

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2 OF THE STATE OF OREGON

MAR 04 2002

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) ORDER OF SUSPENSION AND PROBATION
5 C. MICHAEL TEDESCO)
6)
7)

8 On or about December 11, 2001, the Teacher Standards and Practices
9 Commission (Commission) received a report from Roger S. Jordan, Director of
10 Personnel, Springfield Public Schools, alleging that C. Michael Tedesco (Tedesco)
11 misused his school computer to access sexually explicit material over the internet.

12 Mr. Tedesco fully cooperated with the Commission's investigation. After review
13 of the matters alleged, Mr. Tedesco and the Commission agree that their respective
14 interests, together with the public interest, are best served by a stipulation to certain
15 facts and the imposition of a ninety (90) day suspension, followed by a period of
16 probation of two (2) years. This Order sets forth the facts upon which the parties have
17 agreed and the sanction to be imposed. In entering into this stipulation, Mr. Tedesco
18 waives the right to a hearing to contest the finding of fact, conclusion of law and order
19 set forth below.

20 **STIPULATION OF FACTS**

21 1. Mr. Tedesco holds a Basic Teaching License valid August 21, 2000 through
22 September 11, 2003.

23 2. Mr. Tedesco was employed by Springfield Public Schools from August 28,
24 2000, to resignation effective December 7, 2001, as a teacher at Gateways Learning
25 Center.

1 3. A District-owned computer with Internet access was present in Mr. Tedesco's
2 office for his use in connection with his assigned responsibilities. The District has a
3 clearly defined, acceptable use policy. The District operates monitoring software to
4 detect misuse by any user of the network equipment regarding sexually explicit or
5 pornography websites. The District's policy prohibits the use or attempted use of
6 equipment for Internet access of sexually explicit materials.

7 4. The District's screening software recorded that on multiple occasions during
8 student contact hours and non-student contact hours, Mr. Tedesco used his office
9 computer and a computer in the school computer lab to access sexually explicit
10 materials through the District's Internet connection in violation of District policy
11 regarding Internet use.

12 5. Mr. Tedesco admits that he should not have used the District computer for
13 viewing sexually explicit materials and has expressed remorse for doing so.


14 This stipulation is contingent upon approval and adoption of the Order by the
15 Commission. If the Commission does not adopt this Order, neither Mr. Tedesco nor the
16 Commission are bound by these Stipulations and Mr. Tedesco retains all rights to a
17 hearing on the allegations.

18 IT IS SO STIPULATED:

19
20 
21 _____
C. Michael Tedesco

2/26/02

Date

22
23 
24 _____
Linda L. Samek, Deputy Director
25 Teacher Standards and Practices Commission

2/5/02

Date

1 **ULTIMATE FINDING OF FACT**

2 C. Michael Tedesco used the computer equipment owned by his employer,
3 Springfield Public Schools, located on school premises, to access sexually explicit
4 materials. Mr. Tedesco was fully aware that accessing such materials at the workplace
5 with a District owned computer was inappropriate and in violation of District Policy.

6
7 **CONCLUSION OF LAW**

8 C. Michael Tedesco's activities constitute Gross Neglect of Duty in violation of
9 OAR 584-020-0040(4)(q).

10 **ORDER**

11 The Oregon Initial Teaching License of C. Michael Tedesco is suspended for a
12 period of ninety (90) days beginning on March 9, 2002. At the end of this suspension
13 period, Mr. Tedesco's teaching license will be reinstated upon complete application
14 pursuant to OAR 584-050-0015(2) and verification by Mr. Tedesco that he has
15 undergone an evaluation by a psychotherapist or medical professional acceptable to the
16 Commission, and the evaluator submits a written report to the Commission attesting (1)
17 Mr. Tedesco is fit to work with children and teenagers, and (2) there is a high probability
18 he will not use school district equipment to access sexually explicit materials. Any costs
19 associated with the assessment or treatment will be the responsibility of Mr. Tedesco.

20 Upon the reinstatement of his teaching license, Mr. Tedesco shall be placed on
21 probation by the Commission for a period of two (2) years subject to the following
22 conditions:

23 1. Mr. Tedesco shall substantially comply with any treatment or counseling as
24 recommended by the individual who completed the evaluation described above. Mr.

1 Tedesco shall authorize and sign any consent forms as necessary for the treatment
2 provider or counselor to furnish records to verify Mr. Tedesco's compliance with this
3 order.

4 2. Mr. Tedesco shall comply with all Standards for Competent and Ethical
5 Performance under Chapter OAR 584, Division 020.

6 Violation of the terms of this probation may constitute an independent basis for
7 the Commission to impose discipline, up to and including revocation of Mr. Tedesco's
8 teaching license subject to Mr. Tedesco's right to a hearing on the issue of whether he
9 violated probation.

10 Dated this 8th day of March, 2002

11 TEACHER STANDARDS AND PRACTICES COMMISSION

12
13 By: 
14 David V. Myton, Executive Director

15
16 APPROVED AS TO FORM

17
18 Barbara J. Diamond, OSB #85039
19 Attorney for C. Michael Tedesco
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