

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

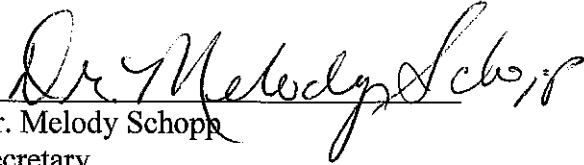
In the Matter of the)	DSE 2015-18
Revocation of the)	
Certificate of)	ORDER REVOKING
Christia Ault)	SOUTH DAKOTA TEACHER
)	CERTIFICATE
)	

Pursuant to the authority granted to the Secretary of the South Dakota Department of Education by SDCL 13-43-28.1 and 13-42-9, following receipt of a Complaint for the Revocation (Complaint dated November 17, 2015) of a certificate dated May 4, 2012, complaint filed by the South Dakota Professional Teachers Practices and Standards Commission, and after review of the entire record herein, the Secretary orders the following:

1. The Secretary affirms and adopts the Findings of Fact and Conclusions of Law of the Commission. These findings and conclusions, attached as Exhibit A, are hereby incorporated into this Order by this reference as if set forth in full.
2. There is clear and convincing evidence that Christia Ault violated the South Dakota Code of Ethics for Teachers established under SDCL 13-43-25, namely ARSD 24:08:03:01(7) and 24:08:03:01(8).
3. Based upon the foregoing Findings of Fact and Conclusions of Law, the certificate of Christia Ault (# 74399-0) is hereby **permanently, immediately revoked**.
4. Notification of this revocation will be placed on the NASDTEC registry and be placed in Christia Ault's permanent certification file within the South Dakota Department of Education.
5. This Order and findings and conclusions will be provided to Christia Ault and the Executive Secretary of the Professional Teachers Practices and Standards Commission and the Commission's counsel, the complainant before the Commission, by and through her legal counsel, and the Superintendent of the school district where Christia Ault was last employed.
6. This Order and incorporated findings and conclusions are a public record pursuant to SDCL 13-42-17.1

This constitutes final agency action. Christia Ault has a right to appeal pursuant to SDCL 13-42-16 unless appeal has been waived.

Dated this 1st day of December, 2015.

A handwritten signature in cursive script that reads "Dr. Melody Schopp". The signature is written in black ink and is positioned above a horizontal line.

Dr. Melody Schopp
Secretary
South Dakota Department of Education
800 Governors Drive
Pierre, SD 57501

STATE OF SOUTH DAKOTA)	PROFESSIONAL TEACHERS
	ss:	PRACTICES AND STANDARDS
COUNTY OF HUGHES)	COMMISSION
<hr/>		
CARLA LEINGANG, ADMINISTRATOR,)	
OFFICE OF CERTIFICATION AND)	
TEACHER QUALITY, S.D. DEPT. OF)	PTPSC 2015-07
EDUCATION,)	
)	FINDINGS OF FACT
Complainant,)	CONCLUSIONS OF LAW
)	AND ORDER
v.)	
)	
CHRISTIA LYNN AULT,)	
)	
Respondent.)	
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This matter came on for hearing pursuant to the provisions of SDCL 13-43-28 before the South Dakota Professional Teachers Practices and Standards Commission on October 8, 2015, at 9:30 a.m. in Conference Room 1, MacKay Building, 800 Governors Drive, Pierre, South Dakota, as previously scheduled and duly and formally noticed for hearing.

The following members of the South Dakota Professional Teachers Practices and Standards Commission (Commission) were present at the hearing: Connie Gretschmann, Thomas Keck, Bev Kopren, and Kenneth "Lance" Vander Vorst. Paul E. Bachand, counsel for the Commission, and Ferne Haddock, Executive Secretary of the Commission, were also present. The complainant personally appeared with attorney Bobbi Rank. Christia Lynn Ault was personally present and requested a private hearing.

Based upon the evidence presented at the hearing, the records on file and Ault's admissions to the allegations as contained in the Complaint, the Commission makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. On or about May 4, 2012, Ault was issued initial South Dakota teaching certificate number 74399-00. The certificate is valid until July 1, 2017.
2. On or about June 22, 2015, Carla Leingang, Administrator, Office of Certification and Teacher Quality, South Dakota Department of Education, filed a complaint against Ault with the Commission.
3. The complaint alleged that Ault violated the South Dakota Code of Professional Ethics for Teachers.



4. The complaint was served on Ault on or about June 24, 2015.
5. A notice of hearing was served on the parties on or about August 27, 2015.
6. On or about July 7, 2014, Ault was charged with the commission of the following four felonies in Pennington County, South Dakota: (1) possession of a controlled substance, methamphetamine (SDCL 22-42-5, class 5 felony), (2) unauthorized ingestion of a controlled drug or substance, methamphetamine (SDCL 22-42-5.1, class 5 felony), (3) grand theft by receiving stolen property (SDCL 22-30A-17, class 6 felony), and (4) commission of a felony while carrying a firearm (SDCL 22-14-12, class 2 felony).
7. On or about November 12, 2014 Ault pled guilty to County 2, unauthorized ingestion of methamphetamine, a class 5 felony and the remaining charges against Ault were dismissed.
8. On or about December 23, 2014, Ault was sentenced to two years in the South Dakota State Penitentiary, with two years suspended. Ault was also sentenced to two years of probation with terms and conditions, as well as fines and costs. One of the conditions of Ault's probation required that Ault have no contact with Mark Afraid of Lightning.
9. On or about June 22, 2015, Ault along with her boyfriend Mark Afraid of Lightning, drove to an apartment complex in North Rapid City, South Dakota in order to purchase controlled substances.
10. Ault drove Afraid of Lightning to the apartment complex in North Rapid City in Ault's vehicle.
11. Ault provided Afraid of Lightning \$50 in order for Afraid of Lightning to purchase a controlled substance.
12. On June 22, 2015, prior to driving to the apartment complex, Ault used methamphetamine and marijuana.
13. Afraid of Lightning went into the apartment complex and purchased what he believed to be ecstasy pills.
14. After purchasing the purported ecstasy pills, Ault's vehicle was lawfully stopped by a police officer with the Rapid City Police Department shortly after leaving the apartment complex.
15. During her discussions with the police officer, Ault informed the police officer that she was a teacher and was teaching summer school. Ault informed the officer that there wasn't anything illegal inside her vehicle.
16. A search of Ault's vehicle uncovered a digital scale, a tube with methamphetamine, white pills, a Taurus .38 special revolver and a black pouch containing a marijuana pipe.

17. The digital scale was located in a red pouch in between the driver's seat and the door. The digital scale contained marijuana residue on it.
18. Ault denied knowledge of the scale, tube and pills but indicated that the pistol was hers and that she purchased it from "Cliff" in the valley for \$100.
19. Ault indicated she had used marijuana a few months ago, but later indicated that her marijuana usage was within the last couple days.
20. Law enforcement obtained a search warrant for her urine which subsequently indicated the presence of marijuana and methamphetamine.
21. In a subsequent interview of Ault by a DCI Agent, Ault stated that she purchased the gun from Antonio Dreamer for \$100.
22. The firearm found in Ault's vehicle and purchased for \$100 was a stolen firearm.
23. A search warrant was later obtained in order to conduct a search of Ault's cell phone. Ault's cell phone contained evidence of a text message between Ault and another person wherein Ault informed this person that the police were watching a residence and a parking lot.
24. The residence where Ault's vehicle was at on June 22, 2014 had been under surveillance by the law enforcement for a period of time.
25. Law enforcement had received numerous tips that Ault's vehicle had been at that location and at the apartments on previous dates.
26. Ault consented to a request by law enforcement to search her residence.
27. A search of Ault's residence on or about June 22, 2014 uncovered a glass lightbulb used for inhaling methamphetamine, clean baggies used to hold drugs and "dirty" baggies that previously contained controlled substances.
28. The clean baggies and "dirty" baggies were located in a satchel in Ault's bedroom. The satchel contained school papers and appeared to be used for school purposes.
29. Ault denied knowledge of the "dirty" baggies in the satchel and denied that she had recently used the satchel. The Commission, having an opportunity to observe Ault during her testimony and based upon all the testimony presented at the hearing, determines that Ault was not credible and that Ault utilized the satchel for teaching and transported controlled substances in the satchel.

30. As a result of the stop of Ault's vehicle, law enforcement conducted three separate search warrants to include a search of the apartment where Mark Afraid of Lightning purchased the pills with Ault's money.
31. The investigation by law enforcement as a result of the stop of Ault's vehicle and subsequent searches, identified 17-20 individuals involved in drug trafficking.
32. An analysis of the pills purchased by Afraid of Lightning on June 22, 2014, found that the pills did not contain any controlled substances and were fake.
33. For a period of time on and prior to June 22, 2014, Ault was involved in the use of marijuana and controlled substances.
34. For a period of time on and prior to June 22, 2014, Ault was involved in the distribution of controlled substances either directly, as an aider and abettor or as a co-conspirator.
35. Prior to June 22, 2014 Ault's vehicle had been seen at the apartment complex in North Rapid City where Afraid of Lightning attempted to purchase controlled substances.
36. Ault's vehicle used on June 22, 2014, was forfeited by the South Dakota Attorney General's Office.
37. Ault was and is currently involved in a relationship with Mark Afraid of Lightning who is significantly involved in drug trafficking.
38. On June 22, 2014, Afraid of Lightning was on probation for a prior drug conviction.
39. On June 22, 2014, Ault was aware that Afraid of Lightning was on probation for a prior drug conviction.
40. Ault continued her relationship with Afraid of Lightning after her arrest in June 2014 and in July 2015 Ault gave birth to a child. Afraid of Lightning is the father of this child.
41. Mark Afraid of Lightning's criminal record contains numerous arrests for drug offenses and violent crimes, including arrests for the felony offense of aggravated assault. Due to Afraid of Lightning's criminal record, he is considered a Repeat Serious Violent Offender.
42. Afraid of Lightning is currently in prison.
43. After Ault was sentenced on December 23, 2014, Ault continued to have contact with Afraid of Lightning.
44. Ault has violated her condition of probation by having multiple contacts with Afraid of Lightning since Ault was sentenced on December 23, 2014.

45. Ault expressed an unwillingness to the Commission to end her relationship with Afraid of Lightning.
46. Ault's continued relationship with Afraid of Lightning demonstrates an unwillingness by Ault to separate herself from drug use and drug trafficking.
47. Ault denied to the Commission that she was addicted to methamphetamine or marijuana, however the Commission does not believe her testimony was credible.
48. Ault denied to the Commission that she was aware that a scale was in her vehicle, however the Commission does not believe her testimony was credible.
49. Ault's testimony to the Commission regarding her purchase of the .38 Taurus was not credible.
50. The stolen gun found in Ault's vehicle belonged to Afraid of Lightning and Ault's admissions to purchasing the gun for \$100 was for the purpose of protecting Afraid of Lightning from additional serious criminal charges.
51. Any Finding of fact improperly denoted as a conclusion of law is hereby incorporated as a finding of fact.

Based upon the foregoing findings of fact, the Commission hereby issues the following conclusions of law:

CONCLUSIONS OF LAW

52. The Commission has jurisdiction over this matter pursuant to SDCL 13-43-28 and 13-43-28.1, SDCL Ch. 1-26, and the Administrative Rules of South Dakota, Chapters 24:08:03 and 24:08:04.01.
53. The burden of proof in this matter is clear and convincing. In Re: Setliff, 202 SD 58, 645 N.W.2d 601, 605.
54. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:02 that in fulfilling their obligations to the public, educators shall act as follows:
 - (7) Engage in no act that results in a conviction;
 - (8) Exemplify high moral standards by not engaging in or becoming a party to such activities as . . . theft, deceit, moral turpitude, gross immorality. . . [or] illegal drugs[.]
55. Clear and convincing evidence exists that Ault violated ARSD 24:08:03:02(7) and (8).

56. Any conclusion of law improperly denoted as a finding of fact is hereby incorporated as a conclusion of law.

Based upon the foregoing findings and conclusions, it is hereby

ORDERED that this matter be referred to the Secretary of the South Dakota Department of Education for proceedings to revoke the teaching certificate of Ault as provided for in SDCL 13-43-28. It is further

ORDERED that a copy of the Findings of Fact, Conclusions of Law and Order be sent to parties herein. It is further

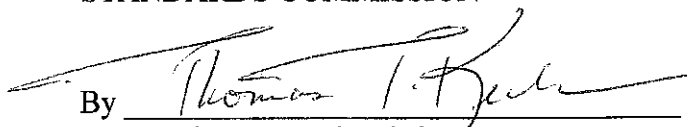
ORDERED that a copy of the Findings of Fact, Conclusions of Law and Order be provided to the Secretary of the South Dakota Department of Education for placement on the NASDTEC clearing house and that it remain with the Department's permanent certification file. It is further

ORDERED that the Department may release the Findings of Fact, Conclusions of Law and Order to the certification office of any state in which the respondent holds or applies for a certificate.

Dated this 17th day of November, 2015.

PROFESSIONAL TEACHERS PRACTICES and
STANDARDS COMMISSION

By


Thomas Keek, Chair
800 Governors Drive
Pierre, SD 57501-2294