

SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES

BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF THE)	File # 277-2022; 278-2022
DISCIPLINARY PROCEEDING OF)	279-2022; 281-2022 & 285-2022
KRISTIN SCHULTE, CSW-PIP)	
)	AGREED DISPOSITION
)	

Kristin Schulte, CSW-PIP (Licensee), by and through counsel, Brett Lovrien, and the Board of Social Work Examiners (Board), by and through counsel, Assistant Attorney General Mandy Miiller, hereby enter into this Agreed Disposition regarding the above-entitled matters currently pending before the Board.

Kirsten Schulte, CSW-PIP is licensed to practice as a Social Worker in Private or Independent Practice in the State of South Dakota and holds license number 2385.

The Board received a complaint on July 28, 2022, alleging Licensee engaged in an inappropriate relationship with C.F. (DOB [REDACTED]). The substance of this complaint is contained in File # 277-2022. The Board received a similar complaint on August 1, 2022, alleging Licensee engaged in an inappropriate relationship with C.F. The substance of this complaint is contained in File # 278-2022. Another complaint alleging Licensee engaged in an inappropriate relationship with C.F. was received on August 9, 2022. The substance of this complaint is contained in File # 279-2022. The Board received an additional complaint on October 26, 2022, also alleging that Licensee engaged in an inappropriate relationship with C.F. The substance of this complaint is contained in File # 281-2022. Finally, the Board received a complaint from C.F. on February 13, 2023. The substance of this complaint is contained in File

285-2022. The factual allegations contained in the complaints may constitute violations of SDCL 36-26-33.

The Board and Licensee agree it would be in the best interest of all concerned to resolve the pending complaints without holding a formal contested case hearing pursuant to SDCL chs. 1-26 and 36-1C. This Agreed Disposition is intended to resolve all allegations contained within the complaints. The intent of this Agreed Disposition is to provide for a disposition of the licensing issues presented by Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a responsible resolution.

Based upon the above, it is hereby stipulated and agreed as follows:

1. The Board has jurisdiction over the person of the Licensee and the subject matter of this Agreed Disposition.
2. The Board received complaints alleging Licensee engaged in an inappropriate relationship with C.F.
3. Licensee recognizes that the matters complained of are of a nature that could constitute grounds for discipline on Licensee's license to practice as a Social Worker in the State of South Dakota under SDCL 36-26-33.
4. Licensee understands that Licensee may have a right to a contested case hearing pursuant to SDCL 1-26 regarding the allegations in the pending complaints and that such rights under SDCL 1-26 include, but are not limited to, the right to be represented by counsel; the right to notice and a due process hearing at which Licensee has the right to introduce evidence and testimony on her behalf, to call witnesses and cross-examine any adverse witness; and the right to appeal the Board's decision to a South Dakota Circuit Court and the South Dakota Supreme Court.
5. By entering into this Agreed Disposition with the Board, Licensee hereby knowingly and voluntarily waives the above rights.
6. This Agreed Disposition is a public record of the Board and the State of South Dakota, and it may be published and/or reported to the national data banks and all other entities deemed necessary by the Board in compliance with state and federal law. Licensee understands that the Board has reporting requirements and she consents to the documents relating to this matter being provided to the required entities and to state licensing authorities upon request.
7. Licensee has been given the opportunity to discuss this Agreed Disposition with an attorney of Licensee's choice and is aware of the rights outlined above. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or other

rights. Licensee is entering into this stipulation voluntarily and without duress or compulsion.

8. Based upon the foregoing acknowledgements, the Board and Licensee hereby agree that these matters shall be resolved according to the disciplinary procedures outlined in SDCL 36-1C-6, by an Agreed Upon Disposition.
9. The Board requires, and Licensee agrees to the following:
 - i Licensee is hereby suspended from practicing as a Licensed Social Worker in the State of South Dakota for a period of three months. The suspension period will commence September 28, 2022 and end on December 28, 2022.
 - ii Licensee must complete one year of supervision at her own expense.
 - a. Licensee will provide to the Board, at a regularly scheduled meeting, the names of three individuals willing to provide supervision. The Board will make the final selection from the list of names provided by Licensee.
 - b. The supervisor must be able to assist Licensee with reinforcement of professional social work skills and ethical decision-making skills. The supervisor will be responsible for evaluating licensee's skill level after implementation and provide a monthly written report to the Board.
 - c. The one-year supervision period will commence on the date Licensee obtains employment.
 - d. While under the first six months of supervision, Licensee is prohibited from engaging in private practice.
 - e. Any prospective employer of Licensee is not bound by, nor responsible for, the additional supervision requirements contained in this Agreed Disposition. Compliance with the additional supervision requirements is solely the responsibility of the Licensee.
 - iii Licensee will successfully complete a total of forty hours of Continuing Education Units in the field of Ethics and/or Dual Relationships. Evidence of completion, along with a curriculum overview, must be provided to the Board during Licensee's supervision period.
 - iv Licensee will be responsible for any and all costs associated with the completion of this Agreed Disposition.
10. Failure to comply with the terms of this Agreed Disposition is grounds for further disciplinary action and may allow the Board to institute or reinstitute formal proceedings.

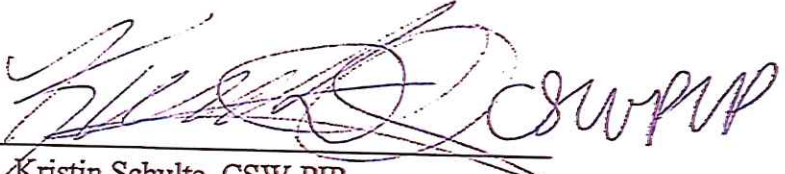
This Agreed Disposition must be presented to, and agreed upon, by the full South Dakota Board of Social Work Examiners. In the event the Board does not approve this Agreed Disposition, any argument that the Board members considering this Agreed Disposition should be disqualified from later rendering a decision in any subsequent contested case hearing regarding the complaints herein is hereby waived.

[Remainder of page intentionally left blank. Acknowledgment and signatures below.]

ACKNOWLEDGMENT


Kristin Schulte, CSW-PIP, by her signature acknowledges she is aware of the substance of the allegations made against her, she acknowledges that she has had an opportunity to consult with legal counsel of her choice, and she states that she understands the terms of this Agreed Disposition and knowingly, intelligently, and voluntarily enters into this Agreed Disposition.

Dated this 30th day of March, 2023.



Kristin Schulte, CSW-PIP
Respondent and Licensee

Dated this 3rd day of March, 2023.



Brett Lovrien
Attorney for Kristin Schulte, CSW-PIP

Dated this 29th day of March, 2023.

/s/ Mandy Müller

Mandy Müller
Assistant Attorney General

ORDER

NOW THEREFORE, the South Dakota Board of Social Work Examiners having been provided with the above Agreed Disposition entered into by Kristin Schulte, CSW-PIP, and the Board finding good cause for accepting the above Agreed Disposition; it is hereby

ORDERED, that the Board accepts the Agreed Disposition and upon completion of the terms of the agreement will close its file regarding the pending complaint proceedings without further action, and without entry of findings in this matter beyond any specifically noted in the Agreed Disposition.

Dated this 18th day of April, 2023.

SOUTH DAKOTA BOARD OF SOCIAL WORK EXAMINERS

By: Karen Chesley CSW-PIP
Karen Chesley, CSW-PIP, President