

STATE OF SOUTH DAKOTA

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DIVISION OF THE SECRETARY

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COUNTY OF HUGHES

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SOUTH DAKOTA DEPT. OF EDUCATION

In re: certification application of
ABIGAIL BULLOCK

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DSE 2019-06
ORDER DENYING
TEACHING CERTIFICATE

TO: Abigail Bullock



In accordance with and pursuant to the authority granted to the Secretary by SDCL §13-42-4, 13-42-7, 13-42-9, and ARSD article 24:18, and after review of the record herein, the Secretary issues the following ORDER:

1. The Secretary accepts the allegations of the Notice of Intent to deny Teaching Certificate as true and enters the attached Findings of Fact and Conclusions of Law.
2. The application of Abigail Bullock for a General Education Alternative Certificate of a teacher certificate is DENIED.
3. The Order and Findings of Fact and Conclusions of Law are a public record pursuant to SDCL 13-42-17.1 and ARSD 24:18:04:05.
4. Notification of this denial is to be placed on the NASDTEC registry and be placed in applicant's permanent certification file within the South Dakota Department of Education.

This constitutes final agency action and may be appealed to circuit court pursuant to ARSD 24:18:02:06.

Dated this the 23rd of October 2019.



Benjamin F. Jones, Ph.D.

Secretary

Department of Education

800 Governors Drive

Pierre, SD 57501

STATE OF SOUTH DAKOTA)
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COUNTY OF HUGHES) **DIVISION OF THE SECRETARY**
) **SOUTH DAKOTA DEPT. OF EDUCATION**

In re: certification application of)
ABIGAIL BULLOCK) **DSE 2019-06**
) **FINDINGS OF FACT and**
) **CONCLUSIONS OF LAW**

Abigail Bullock filed an Application for a renewal of an educator certificate on or about August 7, 2018. After a review of the entire file, the Secretary enters the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. On or about September 3, 2019, the South Dakota Department of Education Office of Educator Certification (hereinafter “Department”) served a Notice of Intent to Deny Teaching Certificate and attached exhibits on Abigail Bullock (hereinafter “BULLOCK”) via certified mail, first class mail, and e-mail. See Exhibit A attached hereto and made a part of this document.
2. The Notice of Intent informed BULLOCK that if she failed to request a hearing within 30 days after service of the notice, the allegations of the Notice would be accepted as true by the Secretary.
3. The Department received no request for hearing from BULLOCK within the 30-day period, which ended on or about October 3, 2019.
4. On or about August 7, 2018, BULLOCK filed an application for a General Education Alternative Certificate. During the process of reviewing the documentation

required for the certificate, a conflict was discovered. The District Intent to Employ document submitted by Bulock indicated she was employed for second grade instruction, yet general education alternative certification does not allow an individual to act as a kindergarten through fourth grade teacher. Upon identifying the conflict, the Department contacted the school submitting the document, and the principal indicated he had not signed such a document for Bulock.

5. The Department referred this matter over to the Office of the Attorney General for a criminal investigation and as a result, Bulock admitted to the investigating officer that she did in fact forge the signature of the principal at the school where she was employed.

6. On or about February 26, 2019, a Criminal Complaint was filed in Hughes County, South Dakota by the Attorney General's Office charging Bulock with one count of Obstructing A Public Officer or Employee under SDCL §22-11-3, a Class 2 Misdemeanor.

7. On or about March 8, 2019, Bulock plead guilty to this offense and was sentenced to ten (10) days in jail, suspended, and \$131.50 fine.

CONCLUSIONS OF LAW

1. Grounds for the denial or non-renewal of a teacher's certificate are provided in SDCL Chapter 13-42.

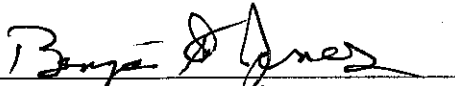
2. The Secretary of the Department of Education has the power and authority to refuse to issue or renew a certificate for violation of the code of professional ethics governing teachers. SDCL §§ 13-42-7 and 13-42-9 (2).

3. The Professional Teachers Practices and Standards Commission for South Dakota has

the authority and obligation to promulgate rules for a code of professional ethics for the teaching profession in South Dakota. SDCL § 13-43-25. This code of professional ethics is found in ARSD Chapter 24:08:03.

4. The Code of Ethics requires a teacher to not engage in acts that result in a conviction. ARSD 24:08:03:02 (7).
5. BULLOCK's actions in forging a signature and the resulting criminal conviction for Obstructing Certain Public Officers or Employees under SDCL §22-11-3, a Class 2 Misdemeanor constitutes a violation of the code of ethics.
6. Any conclusion of law more properly designated as a finding of fact is hereby so designated.
7. BULLOCK's application should be denied for violations of the code of ethics. SDCL § 13-42-9 (2); ARSD 24:08:02 (7).

Dated this the 23rd day of October 2019.


Benjamin F. Jones, Ph.D.
Secretary
Department of Education
800 Governors Drive
Pierre, SD 57501

STATE OF SOUTH DAKOTA)
)
COUNTY OF HUGHES) SOUTH DAKOTA DEPT. OF EDUCATION

In re: certification application of)
ABIGAIL BULOCK) DSE 2019-06
) NOTICE OF INTENT TO DENY
) TEACHING CERTIFICATE

TO: Abigail Bullock
[REDACTED]

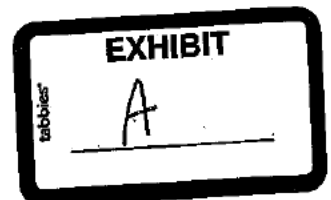
Carla Leingang, Administrator of the Office of Educator Certification of the South Dakota Department of Education (Department), hereby provides notice of intent to deny the certification application of Abigail Bullock (Bullock) submitted to the Department.

You may request a hearing on this matter **within 30 days after service of this notice.**

This request must be in writing and include a description of the action being appealed. Requests must be mailed to:

Division of the Secretary ATTN:
Ferne Haddock
South Dakota Department of Education
800 Governors Drive
Pierre, SD 57501

If you fail to request a hearing within 30 days after service of this notice, then the allegations of this Notice of Intent to Deny the Application for Teaching Certificate will be accepted as true by the Secretary of the Department of Education, and your application for a teaching certificate will be denied. An Order of Denial and associated Findings of Fact and Conclusions of Law by the Secretary are public documents pursuant to SDCL §§ 1-27, 1-26-2, and 13-42-17.1. The Record of denial may be served on the school at which you were last employed or entered into an employment contract pursuant to ARSD24:18:02:05. Record of denial will also be placed in your permanent certification file



and provided to the National Association of State Directors of Teacher Education and Certification (NASDTEC) clearinghouse.

The reasons for this Notice are as follows:

1. Bullock filed an Application for a General Education Alternative Certification on August 7, 2018. During the process of reviewing the documentation required for the certificate, a conflict was discovered. The District Intent to Employ document submitted by Bullock indicated she was employed for second grade instruction, yet general education alternative certification does not allow an individual to act as a kindergarten through fourth grade teacher. Upon identifying the conflict, the Department contacted the school submitting the document, and the principal indicated he had not signed such a document for Bullock.

2. The Department referred this matter over to the Office of the Attorney General for a criminal investigation and as a result, Bullock admitted to the investigating officer that she did in fact forge the signature of the principal at the school where she was employed.

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4. On March 8, 2019, Bullock plead guilty to this offense and was sentenced to ten (10) days in jail, suspended, and \$131.50 fine.

5. Grounds for the denial or non-renewal of a teacher's certificate are provided in SDCL Chapter 13-42.

6. The Secretary of the Department of Education has the power and authority to refuse to issue or renew a certificate for violation of the code of professional ethics governing teachers.

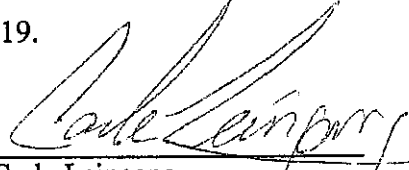
SDCL §§ 13-42-7 and 13-42-9 (2).

7. The Professional Teachers Practices and Standards Commission for South Dakota has the authority and obligation to promulgate rules for a code of professional ethics for the teaching profession in South Dakota. SDCL § 13-43-25. This code of professional ethics is found in ARSD Chapter 24:08:03.

8. The Code of Ethics requires a teacher to not engage in acts that result in a conviction. ARSD 24:08:03:02 (7).

THEREFORE, notice is hereby provided of the intent to deny Bulock's application for a General Education Alternative Teaching Certification pursuant to SDCL §§ 13-42-9 (2) and (5) and ARSD 24:08:03:02(7). Based upon the nature of the violations contained in this Notice of Intent to Deny, the Office of Certification will recommend that Bulock's application for renewal of a certificate be denied.

Dated this 3rd day of September 2019.


Carla Leingang
Administrator for the Office of Educator Certification
Department of Education
800 Governors Drive
Pierre, SD 57501