

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Ravi Govind Rughani
Certificate 296876

**ORDER OF SUSPENSION
(BREACH OF CONTRACT)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 8, 2020. On January 30, 2020, the South Carolina Department of Education (SCDE) sent Ravi Govind Rughani a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. The SCDE has verified Mr. Rughani's address and the letter sent via regular mail has not been returned. On March 30, 2020, the SCDE informed Mr. Rughani, via regular and certified mail that the State Board would vote to consider action against his educator certification. Postal tracking shows this notice was delivered to Mr. Rughani's address. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Rughani has been given fair notice of constitutional due process. Mr. Rughani has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Mr. Rughani's educator certificate for a period of one year, commencing September 8, 2020, and ending on September 7, 2021.

FINDINGS OF FACT

This case concerns a formal complaint of the Greenville County School District (District) seeking the suspension of the educator certificate of Mr. Rughani for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2018) and S.C. Code Ann. § 59-25-530 (2018).

On August 12, 2019, Mr. Rughani signed a contractual agreement with the District to serve as a teacher for 2019-20 school year. On October 16, 2019, Mr. Rughani submitted his resignation to the District, effective immediately. In his resignation, Mr.

Rughani stated he understood the consequences of breaching his contract with the District. On October 23, 2019, the District informed Mr. Rughani he would not be released from his contract except for one of the reasons listed in the District's policy, and only if a suitable replacement was found. After Mr. Rughani failed to report to work, the District Board voted to report Mr. Rughani's breach of contract to the SCDE on November 19, 2019.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Mr. Rughani breached his contract with the District, and that just cause exists to suspend Mr. Rughani's certificate 296876 for a period of one year, commencing September 8, 2020, and ending on September 7, 2021.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." Just cause includes, *inter alia*, "unprofessional conduct" and "willful violation of the rules and regulations of the State Board of Education." S.C. Code Ann. § 59-25-160 (3) and (4) (2018). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2018), the State Board of Education had the legal authority to suspend a certificate for "failure to comply with the provision of a contract without the written consent of the local school board." With respect to breach of contract, "any teacher who fails to comply with the provisions of his [or her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S. C. Code Ann. § 59-25-530 (2018). "Upon formal complaint of the school board, substantiated by conclusive evidence, the state board shall suspend or revoke the teacher's certificate, for a period not to exceed one calendar year." *Id.*

The State Board finds that the evidence presented demonstrates that Mr. Rughani breached his contract without the consent and/or approval of the District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Ravi Govind Rughani for a period of one year, commencing September 8, 2020, and ending on September 7, 2021.

If Mr. Rughani wishes to have his educator certificate reinstated at the end of the suspension period, he shall make a written request to the SCDE's Office of Educator

Services, and shall meet all certification requirements in effect at the time he requests reinstatement. Mr. Rughani shall also pay the applicable reinstatement fee. The suspension of Mr. Rughani's educator certificate 296876 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order, with the reason stated as "unprofessional conduct, breach of contract, willful neglect of duty, and failure to comply with the provisions of a contract without the written consent of the local school board."

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Michael Brennan _____
Michael Brennan, Chair

Columbia, South Carolina
September 8, 2020