

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

In re: Certification Application of) DSE 2021-07
SANDRA AMES-CLARK) ORDER DENYING
) TEACHING CERTIFICATE

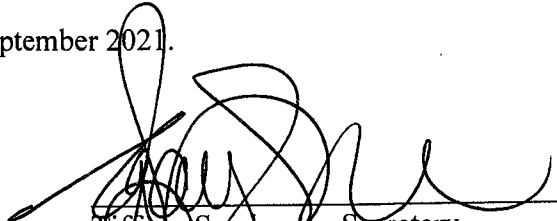
TO: Sandra Ames-Clark


In accordance with and pursuant to the authority granted to the Secretary by SDCL § 13-42-4, 13-42-7, 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 Sandra Ames-Clark for an Out-of-State Initial Application for a teaching certificate is DENIED.
3. Sandra Ames-Clark is permanently prohibited from reapplication for teaching certificate in the State of South Dakota.
4. 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.
5. 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.
6. Ames-Clark is permanently prohibited from being employed by a public school or other accredited school in South Dakota pursuant to SDCL § 13-43-5.1.

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

Dated this the 3 of September 2021.

A handwritten signature in black ink, appearing to read 'Tiffany Sanderson', written over a horizontal line.

Tiffany Sanderson, Secretary
South Dakota Department of Education
800 Governors Drive
Pierre, SD 57501

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

In re: Certification Application of) DSE 2021-07
SANDRA AMES-CLARK) FINDINGS OF FACT and
) **CONCLUSIONS OF LAW**

Sandra Ames-Clark filed an Out-of-State Initial Application for a teaching certificate which was activated on March 3, 2021. 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 June 1, 2021, the South Dakota Department of Education Office of Educator Certification (hereinafter “Department”) served a Notice of Intent to Deny Educator Certificate and attached exhibits on Sandra Ames-Clark (hereinafter “Ames-Clark”) via certified mail and email.
2. On or about June 21, 2021, the Department received a request for hearing from Ames-Clark.
3. The hearing was scheduled for August 11, 2021 at 10:00 a.m. C.T.
4. On or about July 28, 2021, Ames-Clark requested to withdraw her previous request for a hearing.
5. Robert B. Anderson, Independent Hearing Examiner, entered an Order Dismissing Request for Hearing. See Exhibit #1.
6. On or about March 3, 2021, Ames-Clark filed an Out-of-State Initial Application for an educator certificate. During the process of reviewing the documentation required for the certificate, the Department discovered that Ames-Clark was employed as a teacher for the Pine Ridge school district for school year 2020-2021 without being certified. Ames-Clark’s criminal history and the facts surrounding her pending licensure case in Colorado indicate that Ames-Clark has committed numerous acts of moral turpitude over the last 30 years.
7. In response to Ames-Clark’s application, she disclosed that she pled guilty to destruction of evidence


and harboring a criminal in Seoul, Republic of Korea. Ames-Clark also disclosed that she did not report her convictions on her licensing or teaching job applications.

8. The Department has confirmed the pending case against Ames-Clark's teaching license with the Colorado Department of Education and the Attorney General of the State of Colorado.

CONCLUSIONS OF LAW

9. Robert B. Anderson was duly designated and appointed as Independent Hearing Officer, pursuant to ARSD 24:18:02:03 by the South Dakota Secretary of Education, and thereby designated to preside over the contested case.
10. The Department of Education and, in particular, the Secretary of Education has jurisdiction over the parties and subject matter of this proceeding.
11. Grounds for the denial or non-renewal of a teaching certificate are provided in SDCL § 13-42.
12. The Secretary of the Department of Education has the power and authority to refuse to issue or renew a certificate as provided by SDCL §§ 13-42-7 and 13-42-9.
13. Ames-Clark failed to contest the allegations described in the Notice of Intent to Deny.
14. The South Dakota Department of Education has met its burden of proof that Ames-Clark engaged in acts that constituted moral turpitude.
15. Independent Hearing Examiner affirmed Department of Education's decision to deny the application of Ames-Clark. See Exhibit #1.
16. Any Conclusion of Law more properly designated as a Finding of Fact is hereby so designated.
17. Ames-Clark's application should be denied for moral turpitude. SDCL § 13-42-9.
18. Ames-Clark should be prohibited from reapplication for an educator certificate in the State of South Dakota permanently.

Dated this the 3 of September, 2021.



Tiffany Sanderson, Secretary
South Dakota Department of Education
800 Governors Drive
Pierre, SD 57501

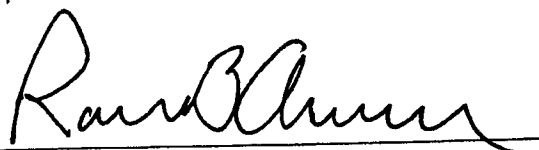
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) **SOUTH DAKOTA DEPT. OF EDUCATION**

In re: Certification Application of) DSE 2021-07
SANDRA AMES-CLARK) ORDER DISMISSING REQUEST
) **FOR HEARING**

The duly appointed Independent Hearing Examiner, Robert B. Anderson, issues the following
ORDER:

1. The request for a hearing was submitted by Sandra Ames-Clark was received on June 21, 2021.
2. The hearing was scheduled for Wednesday, August 11, 2021 at 10:00 a.m. CT. Notice was provided on June 30, 2021.
3. Sandra Ames-Clark requested to withdraw her request for a hearing on July 28, 2021. See Exhibit #1.
4. The request for a hearing is hereby DISMISSED.
5. The Department of Education's decision to deny the application of Sandra Ames-Clark for a South Dakota Educator Certificate is affirmed.

Dated this 6th day of August, 2021.


Robert B. Anderson
Independent Hearing Examiner

From: Taimi Clark
To: rba
Cc: LaCroix, Amanda
Subject: Re: [EXT] In Re Certification Application
Date: Wednesday, July 28, 2021 12:50:30 PM

After our discussion this morning, I have decided to withdraw my request for a hearing. My primary concern is with the DOE of Colorado, and until those issues are resolved, any licensure argument I have with DOE of South Dakota is unlikely to resolve in my favor.

I thank you both for your time and energy, and regret that I have put you through the trouble.

Respectfully,

(Sandra) Taimi Ames-Clark

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Success is never final, failure is never fatal. It's courage that counts.

-- John Wooden

On Wed, Jul 28, 2021 at 9:37 AM Robert Anderson <rba@mayadam.net> wrote:

Thanks for your time this morning. As a reminder please send a list of your witnesses and copies of exhibits you intend to use to the other party on or before Aug 6. Please copy me also. Thanks.

