

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


In re: Certification Application of)
MIKE MAVITY) DSE 2025-08
) ORDER DENYING
) EDUCATOR CERTIFICATE

In accordance with and pursuant to the authority granted to the Secretary by SDCL § 13-42-4, 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 Educator Certificate as true and enters the attached Findings of Fact and Conclusions of Law.
2. The application of Mike Mavity for an educator certificate is DENIED.
3. Mike Mavity is prohibited from reapplication for an educator certificate in the State of South Dakota for a period of five (5) years and upon proof that he is a law-abiding citizen.
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.

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

Dated this the 29th of October, 2025.



Dr. Joseph Graves
Secretary
South Dakota Department of Education
800 Governors Drive
Pierre, SD 57501

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

In re: Certification Application of)
MIKE MAVITY) **DSE 2025-08**
) **FINDINGS OF FACT AND**
) **CONCLUSIONS OF LAW**

Mike Mavity filed an application for an Initial Educator Application which was activated on April 20, 2025. 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 August 21, 2025, the South Dakota Department of Education Office of Educator Certification (hereinafter “Department”) served a Notice of Intent to Deny Educator Certificate on Mike Mavity (hereinafter “Mavity”) via certified mail, first-class mail, and email. The certified mail receipt was returned unsigned, yet the first-class mail was not returned.
2. The Notice of Intent informed Mavity that if he 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 Mavity within the 30-day period.
4. Mavity disclose several criminal convictions on his application and provided the Department a copy of his South Dakota UJS Report that contained additional charges not disclosed on his application.
5. Mavity applied for an alternative certificate but does not possess the alternative preliminary certificate required as outlined in ARSD 24:28:11:02.
6. In addition, Mavity does not have doesn’t have a qualifying offer of employment required as outlined in ARSD 24:28:11:02.

CONCLUSIONS OF LAW

7. Grounds for the denial or non-renewal of an educator certificate are provided in SDCL § 13-42.
8. The Secretary of the Department of Education has the power and authority to refuse to issue or renew a certificate. SDCL § 13-42-9.
9. Mavity's criminal convictions and disregard of the law constitute acts of moral turpitude to support the Department's intent to deny in violation of SDCL § 13-42-9.
10. Mavity's failure to meet the general requirements for an alternative certificate support the Department's intent to deny based on incompetence.
11. Any Conclusion of Law more properly designated as a Finding of Fact is hereby so designated.
12. Mavity's application should be denied pursuant to SDCL § 13-42-9.
13. Mavity should be prohibited from reapplication for an educator certificate in the State of South Dakota for a period of five (5) years and upon proof that he is a law-abiding citizen.

Dated this the 29th of October, 2025.



Dr. Joseph Graves
Secretary, South Dakota Department of Education