

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Ryan Paul Nannetti
Certificate 315447

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 14, 2024. On November 9, 2023, the South Carolina Department of Education (SCDE) sent Ryan Paul Nannetti a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. Mr. Nannetti timely requested a hearing, which was scheduled for April 4, 2024. Prior to the hearing, Mr. Nannetti withdrew his hearing request. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Nannetti has been given fair notice of constitutional due process and is now in default.

After considering the evidence presented, the State Board voted to suspend Ryan Paul Nannetti's educator certificate for a period of one year, commencing March 12, 2024, and ending on March 11, 2025.

FINDINGS OF FACT

This case concerns a formal complaint from the Marion County School District (District) seeking the suspension of the educator certificate of Mr. Nannetti for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2020) and S.C. Code Ann. § 59-25-530 (2020).

On May 26, 2023, Mr. Nannetti signed a contractual agreement with the District to serve as a teacher for the 2023-2024 school year. On August 11, 2023, Mr. Nannetti submitted his resignation to the District, effective immediately. In his resignation, Mr. Nannetti stated he needed more time to assist family members due to medical issues. On August 16, 2023, the District informed Mr. Nannetti he was not released from his contract. He did not return to the District. The District Board voted to report Mr.

Nannetti's breach of contract to the SCDE on September 19, 2023. The District reported the matter to the SCDE on November 2, 2023.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Mr. Nannetti breached his contract with the District, and that just cause exists to suspend Mr. Nannetti's certificate 315447 for a period of one year, commencing on March 12, 2024, and ending on March 11, 2025.

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) (2020). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2021), the State Board of Education has 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 (2020). "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. Nannetti 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 Ryan Paul Nannetti for a period of one year, commencing on March 12, 2024, and ending on March 11, 2025.

If Mr. Nannetti 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. Nannetti shall also pay the applicable reinstatement fee. The

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suspension of Mr. Nannetti's educator certificate 315447 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/David C. O'Shields
David C. O'Shields, Chair

Columbia, South Carolina
May 14, 2024