

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Hianlucas Isturiz,)
a/k/a Hianlucas Isturiz Rodriguez)
Educator Certificate 272457)

ORDER OF

SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on May 2, 2017. In accordance with S.C. Code Ann. § 1-23-370(c) (2016), § 59-5-10 (2016), and State Board Rule of Governance BBABA, the South Carolina Department of Education (SCDE) requested that the Chair of the State Board summarily suspend the educator certificate of Hianlucas Isturiz, educator certificate 272457, as a result of the pending criminal charges against him. (Mr. Isturiz is also known Hianlucas Isturiz Rodriguez). Mr. Isturiz has been charged with two counts of Criminal Sexual Conduct with a Minor, 1st degree S.C. Code Ann. §16-3-655(A) (2016). Criminal Sexual Conduct with a Minor, 1st degree is classified as a Class A felony and also as a violent crime pursuant to S.C. Code Ann. §16-1-60 (2016). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Isturiz may pose a threat to the health, safety, and welfare of students, who may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Isturiz's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Isturiz of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Isturiz holds a professional South Carolina educator certificate and has over five years of teaching experience. Mr. Isturiz has been employed by the Lexington County School District One (District) since 2015 as a kindergarten teacher at Red Bank Elementary School (School). Mr. Isturiz was placed on administrative leave from the District on April 17, 2017,

after allegations arose that he had engaged in inappropriate conduct with a minor kindergarten student.

The Lexington Sheriff's Office has charged Mr. Isturiz with two counts of Criminal Sexual Conduct with a Minor, 1st degree pursuant to S.C. Code Ann. §16-03-655(A) (2016). It is alleged that Mr. Isturiz engaged in inappropriate behavior with a minor kindergarten student and is avoiding arrest by law enforcement. The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Isturiz may pose a threat to the health, safety, and welfare of students who may be under his instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Isturiz's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Isturiz of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2016). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). In accordance with S.C. Code Ann. § 1-23-370(c) (2016), "If the agency finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." Pursuant to S.C. Code Ann § 59-5-10 (2016) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. Isturiz's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed, and two felony charges of Criminal Sexual Conduct with a Minor, 1st degree, there is reason to believe Mr. Isturiz may pose a threat to the health, safety, and welfare of students and emergency action is required. Accordingly, the educator certificate of Hianlucas Isturiz, educator certificate 272457, is summarily suspended until a due process hearing is held and/or

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this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Isturiz of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Ivan Randolph, Ph.D., Chair

Columbia, South Carolina
May 2, 2017