

**STATE OF SOUTH DAKOTA  
BOARD OF EXAMINERS OF PSYCHOLOGISTS**

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**IN THE MATTER OF THE  
LICENSURE PROCEEDINGS**

**RE: LYN SHROYER,**

**License No. 341**

**Licensee.**

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**STIPULATION  
AND ORDER**

WHEREAS, Lyn Shroyer, Ed. D. ("Licensee"), is licensed to practice as a psychologist in the State of South Dakota and holds License No. 341; and

WHEREAS, the Board received a letter dated July 18, 2009 ("July 18 letter") alleging that commencing in approximately June, 2004, and continuing thereafter, Licensee's relationship and/or interactions with an individual she had counseled violated SDCL § 36-27A-28(6).

WHEREAS, the Licensee does not admit to the allegations stated in the July 18 letter, nor does she admit that her conduct violated applicable professional standards.

WHEREAS, the Licensee does agree that the allegations stated in the July 18 letter, if proven, would constitute grounds for formal disciplinary action and the imposition of sanctions under SDCL § 36-27A-28 and ARSD 20:60:07:01.

WHEREAS, the South Dakota Board of Examiners of Psychologists (hereinafter "the Board") has a statutory obligation to protect the public health, safety, and welfare as set forth under SDCL §§ 36-27A-1, *et seq.*, which includes protection of the public from practitioners and practitioner practices that violate the recognized standards for professional conduct.

WHEREAS, the Licensee has requested the Board's Investigative Officer to present this Stipulation to the Board for consideration and action and recognizes that the Board may approve this Stipulation, reject it, or modify it; and

WHEREAS in the event the Board, in its discretion does not approve this settlement or a lesser remedy than indicated herein, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party in any subsequent proceeding, and Licensee agrees that if the Board rejects this Stipulation and the case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any of the records or information relating hereto; and

WHEREAS, the Board and Licensee desire to resolve this matter without the necessity of formal disciplinary proceedings and hearings; and

WHEREAS, it is the intent of this Stipulation to provide for the full and final resolution of matters raised in the July 18 letter, but with the understanding and agreement that the Board reserves the right to take into account the current matter in addressing any other disciplinary or professional complaints it may receive in the future.

Now, therefore, based on the foregoing, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. Jurisdiction of Board

The Board has jurisdiction over the Licensee and the subject matter of this Stipulation.

2. Allegations Against Licensee

The Board received a letter dated July 18, 2009, alleging that Licensee engaged in conduct beginning in June 2004, and continuing thereafter, that violated professional standards of conduct under SDCL § 36-27A-28(6) and ARSD 20:60:07:01.

3. Rights of Licensee

Licensee has been given an opportunity to discuss this Stipulation with an attorney of her choosing, and she is aware of her right to a hearing in this matter, and all rights under the United States and South Dakota Constitutions, laws, rules and/or regulations. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Licensee is entering into this Stipulation voluntarily and without duress or compulsion. Licensee also agrees that the Board's Investigative Officer may present this Stipulation to the Board and disclose to the Board all items of his investigation, including, but not limited to, any communications with Licensee.

4. Private Letter of Concern.

The Board finds that the public health, safety, and welfare and preservation and promotion of the integrity and public-perception of the profession as a whole can be fully protected by issuing the Licensee a Private Letter of Concern and entry into this Agreed Settlement Stipulation (hereinafter this "Stipulation").

The Licensee shall be required to comply with any requests for information and other terms and conditions that may be contained in the Private Letter of Concern. If Licensee fails to do so, she understands and agrees that such failure would constitute

independent grounds for further action and that the Board may proceed, without further advance warning or notice, with disciplinary action.

The Board will file any required reports with regulatory and governmental authorities including ASPPB reporting on Licensee's licensure status and this Stipulation and Private Letter of Concern.

Licensee further understands and agrees that if she fails to satisfy any terms and conditions of the Private Letter of Concern that the document would no longer be privileged or confidential insofar as it would potentially be the focus of future formal professional or disciplinary proceedings, and Licensee understands and agrees that the Board shall retain continuing jurisdiction in that regard.

5. Responsibility for Costs

Licensee shall bear all of her costs and expenses in carrying out the provisions of this Stipulation and in fulfilling any terms and conditions set forth in the Private Letter of Concern.

6. Effect of Stipulation

This Stipulation is a compromise of the allegations against Licensee contained in the July 18, 2009 letter. This Stipulation is not intended as an adjudication on the merits of those allegations, nor is it intended as an adjudication of legal liability, fault, or responsibility with regard to the client she had previously counseled referenced in the June 18, 2009 letter.

7. Voluntary Agreement

This Stipulation is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given the opportunity

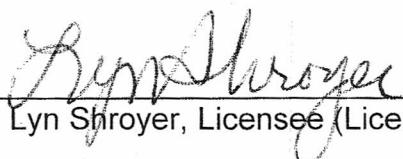
to consider these matters and to discuss this Stipulation with an attorney of Licensee's choice and that the Licensee has a full understanding of the legal consequences of this Stipulation and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Stipulation.

8. Effective Date

This Stipulation and Private Letter of Concern shall be effective on the date this Stipulation is signed by Licensee. The Stipulation shall be presented to the Board for consideration and entry of any Order no later than November 1, 2010, provided that the Licensee in the interim complies with any requests for information and any other terms and conditions that may be contained in the Private Letter of Concern. The Private Letter of Concern shall be valid and enforceable notwithstanding the absence of a formal Order adopting and entering the Stipulation.

NOW, THEREFORE, the foregoing Stipulation is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter.

Dated this 8 day of June, 2010.

  
Dr. Lyn Shroyer, Licensee (License Number 341)