


STATE OF SOUTH DAKOTA	)	DIVISION OF THE SECRETARY
	)	
COUNTY OF HUGHES	)	SOUTH DAKOTA DEP. OF ED.
	)	
In re: Revocation of the	)	DSE 2023-09
Educator Certificate of	)	ORDER REVOKING
SHANNA RIES	)	EDUCATOR CERTIFICATE

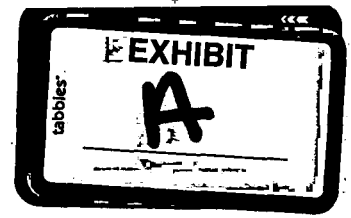
Pursuant to the authority granted to the Secretary of the South Dakota Department of Education by SDCL §§ 13-43-28.1, 13-42-9; and 13-42-15, following the receipt of a Complaint seeking revocation of a certificate from the South Dakota Teachers Practices and Standards Commission, and after review of the entire file herein, the Secretary enters the following ORDER:

1. The Secretary affirms and adopts the Findings of Fact and Conclusions of Law of the Professional Administrators Practices and Standards Commission (“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. The Commission found clear and convincing evidence Ries violated the following provisions of the South Dakota Code of Professional Ethics for Teachers—ARSD 24:11:03:01 (5), (7), (9), (10), and 24:08:03:02 (8).
3. Based upon the foregoing Findings of Fact and Conclusions of Law, the administrator certificate of Shanna Ries, Certificate #81894, issued on August 27, 2018, is hereby **immediately and permanently revoked**.
4. Notification of this revocation will be placed on the NASDTEC registry and be placed in Ries’ permanent certification file within the South Dakota Department of Education.
5. The Order and incorporated Findings of Fact and Conclusions of Law are public record pursuant to SDCL 13-42-17.1.

This constitutes final agency action and may be appealed to circuit court pursuant to SDCL § 13-42-16.

Dated this 25th of August, 2023.

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



STATE OF SOUTH DAKOTA )  
  ) SS  
COUNTY OF HUGHES )

SOUTH DAKOTA PROFESSIONAL  
TEACHERS PRACTICES AND  
STANDARDS COMMISSION

TODD OBELE, SUPERINTENDENT, HENRY SCHOOL DISTRICT #14-2,	PTPSC 2023-03
Complainant,	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
v.	
SHANNA RIES,	
Respondent.	

This matter came on for a hearing pursuant to provisions of the SDCL § 13-43-28 before the South Dakota Professional Teachers Practices and Standards Commission. A public hearing was held on June 26, 2023, in the Library Commons, MacKay Building, First Floor, Library Commons, 800 Governors Drive, Pierre, South Dakota.

The following members of the South Dakota Professional Teachers Practices and Standards Commission (“Commission”) were present at the hearing: Chairperson, Joy Robbins, Kaye Wickard, Nichole Bowman, Crystal McMachen, and Alesha Limbo. Paul Bachand, counsel for the Commission and Ferne Haddock, executive secretary of the Commission, were also present. The Complainant, Todd Obele, Superintendent of the Henry School District, was personally present along with attorney Rodney Freeman. The Respondent, Shanna Ries, failed to appear despite due and proper notice.

Based upon the evidence presented at the hearing and documents contained in the official file, the Commission makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. Respondent, Shanna Ries (“Ries”) is the holder of a valid South Dakota Teacher’s Certificate No. 81894 issued on August 27, 2018, and expired on July 1, 2023.
2. On or about March 16, 2023, Todd Obele, Superintendent of the Henry School District #14-2 (“District”), filed a complaint against Ries with the Commission.
3. The Complaint alleged that Ries violated the following section(s) of the Code of Professional Ethics for teachers:

- a. ARSD 24:08:03:01 (5) which provides that in fulfilling their obligation to students, educators shall act as follows: (5) conduct professional business in such a way that they do not expose the students to unnecessary intimidation, embarrassment, or disparagement.
  - b. ARSD 24:08:03:01 (7) which provides that in fulfilling their obligation to students, educators shall act as follows: (7) maintain professional relationships with students without exploitation of a student for personal gain or advantage.
  - c. ARSD 24:08:03:01 (9) which provides that in fulfilling their obligation to students, educators shall act as follows: (9) maintain professional relationships with students in a manner which is free of vindictiveness, recrimination, and harassment.
  - d. ARSD 24:08:03:01 (10) which provides that in fulfilling their obligation to students, educators shall act as follows: (10) not engage in or be a party to any sexual activity with students including sexual intercourse, sexual contact, sexual photography, or illicit sexual communication.
  - e. ARSD 24:08:03:02 (8) which provides that in fulfilling their obligation to the public, educators shall act as follows: (8) exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, theft, deceit, moral turpitude, gross immorality, sexual contact with students, illegal drugs, or use or misleading or false statements.
4. The complaint was served on Ries on March 22, 2023.
  5. Ries filed a response with the Commission on or about April 24, 2023. In her response, she states in part: "On March 5<sup>th</sup>, 2023, I admitted that I had an inappropriate relationship with a high school student. I resigned from all my positions with the Henry School District on the exact same date."
  6. A due and proper Notice of Hearing was served on the parties setting this hearing for June 26, 2023.
  7. A public hearing on this matter was held on June 26, 2023.
  8. Ries failed to appear for the June 26, 2023, Hearing.
  9. Ries was employed with the Henry School District for four years as the Middle School Language Arts Teacher.
  10. Ries was the Oral Interpretation Coach for the 2022 season at the Henry School District.
  11. On March 5, 2023, Ries resigned from the Henry School District effective that date.

12. On March 5, 2023, the Codington County Sheriff's Department notified the District that Ries had admitted to inappropriate behavior with a student in the Henry School District.
13. On March 5, 2023, Ries self-reported to the Codington County Sheriff's Office that she had an affair with a student.
14. Ries added her Oral Interpretation students on snapchat to communicate with them during the season. The Oral Interpretation season ended in December of 2022.
15. In January of 2023 Ries began communicating with one of the male high-school students from the Oral Interpretation Team over Snapchat. This student was also in her class in 8<sup>th</sup> grade.
16. The conversations with that student turned romantic in February of 2023.
17. The male student was sixteen years old in February of 2023.
18. On February 28, 2023, the student came to her home where she performed oral sex on the student.
19. Ries and the student engaged in sexual intercourse.
20. When interviewed by law enforcement, the student confirmed what Ries had reported.
21. The student also reported an additional incident where they kissed in the staff lounge of the school the beginning of February 2023.
22. The student also reported that he had sexual contact with Ries when he went to her home prior to the February 28, 2023, incident.
23. When interviewed by law enforcement Ries admitted to kissing the student in the breakroom at the school and at her home prior to the February 28, 2023, incident.
24. Ries was arrested on March 5, 2023, under SDCL § 22-22-7.8 Sexual Contact with Child Under 18-Position of Authority and SDCL § 22-22-24.3, Sexual Exploitation of a Minor.
25. Ries self-reported this instance because of the guilt of knowing she did something wrong.
26. Ries failed to maintain a professional relationship with her student.
27. Ries exploited her student for personal gain.
28. Ries engaged in illicit sexual communication with her student.
29. Ries engaged in sexual contact with her student.

30. Ries engaged in sexual intercourse with her student.
31. The evidence presented to the Commission and all reasonable inferences therefrom demonstrate that Ries violated ARSD 24:08:03:01(5), (7), (9) and (10), and ARSD 24:08:03:02(8).
32. 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

33. The Commission has jurisdiction over this matter pursuant to SDCL §§ 13-43-28, 13-43-28.1, SDCL Ch. 1-26, and the Administrative Rules of South Dakota, Chapters 24:08:03 and 24:08:04:01.
34. The burden of proof in this matter as a contested case hearing is clear and convincing. In Re: Setliff, 2002 SD 58, 245 N.W.2d 601, 605.
35. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:01 that in fulfilling their obligation to students, educators shall act as follows:
  - (5) Conduct professional business in such a way that they do not expose the students to unnecessary intimidation, embarrassment, or disparagement.
36. Clear and convincing evidence exists that Ries violated ARSD 24:08:03:01(5).
37. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:01(7) that in fulfilling their obligation to students, educators shall act as follows:
  - (7) Maintain professional relationships with students without exploitation of a student for personal gain or advantage.
38. Clear and convincing evidence exists that Ries violated ARSD 24:08:03:01(7).
39. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:01(9) that in fulfilling their obligation to students, educators shall act as follows:
  - (9) Maintain professional relationships with students in a manner which is free of vindictiveness, recrimination, and harassment.
40. Clear and convincing evidence exists that Ries violated ARSD 24:08:03:01(9).

41. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:01(10) that in fulfilling their obligation to students, educators shall act as follows:

(10) Not engage in or be a party to any sexual activity with students including sexual intercourse, sexual contact, sexual photography, or illicit sexual communication.

42. Clear and convincing evidence exists that Ries violated ARSD 24:08:03:01(10).

43. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:02 that in fulfilling their obligation to the public, educators shall act as follows:

(8) Exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, theft, deceit, moral turpitude, gross immorality, sexual contact with students; illegal drugs, or use of misleading or false statements.

44. Clear and convincing evidence exists that Ries violated ARSD 24:08:03:02(8).

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

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commission hereby issues the following Order:

### **ORDER**

ORDERED that this matter be referred to the Secretary of the South Dakota Department of Education for proceedings to revoke the teaching certificate of Ries as provided for in SDCL 13-43-28.1. 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 National Association of the State Directors of Teacher Education and Certification (NASDTEC) clearinghouse and that it remains with the Department's permanent certification file. It is further:

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

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

Dated this 25 day of July 2023.

PROFESSIONAL TEACHER PRACTICES  
AND STANDARDS COMMISSION

By: Joy Robbins  
Joy Robbins, Chair