1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS, 4 Teaching License of AND FINAL ORDER 5 CLEMENT EDWARD PEREIRA OF REPRIMAND 6 On August 14, 2007, the Teacher Standards and Practices Commission (Commission) 7 received a report from Jeff Clark, Superintendent, Cove School District, indicating that Clement 8 Edward Pereira (Pereira) used his school computer to access sexually explicit material on the 9 Internet. 10 Mr. Pereira fully cooperated with the Commission's investigation in this matter. After 11 review of the matters alleged, Mr. Pereira and the Commission agree that their respective 12 interests, together with the public interest, are best served by a stipulation to certain facts and a 13 public reprimand. 14 This document sets forth the facts upon which the parties have agreed and the 15 stipulated sanction to be imposed. Mr. Pereira stipulates that there is sufficient evidence in the 16 Commission's files and records to support the findings of fact, conclusions of law, and order set 17 forth below. 18 By signing below, Mr. Pereira acknowledges, understands, stipulates, and agrees to the 19 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 20 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all 21 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Final Order 22 of Reprimand and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is 23 a public document and disclosed to the public upon request by the Commission; (iii) this 24 Stipulation and Final Order is contingent upon and subject to approval and adoption by the 25 Commission. If the Commission does not approve and adopt this Stipulation and Final Order, 26 then neither Mr. Pereira nor the Commission are bound by the terms herein; (iv) he has fully 27

read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without

'	any lorde or duress, enters into this Supulation and Final Order and consents to issuance and
2	entry of the Stipulated Final Order below; (vi) he states that no promises or representation has
3	been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with
4	an attorney regarding this Stipulation and Final Order and has been fully advised with regard to
5	his rights thereto, or waives any and all rights to consult with an attorney prior to entering into
6	this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.
7	STIPULATION OF FACTS
8	1. The Commission licensed Edward Clement Pereira beginning August 31, 1978. Mr.
9	Pereira currently holds a Standard Teaching License issued October 9, 2005, valid until October
10	8, 2010, with endorsements for basic health education, basic physical education and basic
11	social studies.
12	2. Mr. Pereira worked for the Cove School District from 1978 until his retirement
13	November 30, 2006.
14	2. A district-owned computer with Internet access was present in the classroom in
15	which Mr. Pereira taught for his use in connection with assigned responsibilities.
16	3. District records indicate that Mr. Pereira used a district computer to access sexually
17	explicit materials on the web site http://www.flickr.com , through the district's Internet connection.
18	4. Mr. Pereira conducted these activities after student contact hours.
19	5. No students saw Mr. Pereira access these sites, or were aware of his activities.
20	IT IS SO STIRULATED AND AGREED TO:
21 22	Clement Edward Pereira III
23 24 25	Teacher Standards and Practices Commission 2 10-09 Date
26	111

1	CONCLUSIONS OF LAW
2	The Commission has the authority to impose discipline in this matter is based upon ORS
3	342.120 through 342.430 and OAR Chapter 584. Clement Edward Pereira's inappropriate use
4	of a district computer constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(q).
5	FINAL ORDER
6	The Commission hereby adopts and incorporates herein the above findings of fact and
7	imposes a Public Reprimand on Edward Clement Pereira. This Stipulation of Facts and Final
8	Order constitute the Reprimand.
9	Issued and dated this day of May, 2009.
0	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
2 3 4	By Walla Mamberlain Executive Director