT, LSAT, GMATS – the material is finite, repetitive and focused on the funeral professional. As students, this information was drilled into our heads repeatedly. I can say without question, my passing the NBE had nothing to do with cheating."

Gerald R. Bosak Jr., owner of Bosak Funeral Home & Cremation in Stamford, also urged the committee to support the legislation. "During my eight-year tenure as a commissioner on the Board of Funeral Directors and Embalmers for the Department of Public Health, none of the licensed funeral directors that are in jeopardy of losing their good standing and livelihood due to the directive of the dean of students of

AAMI have had any to my knowledge by the department, violations before our board that would require any disciplinary action in the past three years,” he said in a letter submitted as testimony.

Bosak added, “I find it unsettling that the department has acted hastily and has circumvented our board in my opinion on several administrative actions during the delivery of individual consent orders.” He called the department’s actions “draconian,” adding, “In my opinion, the Department of Public Health has an obligation to protect the public and not decimate much needed death-care providers in the funeral industry.”

John Zaleski, owner of Wakelee Memorial Funeral Home in Ansonia, and a past president of the Connecticut Funeral Directors Association, also urged the committee to support the legislation. “Each of these licensees have already made the required standards by CT Statutes and in some cases have been actively working within funeral service nearly 10 years,” he wrote in a letter. “Failure of this bill would create a quagmire of epic portions. In addition to the hardship placed on the licensee by requiring re-education and retesting, many family-owned businesses will be in turmoil as the current licensee of record will no longer be valid. Without a licensee of record, a funeral home cannot operate in the state of Connecticut.”

He continued, “I ask you, what becomes of the 10 years of filed death certificates that these funeral directors have lawfully and dutifully filed? Are they now null and void? How credible is the information without the signature and license of a funeral director? Likewise, I ask, what becomes of the burial and cremation permits issued to these funeral directors over the past 10 years? What are the client families supposed to think when they assume their loved one was not embalmed or cared for by a qualified embalmer? Moreover, these funeral directors can face irreparable damage to their reputation as community professionals.”

Nicole Paquette, legislative committee co-chair of the Connecticut Funeral Directors Association, which represents 220 out of 295 funeral homes, also testified in support of the legislation. “This bill provides a six month look-back period during which the examination services provider, who develops, administers and scores the national funeral service licensure exam, can invalidate a previously issued passing grade of a test taker,” she wrote in a letter. “We recommend the look-back period to uphold the integrity of such exam. If the test taker received a passing grade, and exceeded the six-month look-back period and fulfilled the requirements necessary to become a Connecticut licensed embalmer or funeral director, then that licensee would have the reassurance that this bill will provide to maintain his or her license and livelihood. Currently, no such look-back period for the national funeral service licensure exam exists in Connecticut statute.”

Paull thinks the “look-back” period is a terrible idea. “The Connecticut bill is very broad and strips the licensing authorities of their ability to take action in response to a wide variety of situations,” she says. “For example, if The Conference were to invalidate a test taker’s score based on a variety of circumstances (caught with crib notes, secretly videoing the exam, calling a friend on breaks for the answer, receiving exam content online or from a friend before the test), the state would have no power to take action in response to that circumstance if The Conference’s score invalidation were implemented more than six months after the exam.”

The fact of the matter is that most investigations of these types take longer than six months, Paull says.

“Luckily for The Conference, it has been subject to very few security breaches – what happened at AAMI was by far the most longstanding and expensive theft of exam content The Conference has ever experienced. But there will almost certainly be future incidents, and this bill appears to be a knee-jerk reaction that unduly ties the hands of the regulators who are charged with protecting the public.”

Paull is also disappointed that an alleged delay in invalidating NBE scores is being used as a justification for “disregarding the serious of this matter.”

She explains, “In fairness to all of the involved individuals, The Conference moved methodically and deliberately to evaluate each individual case, which takes some time. In addition to that, we postponed a final decision on a very large number of individuals at the request of their attorney. We did that as a courtesy to the individuals and their attorney, and it seems like that goodwill is now being used to paint The Conference in an unfair light.

George R. Kelder Jr., CEO and executive director of the New Jersey State Funeral Directors Association, who has been a vocal critic of The Conference, says he’s concerned about how his state may handle The Conference invalidating NBE scores.

“When I appeared before the N.J. Mortuary Board, the members were receptive to what we had to say and appreciative of our historical perspective regarding the inability of those affected in obtaining the documents and information that has implicated them in this unfortunate series of events,” he says. “It remains my hope that the Mortuary Board simply takes no action, just as they have the ability to dismiss a consumer complaint against any of our licensees. But the fact of the matter is the N.J. Mortuary Board has yet to reach a determination over how they will handle the NBE test score invalidations.”

Kelder adds, “The whole debacle begs the question over the complete national overhaul of the internship and education process and how well prepared licensees could be when they enter the profession under a differently organized system of trained preceptors and mentors – as teaching to the test has gotten us into this mess.”

Want to read our archived coverage highlighting the dispute between The Conference, AAMI and AAMI graduates? Email tparmalee@ucg.com to ask for it.



Dalene Paull, executive director of The International Conference of Funeral Service Examining Boards, is concerned about the proposed legislation in Connecticut.

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