

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Hianlucas Isturiz a/k/a Hianlucas
Isturiz Rodriguez
Certificate 272457

ORDER OF PERMANENT REVOCATION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on December 8, 2020. On May 2, 2017, the Chair of the State Board summarily suspended Hianlucas Isturiz's South Carolina educator certificate. On May 2, 2017, September 27, 2017, January 28, 2020, and June 18, 2020, the South Carolina Department of Education (SCDE) sent the summary suspension order and a notice letter to Mr. Isturiz regarding the possible suspension or revocation of his South Carolina educator certificate. The SCDE utilized Mr. Isturiz's address from the Certification Portal System, an address from Mr. Isturiz's country of origin, and an address obtained from the Lexington County Sheriff's Department inmate system. The SCDE has verified Mr. Isturiz's address and received confirmation of certified mail delivery to Mr. Isturiz at the Lexington County Detention Center. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Isturiz has been given fair notice of constitutional due process. Mr. Isturiz has not contacted the SCDE to request a hearing and is now in default. After considering the evidence presented, the State Board voted to permanently revoke Mr. Isturiz's educator certificate 272457, effective September 8, 2020.

FINDINGS OF FACT

Mr. Isturiz holds a suspended South Carolina educator certificate and has over five years of teaching experience. On May 2, 2017, the State Board summarily suspended Mr. Isturiz's educator certification after he was charged with two counts of criminal sexual conduct with a minor, 1st degree. The alleged conduct occurred while Mr. Isturiz was employed as a kindergarten teacher.

After he was notified of the pending criminal charges, Mr. Isturiz fled law enforcement. On December 5, 2019, the SCDE learned Mr. Isturiz was located in Ecuador and had been extradited back to Lexington County, SC. On December 16, 2019, additional criminal charges of the same nature were added against Mr. Isturiz. The SCDE issued a new notice of pending action on January 28, 2020, to Mr. Isturiz after obtaining his current address.

Mr. Isturiz's criminal charges are still pending. However, Mr. Isturiz has not responded to the notice letters from the SCDE and has not requested a hearing in this matter. The SCDE has submitted evidence provided by the District and law enforcement. After considering the evidence presented, the State Board voted to permanently revoke Mr. Isturiz's educator certificate 272457, effective December 8, 2020.

CONCLUSIONS OF LAW

"The State Board 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, crime against the law of this State or the United States, evident unfitness for position for which employed, and sale or possession of narcotics." S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). The State Board finds that Mr. Isturiz engaged in unprofessional conduct, immorality, conduct involving moral turpitude, and crime against the law of this State or the United States due to the allegations of criminal sexual conduct with a minor, 1st degree.

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke educator certificate 272457, issued in the name of Hianlucas Isturiz, effective December 8, 2020. The permanent revocation of Mr. Isturiz's educator certificate 272457 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: s/Michael Brenan
Michael Brenan, Chair

Columbia, South Carolina
December 8, 2020