

FAIR DISMISSAL APPEALS BOARD

List of Cases 1972 - 2009

FDA 09-02 Bruce Picton vs. South Umpqua SD

FDA 09-01 Carlos Montebanco vs. David Douglas School District

FDA 08-02 Tim Noland vs. Vale School District

FDA 08-01 Peter Porath vs. Woodburn School District

FDA 07-09 Thomas McCaffrey vs. Salem Keizer SD. Rec'd appeal on December 17, 2007.

FDA 07 -08 Christi Finholt v. Salem Keizer School District. Elizabeth McKanna attorney for the teacher – Paul Dakapolos, Attorney for District. Rec'd appeal on Dec. 1, 2007. Hearing scheduled for May 6& 7, 2008.

FDA 07-07 Lyssa Jessel v. Ontario School District -

FDA 07-06 Patricia Rolen v. North Wasco County School District

FDA 07-05 Penny Shepherd v. North Wasco County School District

FDA 07-04 Laura McGlothlin v. North Wasco County School District

FDA 07-03 Nonalee Cornell v. North Wasco County School District

FDA 07-02 Arthur Cornell v. North Wasco County School District

FDA 07-01 Kathy Maxwell v. North Wasco County School District

Six retired teachers employed by the district filed appeals with FDAB after the district notified them that they would not be offered teaching contracts for the 2007-08 school year. The teachers' appeals were consolidated for hearing. FDAB dismissed the teachers' appeals. There was one dissenting opinion that viewed the PERS retirement process as separate from the employment relationship between the district and the teachers. The dissent viewed the teachers as contract teachers because they did not miss any work and were employed under contract both before and after retirement. This case was appealed to the Court of Appeals on September 13, 2007.

FDA 06-04 Steve Edwards vs. Riverdale School District

FDA 06-03 Elvie Brinson vs. Albany Public Schools. Received Letter of Appeal, by fax, on May 15, 2006, from Ralph E. Wiser. School represented by Nancy Hungerford. Pursuant to a settlement **agreement** with the school district, Mr. Brinson withdrew his appeal to the FDAB. The hearing was cancelled.

FDA 06-02 Jeff Stave v. Oregon Trail School District (teacher) Received by fax on January 20, 2006. Ralph E. Wiser representing teacher. Teacher was reinstated. Did not go to FDAB.

FDA 06-01 Barbara Milton v. Butte Falls School District (teacher) Received January 4, 2006. Barbara J. Diamond from Smith, Diamond & Olney representing teacher. Case did not move forward.

FDA 05-02 Chip Waisanen v. Clatskanie School District #6J. Received, by fax, Notice of Appeal, on November 15, 2005, from John S. Bishop. Attorney representing the School District is Bruce Zagar. Appeal denied.

FDA 05-01 Don Zellner v. Forest Grove School District. (Contract Administrator) Received Notice of Appeal to FDAB on May 2, 2005 – (letter dated April 28, 2005). James M. Brown represents Don Zellner; Brian Hungerford represents the school district.

FDA 04-09 Debra Griffin v. Corvallis School District (Teacher)

FDA 04-08 Robin Bergin v North Clackamas SD (Teacher)

FDA 04-07 Gary Wilson v. Grants Pass School District – Received appeal on July 6. (Teacher)

FDA 04-06 Elaine Ferguson v. Dayton School District (Teacher) The teacher was dismissed on the grounds of inefficiency and inadequate performance. Two of the panel members sustained the dismissal and one panel member sustained the appeal in his dissenting opinion.

The majority of the panel found that over the course of her tenure as a Special Education Teacher with the district, from 1998 to 2004, the district met with the teacher numerous times to discuss her deficiencies, review her special education files and performed many classroom visits to monitor the teacher's progress to improve, if any. Time after time the district found deficiencies serious enough to maintain a Plan of Assistance as a guideline to assist in the improvement of the teacher's method of providing instruction and maintenance of her special education files. None of these tools were successful in bringing the teacher's performance level up to a level of the district's expectation as well as within the

parameters of the state and federal rules and regulations associated with her specialized area of education.

The district's decision to terminate the teacher for performance that was inefficient and inadequate was based on the fact that "[t]he teacher was unable or unwilling to meet the reasonable performance standards mandated by the District." In light of this rationale, the district was acting in a rational matter when it made its decision.

NOTE: The Court of Appeals affirmed FDAB's order without issuing an opinion on June 7, 2006. No Petition for Review was filed with the Supreme Court.

FDA 04-05 Robert Smith v. Salem-Keizer School District. (Teacher)

FDA 04-04 Maria Josefina Zile v Crow-Applegate-Lorane School District. (Teacher)
Appeal letter from Barbara J. Diamond, Attorney at Law, dated March 19, 2004. Letter from Superintendent Eileen Palmer, dated March 29, 2004 saying that "although the Crow-Applegate-Lorane Board of Directors voted unanimously not to renew said contract of Ms. Zile at its March 8 regular board meeting, due to administrative oversight regarding employee notification of the Board's decision by March 15, the district, as advised by legal counsel, is obligated to observe contract status."

FDA 04-03 Vicky Martin and North Clackamas School District – Vicky is employed as a Child Development Specialist. Notice of Appeal, dated March 18, 2004 received from John S. Bishop on March 22, 2004.

FDA 04-02 Karyn McBride and North Clackamas School District – (Teacher) Appeal of Contract Non-Extension.

FDA 04-01 Don Bellairs v. Beaverton School District (Teacher)

FDA 03-04 Steve Heilman v. Silver Falls School District (Teacher)

FDA 03-03 George Deines v. Salem-Keizer School District (Teacher)

FDA 03-02 Jason Roddick v. Dayton School District. Appeal withdrawn. Case closed.

FDA 03-01 Skip Magee, Teacher, Medford School District 549C. Letter of Appeal from Ralph E. Wiser received by ODE on April 18, 2003. Arbitrator to hear this case. Services of FDAB not needed. Case closed.

FDA 02-06 Rosie Hanson, Teacher, v. Sherman County School District. Recommendation for dismissal letter dated 5/14/02. Appeal letter from Ralph E. Wiser received on July 10, 2002. FDAB Hearing October 8, 9, 10, 2002. Case settled before going to hearing.

FDA 02-05 Jerry Christensen, Administrator, v. The Dalles School District 12 – Appeal received 6/7/02. Appeal withdrawn.

FDA 02-04 Tubbs, Teacher, Appeal withdrawn

FDA 02-03 Vilches, Teacher, v. Multnomah Education Service District – Appeal received March 11, 2002 – Hearing held on May 6, 8 and 9, 2002 at the Multnomah Education Service District – Final Findings – The appeal is denied and the dismissal action is affirmed. Court of Appeal filed. On August 20, 2003, the Court of Appeals affirmed FDAB's order without opinion.

FDA 02-02 – Karin Bergeson, Teacher, v. Salem Keizer SD – Appeal received 2/1/02 – Hearing scheduled for April 2, 3, 4, 2002. Court of Appeal filed. Order on Motion for Stay denied 8/19/02. This case is on appeal. The Court of Appeals denied the district's Motion to Stay FDAB's reinstatement order on January 8, 2003. Judicial Review is pending on FDAB's decision to reinstate.

FDA 02-01 – Diane Gilmore, Teacher, v. Clackamas ESD — Hearing scheduled for May 15, 16, & 17, 2002 at Clackamas ESD. Appeal withdrawn. Case settled 6/10/02.

FDA 01-09 – Robert A. Folkers, Administrator, – Appeal received December 27, 2001 – Motion to Dismiss scheduled for March 22, 2002. The parties submitted supplemental stipulation of facts in May 2003. The Motion to Dismiss is currently pending before the Board (October 2003).

FDA 01-10 – Heather Ridle, Teacher, v. Woodburn Schools – Appeal Received November 28 – Motion to Dismiss scheduled for March 4, 2002. Appeal filed with Court of Appeals.

FDA 01-08 – Thomas Logan, Teacher, v. Echo School Dist. 5-R – Parties reached a settlement.

FDA 01-7 – John Harden, Teacher, v. Vale School District #84 – Appeal received October 1, 2001. Appeal withdrawn.

FDA 01-05 Sherry Zottola, Teacher, v. Three Rivers School District – Appeal received August 25, 2001. Hearing held October 15, 16, 17, 18 and November 1, 2, 3 and 4, 2001. *Zottola v. Three River School District*, FDA 01-05 (2002), **affirmed without opinion 188 Or App 489 (2003), **order on motion to determine back pay** (2003), **order on remand on motion to determine back pay** (2004):**

The panel's order indicates that the district dismissed the teacher on the grounds of insubordination and neglect of duty and, presumably though not mentioned in the order, immorality. The panel reversed the dismissal and ordered the teacher reinstated.

The school district had contracted with the Oregon Youth Authority to provide educational services at the OYA facility in Grants Pass. This led to a practical situation where there were two lines of authority for the Appellant – the District and OYA. The underlying conduct involved allegations about the interactions between the teacher and an incarcerated youth. The panel majority found that there was essentially a failure of proof in that they did not believe the youth's testimony and found other evidence that mitigated the Appellant's conduct (with one factor being dual lines of authority). With the facts not being "true and substantiated" the District's decision was reversed. There is a dissenting opinion which views the conduct as largely uncontested between the parties and the logical conclusions to be drawn favor the District's decision to terminate.

The district appealed. The Court of Appeals affirmed FDAB's decision without opinion on June 26, 2003.

There are three unique procedural issues addressed below from this case: (1) the question of "double jeopardy"; (2) the teacher's attempts to subpoena records from OYA during the hearing; and (3) the question of whether back pay may be offset by unemployment benefits received by the teacher.

NOTE: The Oregon Court of Appeals issued a decision on October 12, 2005, on its review of the FDAB Order regarding her claim of wrongful discharge and amount of back pay to be offset by unemployment benefits. The Court affirmed FDAB's decision. The Supreme Court granted review of this case and oral arguments were heard on September 12, 2006. The case is currently under advisement.

FDA 01-06 – Sue McNair, Administrator, v. Springfield School District – Appeal received August 2, 2001. August 1, 2002: received e-mail from Steve Krohn: appeal is still active. Attys agreed to submit stipulated facts by August 16 and written briefs by Sept. 20. Oral Argument scheduled.

FDA 01-04 – 2001, - Sara Beeson, Teacher, v. Warrenton Hammond School District – Appeal received May 25, 2001 – Hearing held October 5, 2001. Appeal filed with Court of Appeals. October 1, 2003, the Court of Appeals issued a per curiam decision in the Beeson case (in which the FDAB waived appearance) vacating and remanding the FDAB's final order in that case for reconsideration. The case involves the question whether Beeson was a probationary or contract teacher. Beeson's attorney has 35 days in which to file a petition for review in the Oregon Supreme Court. The district appealed FDAB's denial of its motion to stay reinstatement of Ms. Beeson. On January 8, 2003, the Court of Appeals affirmed FDAB's denial. On October 1, 2003, the Court of Appeals vacated and remanded FDAB's decision for reconsideration in light of *Smith v. Salem-Keizer School District*.

FDA 01-03 – 2001 – Robert Smith, Teacher, v. Salem-Keizer School District – Appeal received July 11, 2001 – Motion argued before the panel on October 1, 2001. Respondent's Motion to Dismiss is granted and the appeal is dismissed. Appeal filed with Court of Appeals. On June 12, 2003, the Court of Appeals reversed Mr. Smith's dismissal and remanded to FDAB for further proceedings. The District appealed the reversal to the Supreme Court on July 17, 2003. The Supreme Court denied review on October 6, 2003. At the hearing on remand, the parties put on evidence that the District had given Appellant a second notice of intent to recommend his dismissal as a contract teacher but had not concluded the process. The panel found that the first notice of intent to dismiss as a probationary teacher did not meet the statutory requirements for dismissal of a contract teacher, and that the second notice complied with the statutory requirements, but the school district had not made a decision to dismiss Appellant. For this reason, there was no dismissal decision to review and the matter was remanded to the District for further proceedings. The parties thereafter settled the case.

FDA-01-02 – 2001- -Chris Nuffer, Administrator, v. Mollala River School District – Appeal received June 18, 2001 – The dismissal of appellant is sustained. Appeal filed with Court of Appeals. The Court of Appeals affirmed FDAB's decision on April 3, 2003.

FDA-01-01 – 2001 – Number not used

FDA 00-03 – 2000 – Shelley Wilson, Teacher, v. Umatilla School District – Petition for Declaratory Ruling received 9/1/00. File closed 4/5/02, case dismissed.

FDA 00-02 – 2000 – Suzan Wassom, Teacher, v. Harrisburg School District – Appeal received 8/23/00. Appeal withdrawn 9/01, reinstated.

FDA 00-01 – 2000 – Kathleen Nightskye, Teacher, v. Morrow County School District – Notice of dismissal and appeal received. Hearing scheduled for June 6 – 10, 2000. Case has been settled, waiting for attorney confirmation, 6/00. Letter received from attorney confirming the parties have resolved the appeal. Case closed 7/6/00

FDA 99-09 – 1999 – Kathryn Osborn, Teacher, v. Eugene Public School District 4J – Notice of dismissal received 9/28/99. Notice of appeal received 11/16/99. File closed waiting for lawyers' confirmation.

FDA 99-08 - 1999 - Robert Folkers, Administrator, v. Lincoln County School District - Notice of dismissal received. Notice of appeal received 9/1/99. Waiting for confirmation of district obtaining legal council, letter sent 9/3/99. Letter rec'vd from attorney James Brown, dated 2/16/00, withdrawing appeal, file closed. Finding of Fact, Conclusion s of Law, Discussion & Interim Order was mailed 9/3/02.

FDA 99-07 - 1999 - Karen Dalrymple, Administrator, v. Ashland Public Schools - Notice of dismissal received. Appeal received 8/99. 9/20/99, appeal withdrawn, cased closed.

FDA 99-06 - 1999 - Henry M. Bourgo, Administrator, v. Canby School District - Notification of dismissal received. Appeal received 7/99. Hearing held 11/4 & 11/5/99. Hearing closed 11/29/99. Proposed findings submitted 12/11/99. Oral argument scheduled 2/9 and 2/11, both cancelled due to a panel members illness. In the process of rescheduling. Oral argument re-scheduled for March 17, 2000. Findings of fact, conclusions of law, discussion and order issued 4/14/00, dismissal of appellant is sustained. Case closed.

FDA 99-05 - 1999 - Donna Kalik, Teacher, v. Sheridan School District #48J - Appeal received, council has notified of representation. Pending Hearings officer selection per our letter dated 8/26/00.

FDA 99-04 - April 23, 1999 - Lorna Hayden, Teacher v. Glendale School District - Appeal received, council has notified of representation. Hearing scheduled for 3/13, 14, & 15, hearing re-opened 4/14 and 15. Oral argument scheduled for 8/9/00.

FDA 99-03 - , 1999 - Virginia "Pinna" Hinds Arnold, Teacher v. Cascade School District No. 5 - Appeal received, council has notified of representation. Hearing held 12/8/99. Hearing closed 1/12/00. Proposed Findings submitted 1/28/00. In the process of scheduling oral argument. Oral argument scheduled for 3/1/00. Rulings, Findings of Fact, Conclusions of law, discussion and order issued 4/5/00. Respondents motion to dismiss is granted and the appeal was dismissed.

FDA 99-02 - March 26, 1999 - Charlotte Miller, Teacher v. Forest Grove School District - Appeal received, dismissed, case closed.

FDA 99-01 - March 26, 1999 - Elizabeth Rummier, Teacher v. Forest Grove School District - Appeal received. May be dismissed. Filed a Motion to dismiss due to the possibility of appeal not being filed within the allotted time. Dismissed, case closed.

FDA 98-6A - August 28, 1998 - Henry Michael Bourgo, Administrator v. Canby School District No. 35 - Appeal received. Panel selected. District filed a motion to dismiss claiming the appeal is not timely filed. This matter has been dismissed. File Closed.

FDA 98-5A - July 1, 1998 - Alan W. Barker, Administrator v. Molalla River School District No. 35 - Mr. Barker's appeal was withdrawn and the file is closed.

FDA 98-4A - May 5, 1998 - Theresa A. Pavlannis, administrator, v. North Clackamas School District 12 - The appeal was withdrawn and the file is closed.

FDA 98-3 - March 27, 1998 - Bonita Clarke v. Myrtle Point School District - Appeal of Non-Extension received March 30, 1998. There has been no action on this appeal and it is on hold pending response from the teacher's counsel.

FDA 98-2 - April 22, 1998 - Steve Poole V. Lebanon Community School District - Appeal received.

- Evidentiary hearing before Hearings Officer Allen M. Hein held June 9, 10 and 11, 1998, in Salem Oregon. Dates were mutually set by both sides through a Scheduling Agreement and Stipulation by All Parties, which was beyond the 30-day hearing set in ORS 342.905.

- Hearings officers' proposed findings and rulings were hand-delivered to the Board on July 13, 1998.
- Oral arguments were heard by the Panel on July 31, 1998.
- The Panel found in favor of the teacher and the ordered his reinstatement without backpay on August 20, 1998. File Closed.

FDA 98-1 - January 22, 1998 - Philomena King v. Medford School District No.549C
Appeal received January 23, 1998. Received telephone notification on April 21, 1998, that the parties settled. File Closed.

FDA 97-10 - September 17, 1997 - Steve Dougherty v. Salem-Keizer School District - Appeal received September 19, 1997. Falls under Senate Bill 880 passed by the 1997 Legislature. The parties settled and the file is closed.

FDA 97-9 - September 12, 1997 - Diane Waldron v. Tillamook School District 9 - The teacher withdrew her appeal. File is closed.

FDA 97-8 - July 25, 1997 - Diann McFarland v. South Umpqua School District - Ms. McFarland officially withdrew her appeal in this matter. File is closed.

FDA 97-7 - March 28, 1997 - Jon Bauley-Gabriel v. Astoria School District - The appeal has been withdrawn and the file closed.

FDA 97-6 - May 15, 1997 - Janice Cunningham v. Lincoln County School District - Appeal received.

- On July 1, 1997, a letter was sent to the teacher's attorney on behalf of the FDAB requesting official notice on how to proceed with the appeal in light of criminal charges against Ms. Cunningham.
- July 21, 1997, the School District renewed its Motion to Dismiss the appeal for lack of jurisdiction. The renewal was based upon a letter from the Teacher Standards and Practices Commission, which adopted a Default Order revoking Ms. Cunningham's Oregon Teaching License.
- January 28, 1997, FDAB received a notice from the teacher's attorney withdrawing as her the attorney on the basis that he has been unable to contact her or communicate with her and correspondence sent her has been returned without a forwarding address. FDAB has also tried to communicate with Ms. Cunningham. . Certified and non-certified correspondence has been returned without a forwarding address. Due to lack

of action on her appeal, it is presumed that it is her decision to withdraw the appeal, and the file is deemed closed.

FDA 97-5 (Admin.) - April 29, 1997 - David Annala v. Salem-Keizer School District 24J Dr. Annala withdraws his appeal. The file is closed and no further action will be taken.

FDA 97-4 - March 26, 1997 - Sharron Packard v Corvallis SD Panel selected. Hearing held November 10-11, 1997. On January 5, 1998, the Panel ruled that the dismissal of the appellant is sustained and the appeal is dismissed. File closed.

FDA 97-3 - January 17, 1997 -Wayne Hill vs. Springfield SD - Mr. Hill withdrew his appeal and the file is closed.

FDA 97-2 - January 27, 1997 - Vicki White v. Hillsboro SD - Ms. White withdrew her appeal and the file is closed.

FDA 97-1 - December 20, 1996 - Kathy Henderson v. Harrisburg SD - The teacher withdrew her appeal and the file is closed.

FDA 96-3 -August 29, 1996 - Lauren Post v. Salem School District

- Respondent filed Motion to Dismiss Appeal for lack of Jurisdiction.
- Telephone conference call held February 18, 1997 to consider the school district's motion. Panel raised several questions for the appellant and requested responses from both counsels on two jurisdictional issues.
- Follow-up telephone conference call hearing was held 4/17/97.
- Panel granted Respondent's Motion to Dismiss the Appeal 5/12/97
- July 10, 1997 - Ms. Post filed Petition for Judicial Review with the Court of Appeals.
- As of October 20, 1998, no decision has been issued by the Court of Appeals
- Court of appeals filed it's decision on July 21, 1999 - Wollheim, J., dissenting.
- Filed April 25, 2002: The decision of the Court of Appeals is reversed. The order of the Fair Dismissal Appeals Board is reversed, and the case is remanded to the Fair Dismissal Appeals Board for further proceedings. (Supreme Court of the State of Oregon). Parties settled.

FDA 96-2 - May 1, 1996 - Janek Gala v. Eagle Point Schools, Jackson County School District No. 9 - The appeal was withdrawn and the file closed.

FDA 96-1 - April 22, 1996 - Linda Lee Webster v. Columbia ESD - Appeal received.

Panel selected. Gary Cordy, Assistant Attorney General assigned.

- March 18, 19 and 20, 1998, The hearing on the appeal was held in Hillsboro, Oregon. This matter was conducted using pre-SB 880 administrative rules that were in effect at the time the appeal was commenced.
- May 8, 1998, the Order was issued sustaining the dismissal of the Appellant and the appeal was dismissed.
- July 7, 1998, Ms. Webster filed an appeal of the Panel's decision with the Court of Appeals.

FDA 95-9 - October 31, 1995 - William V. Anderson v. Pendleton SD - Appeal received. Mr. Anderson withdraws his request for a hearing. No further action will be taken in this matter and the file is closed.

FDA 95-8 - July 18, 1995 - Kathy Walker v. Sisters SD - Ms. Walker withdrew her appeal file is closed.

FDA 95-7 - August 30, 1995 - Ellen Irish v. Rogue River SD - Ms. Irish withdrew her appeal to the Board. No further action will be taken in this matter and file is closed.

FDA 95-6 - July 6, 1995 - Cassandra Moore v. Medford SD 549C - Appeal received. Panel selected. Stephen D. Krohn assigned as Assistant Attorney General.

- Hearing held May 13-17, 1996.
- Order issued June 24, 1996 stating dismissal of Ms. Moore was sustained and appeal was dismissed.
- August 22, 1996, Ms. Moore filed Petition for Judicial Review with the Court of Appeals.
- October 15, 1997, the Court of Appeals affirmed without opinion the order issued by the Board.
- November 19, 1997, Ms. Moore filed Petition for Review with the Supreme Court of the State of Oregon.
- February 10, 1998, the Supreme Court denied the Petition for Review. File Closed

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FDA 95-5 - June 29, 1995 - Bruce Mulvany v. Union SD #5 - Appeal received. Panel selected. Gary M. Cordy assigned as Assistant Attorney General.

- Telephonic hearing held August 24, 1995 to consider School District's Motion to Dismiss.
- Order Denying Respondent's Motion to Dismiss issued October 10, 1995.

- December 14 and 21, 1995, a telephonic hearing was held to consider Union School District's Petition for Reconsideration dated October 26, 1995; letter dated November 16, 1995, sent on behalf of Mr. Mulvany opposing the petition; December 11, 1995, letter sent on behalf of the school district; and December 13, 1995 letter sent on behalf of Mr. Mulvany with a supplemental affidavit from the appellant. The Panel deliberated denied the Petition for Reconsideration.
- Petition for Alternative Writ of Mandamus, and Order Allowing Alternative Writ of Mandamus filed on behalf of the Union SD # 5 in the Circuit Court of the State of Oregon on January 12, 1996. On September 19, 1996, Circuit Court Judge Rodney Miller ordered that Defendant's Motion to Dismiss the Alternative Writ of Mandamus is allowed, and judgment of dismissal granted.
- Panel heard the appeal on December 12-13, 1996, and ruled that the motion of respondent to dismiss the appeal is granted and the appeal is dismissed.

FDA 95-4 - June 30, 1995 - Mark L. Sherman v. Multnomah Education Service District - Appeal received. Panel selected.

- Hearing held April 30-May 1, 1996 and June 12-14, 1996.
- The Panel ruled that Mr. Sherman's conduct showed cause for dismissal for insubordination, neglect of duty, and inadequate performance and dismissal was an appropriate sanction for that conduct.

FDA 95-3 - May 19, 1995 - Leon Lincoln v. Portland SD - Mr. Lincoln's appeal was withdrawn and the file closed.

FDA 95-2 - March 11, 1995 - Robert Huddleston v. Salem- Keizer SD - Appeal received. Panel selected. Josephine Hawthorne assigned as Assistant AG

- Hearing held June 29-30, 1995 and July 20, 1995.
- On September 18, 1995, the panel ruled the dismissal of Appellant is set aside. Appellant is reinstated to his position and shall be paid full back pay from the date of dismissal, to the date of reinstatement, less interim earnings.
- Salem-Keizer School District filed an appeal of the panel's decision on December 11, 1995, with the Court of Appeals.
- February 5, 1996, Court of Appeals notified FDAB not to submit the case records to the Courts until further notice.
- December 2, 1996, Court of Appeals issued Order Denying Motion for Leave to Present Additional Evidence and Order for Dismissal. Mr. Huddleston appealed to the court beyond the 60-day limit as set out in OAR 586-30-060(1).

- January 6, 1997, School district filed a Petitioner's Petition for Review with the Supreme Court of the State of Oregon.
- March 25, 1997, Supreme Court considered the petition for review and ordered that it be denied.

FDA 95-1 - March 10, 1995 - Douglas Bolton v. Greater Albany SD- appeal was withdrawn and the file closed.

FDA 94-6 - June 14, 1994 - Daniel Keliiheleua v. McMinnville SD - Appeal was withdrawn and file was closed.

FDA 94-5 - May 31, 1994 - David Ross v. Multnomah ESD - Mr. Ross withdrew his appeal and the file has been closed.

FDA 94-4 - May 31, 1994 - Leon Mayer v. McMinnville SD #40 - The parties reached a settlement and appeal was withdrawn. The file has been closed.

FDA 94-3 - May 18, 1994 - Ron Clawson v. Barlow Gresham Union High School District - Appeal received. Panel selected. Telephone conference call scheduled for July 13, 1994. Hearing was held November 28-December 2, 1994. The panel issued the order that the dismissal of Mr. Clawson be sustained and his appeal be dismissed. On March 23, 1995, the petitioner filed an appeal of the panels' decision with the Court of Appeals. February 14, 1996 Court of Appeals Affirmed Without Opinion the order issued by the board.

FDA 94-2 - March 2, 1994 - Donald R. Taylor III v. Carus School District - Appeal received. The parties reached a settlement and the appeal was withdrawn. File closed.

FDA 94-1 - January 3, 1994 - Marvin Dunn v. Ashland SD - Appeal received. Scheduling of hearing pending. Motion to Dismiss the Appeal was received on behalf of the School District. Conference call to hear the motion was held February 16, 1994. The panel ruled the appeal be dismissed on behalf of the school district.

FDA 93-4 - August 24, 1993 - Rod Folen v. Harney County SD No. 3 - Appeal received. Mr. Folen withdrew his appeal to the board and the file was closed.

FDA 93-3A - July 2, 1993 - Thomas Anderson v. Greater Albany School District No. 8J - Appeal received. Hearing was held on November 29, 1993. FDAB ordered the transfer of

Appellant to the middle school assistant principal position is set aside. Respondent shall pay Appellant at the salary rate for elementary school principal.

FDA 93-2 - June 28, 1993 - Les Ludviksen v. Mt. Angel School District No. 91 - Mr. Ludviksen withdrew his appeal and the file has been closed.

FDA 93-1 - May 3, 1993 - Patricia Vogt v. School District No. 1, Multnomah County - Appeal withdrawn and file closed.

FDA 92-7 - November 30, 1992 - Mary Helmick v. Klamath County School District - Appeal received. Appeal was dismissed by the teacher and the Klamath County Education Association. The file is closed.

FDA 92-6 - September 1, 1992. Barbara Hay v. Coos Bay School District - Appeal received. The teacher was reinstated and appeal was withdrawn. File closed.

FDA 92-5 - June 22, 1992 - Louie Kaiser v. Jewell School District No. 8 - Mr. Kaiser withdrew his appeal and the file has been closed.

FDA 92-4 - August 11, 1992 - Don Aina v. Hillsboro Union High School - Mr. Aina withdrew his appeal and the file is closed.

FDA 92-3 - July 6, 1992 - Kelly Larkins v. Seaside School District No. 10 - Appeal received. The parties reached a settlement. This appeal is deemed withdrawn and the file was closed.

FDA 92-2 (ADMN) - June 5, 1992 - Donald M. Sowa v. Brookings-Harbor School District No. 17-C - The parties reached a settlement and the case was dismissed. File closed.

FDA 92-1 - April 4, 1992 - Ron Russel v. Forest Grove School District No. 15 - The appeal has been withdrawn and the case is now considered closed.

FDA 91-4 - November 21, 1991 - Vijay Singh vs. Salem-Keizer School District - Appeal received. At the end of the hearing on August 4, 1992, Appellant withdrew his appeal. The file is closed.

FDA 91-3 - August 9, 1991 - Ronald C. Davison vs. Josephine County School District - The parties reached a settlement and appeal was withdrawn. File is closed.

FDA 91-2 - July 3, 1991 - John Sauter vs. Tillamook School District 9 - Appeal received. The parties reached a settlement and Mr. Sauter withdrew his appeal. File is closed.

FDA 91-1 - October 21, 1991 - Gene Enfield vs. Salem/Keizer School District. - Appeal received. The hearing was held on October 21 through 25, 1991 and November 11 through November 12, 1991. The hearing was completed upon receipt of parties' written arguments on November 27, 1991. The FDAB found in favor of the teacher and ordered his reinstatement with back pay. On May 14, 1992, the Salem-Keizer School District filed an appeal of the panels' decision with the Court of Appeals. The Court of Appeals upheld the panel's decision on February 2, 1993. On April 20, 1993, the School District petitioned the Supreme Court for review of Orders. The petition was denied on April 20, 1993.

FDA 90-5 - August 17, 1990 - John Adams vs. Hillsboro UH 3-8J. - The appeal has been withdrawn and the case is closed.

FDA 90-4 - June 18, 1990 - Alberta Thyfault vs. Pendleton School District 16. - Appeal received. A hearing was held and the FDAB panel found for the School District and dismissed the teacher. Ms. Thyfault appealed the Panel's decision to the Court of Appeals. The petition was dismissed on September 15, 1991.

FDA 90-3 - April 2, 1990 - Jeanne Winer vs. Marion Education Service District - Appeal has been withdrawn and file closed.

FDA 90-2 - April 2, 1990 - Alfredo M. Lugo vs. Marion Education Service District. Appeal has been received. OEA withdrew their support of his appeal and the Board is waiting further notice if Mr. Lugo wishes to pursue this course of action. On February 11, 1991, John Irvin notified Mr. Lugo that due to lack of action on his appeal it would be presumed that it is his decision the appeal be treated as withdrawn if a response is not received by March 1, 1991. Due to lack of response, the appeal was deemed withdrawn and the file closed on March 20, 1991.

FDA 90-1 - March 30, 1990 - Cindi Lantz vs. North Marion 15 - The appeal was withdrawn and the file closed.

FDA 89-6 - September 12, 1989 - Danny Withers vs. Winston-Dillard School District 116 - The parties reached a settlement and the case is closed.

FDA 89-5 - September 11, 1989 - Donna Helm vs. Philomath School District 17J. The school district filed a motion to dismiss the appeal on the basis that the Board lacks jurisdiction to consider the appeal. The appeal was dismissed and a Motion for Reconsideration was denied. The teacher appealed to the Court of Appeals for review. The School District modified the basis for its dismissal action. The panel vacated its Order of April 26, 1990, and issued an Order of Reconsideration providing that Appellant withdraws her November 20, 1990, appeal by March 1, 1991. Ms. Helm withdrew her appeal to the Fair Dismissal Appeals Board and as of March 5, 1991, the court of appeals ruled a review of record was not necessary.

FDA 89-4 - June 30, 1989 - Larry Ballman vs. Warrenton-Hammond 30 - Appeal received. The hearing on Mr. Ballman's appeal took 11 days. The FDAB panel sustained the dismissal and the appeal was dismissed.

FDA 89-3 - June 6, 1989 - James J. Arritola vs. Vale UH School District 3 - The parties have reached a settlement and the case is closed.

FDA 89-2 - May 30, 1989 - Marvin Dunn vs. Ashland School District 5 - Mr. Dunn withdrew his appeal and the case is closed.

FDA 89-1 - March 17, 1989 - Nancy Pollock vs. Forest Grove School District 15 - Pursuant to a settlement agreement of the parties, Nancy Pollock withdrew her appeal and the case is closed.

FDA 88-6 - September 29, 1988 - Carol Kari vs. Jefferson County School District 509J. After hearing the appeal, the FDAB found in favor of Carol Kari. The school district appealed the decision to the Court of Appeals for review. The court remanded the case back to the FDAB for reconsideration, and this ruling was appealed to the Supreme Court. The Supreme Court remanded the case back to the FDAB panel for reconsideration. September 23, 1991, following oral arguments, the FDAB reconsidered their previous decision. The FDAB majority once again found in favor of Carol Kari. January 22, 1992, Jefferson County School District filed, with the Court of Appeals, a petition for judicial review of the FDAB's Order on Remand issued December 10, 1991.

FDA 88-5 - September 26, 1988 - Bob Pratt vs. Multnomah Education Service District. Parties have reached a settlement and this case is closed.

FDA 88-4 - May 4, 1988 - Kurt Miller vs. Deschutes Education Service District.

Parties settled and the appeal was withdrawn.

FDA 88-3 - March 25, 1988 - Ernest Sturzinger vs. Salem-Keizer School District 24J. The parties have reached a settlement and the appeal has been withdrawn.

FDA 88-2 - February 22, 1988 - Richard Lehnert vs. Pilot Rock School District 2R. At the request of the teacher the case was put on hold pending the outcome of an appeal to the Teacher Standard and Practices Commission. TSPC ruled against the teacher and he has withdrawn his appeal.

FDA 88-1 - February 11, 1988 - Michelle Sesock vs. Eagle Point School District 9. A FDAB panel heard a Motion to Dismiss filed by the school district. The panel upheld the motion and the appeal was dismissed. Ms. Sesock has filed a motion with the Board for reconsideration. Ms Sesock then withdrew her motion for reconsideration and the case was closed as one in which the order of the panel was not appealed.

FDA 87-3 - August 17, 1987 - Vincent Gallo vs. Eagle Point School District 9. Appeal has been withdrawn. The case is closed.

FDA 87-2 - July 8, 1987 - Catherine Busey vs. Olex School District 11. Settlement between parties and appeal was withdrawn.

FDA 87-1 - June 24, 1987 - Jim Hoover vs. Hermiston School District 8. The FDAB panel sustained the dismissal of Mr. Hoover.

FDA 86-7 - September 8, 1986 - John Koelling vs. Eugene School District 4. Settlement between parties.

FDA 86-6 - June 19, 1986 - Patricia Amberg vs. Sandy UH School District 2. Appeal was withdrawn.

FDA 86-5 - May 15, 1986 - Patricia Sandoz vs. La Grande School District 1. Hearing was postponed while case was in arbitration. The arbitrator ruled in Sandoz's favor.

FDA 86-4 - May 15, 1986 - Joan Bauer vs. La Grande School District 1. Hearing was postponed while case was in arbitration. The arbitrator ruled in Bauer's favor.

FDA 86-3 - April 24, 1986 - Rick Woodley vs. Klamath County School District. Appeal was withdrawn.

FDA 86-2Admin - April 7, 1986 - Clifford Babbitt vs. Mari Linn School District 29J. The FDAB ruled that they did not have jurisdiction as Mr. Babbitt was a superintendent. Mr. Babbitt filed a Motion for Reconsideration. The motion was denied. Mr. Babbitt appealed to the Court of Appeals for review. The Court affirmed the decision of the FDAB.

FDA 86-1 - March 28, 1986 - Gail Tupper vs. Portland School District 1. Settlement between parties.

FDA 85-6 - September 16, 1985 - Ross Lemen vs. Hillsboro UH School District 8J. File closed.

FDA 85-5 - August 12, 1985 - Theonie Gilmore vs. David Douglas School Dist. 40. Settlement between parties before hearing.

FDA 85-4 - July 29, 1985 - Herman Washington vs. Portland School District 1. FDAB denied school district's Motion to Dismiss. Settlement was reached between parties.

FDA 85-3 - June 21, 1985 - Carroll Cumbie vs. Monroe High School 25J. Settlement between parties.

FDA 85-2 - April 9, 1985 - Robin Hricziscse vs. Klamath County School Dist. 1. Teacher was offered another position by the school district and appeal was withdrawn.

FDA 85-1 - January 2, 1985 - Dennis O'Hara vs. South Umpqua School District 19. Settlement between parties before hearing.

FDA 84-8 - James Collier vs. Eagle Point School District 9. Teacher withdrew appeal.

FDA 84-7 - July 10, 1984 - **Dorothy Caye Thomas vs. Cascade UH School District 5**. FDAB dismissed the teacher. The teacher appealed to the Court of Appeals. The Court of Appeals reversed and remanded back to the FDAB with directions to remand the case back to the school district for reconsideration of the sanctions because a number of the factual charges were not substantiated. The FDAB issued an order on remanding the case to the school district as directed by the Court of Appeals. The school District confirmed the original dismissal of the teacher. The teacher appealed to the FDAB. The district filed a

Motion to Dismiss her appeal. The original panel held a hearing on the school district's motion and sustained the district's motion to dismiss the appeal. The decision was appealed to the Court of Appeals for review. The Court of Appeals upheld the decision of the FDAB.

FDA 84-6 - June 29, 1984 - Richard Pedee vs. Multnomah ESD. Multnomah ESD filed a Motion to Dismiss the appeal, and after reviewing the record, the FDAB ruled they did not have jurisdiction.

FDA 84-5 - June 4, 1984 - Thomas Gentle vs. Corvallis School District 509. Settlement reached by parties before hearing.

FDA 84-4 - May 8, 1984 - Cindi Salter vs. Medford School District 549C. Settlement reached by parties before hearing.

FDA 84-3 - February 29, 1984 - Gail Wagenblast vs. Crook County School District. Motion to Dismiss filed by the school district, and after reviewing the record, the FDAB ruled that they did not have jurisdiction. The teacher appealed to the Court of Appeals. The Court of Appeals affirmed the order of the FDAB.

FDA 84-2 - February 21, 1984 - James Hampton vs. Salem School District 24J. Appeal was withdrawn with prejudice.

FDA 84-1 - January 27, 1984 - Donna Fisler vs. Hermiston School District 8. FDAB dismissed the teacher.

FDA 83-15 - December 30, 1983 - Betty Melonas vs. Clackamas ESD. Settlement between parties before hearing.

FDA 83-14 - September 22, 1983 - Eloise Lewis vs. Eugene School District 4. Settlement between parties before hearing.

FDA 83-13 - September 6, 1983 - Rebecca Staight vs. Linn-Benton ESD. Settlement between parties before hearing.

FDA 83-12 - September 6, 1983 - Rebecca Staight vs. Corvallis School Dist. 509. Settlement between parties before hearing.

FDA 83-11 - August 26, 1983 - Lee G. Jensen vs. Clackamas School District 62. Settlement between parties before hearing.

FDA 83-10 - July 11, 1983 - Gary Crum vs. Junction City School District 69. Settlement between parties before hearing.

FDA 83-9 (Admin.)- July 3, 1987 - Earl Covey vs. Umatilla School District 6R. The FDAB denied a Motion to Dismiss filed by the school district. After a hearing on the merits, the FDAB dismissed the administrator. The administrator's request for a rehearing and reconsideration was denied. Case was appealed to the Court of Appeals and was denied without a written opinion.

FDA 83-8 - June 27, 1983 - Robert Boehm vs. Klamath Falls School District. FDAB dismissed the teacher.

FDA 83-7 - June 13, 1983 - Job York vs. Portland School District 1. Motion to Dismiss was filed by the school district and the FDAB ruled that appellant was not a permanent teacher and the FDAB did not have jurisdiction. The teacher appealed to the Court of Appeals. Appeal was dropped.

FDA 83-6 - June 3, 1983 - Julie Reed vs. Corvallis School District 509J. Settlement was reached between parties.

FDA 83-5 - May 2, 1983 - Ken Shindledecker vs. Camus Valley School District 2L. Settlement was reached between parties.

FDA 83-4 - April 11, 1983 - Charles Mann vs. Orient School District 6J. The FDAB held a hearing on a Motion to Dismiss filed by the School District. The FDAB ruled that they did not have jurisdiction.

FDA 83-3 -April 6, 1983 - Ray Campbell vs. Newberg School District 29J. The FDAB held a hearing and denied a Motion to Dismiss filed by the school district. The hearing on the merits was postponed. File has been closed.

FDA 83-2 - March 14, 1983 - Lisa Nelson vs. Morrow County School District. The parties reached a settlement.

FDA 83-1 - February 22, 1983 - Tracy Babitzke vs. Silverton UH Sch. Dist. 7J. The school district filed a Motion to Dismiss the Appeal with the FDAB. The motion to dismiss the appeal was denied. The FDAB ruled that the termination of which the teacher was given notice was invalid and the dismissal is hereby set aside. A petition for rehearing on the school district's motion to dismiss the appeal is denied. The FDAB modified the Order. The school district appealed the Order to the Court of Appeals. The Court of Appeals affirmed the ruling of the FDAB.

FDA 82-14 - December 27, 1982 - Harold Preston vs. Gaston School District 511jt. (Second appeal) Parties reached a settlement.

FDA 82-13 - December 13, 1982 - Beverly McIntyre vs. Umatilla ESD. The school district filed a motion that the teacher's appeal be dismissed. After reviewing the record, the FDAB granted the motion, dismissing the teacher's appeal. The teacher filed a Petition for Reconsideration with the FDAB and this petition was denied. The teacher filed a Petition for Judicial Review with the Court of Appeals, but did not pursue. The Court of Appeals dismissed the appeal/petition.

FDA 82-12 - October 20, 1982 - Jean Davis vs. Chenoweth School District 9. The parties reached a settlement.

FDA 82-11 - October 4, 1982 - Wanda Bradford vs. Woodburn School District 103C. This case was heard by an arbitrator and the teacher was reinstated.

FDA 82-10 - August 26, 1982 - Harold Preston vs. Gaston School District 511J. The school district filed a motion that the FDAB did not have jurisdiction on this matter. After reviewing the record, the FDAB ruled that they did not have jurisdiction.

FDA 82-9 - August 18, 1982 - Joseph Maruska vs. Dayton School District 8. Parties reached a settlement.

FDA 82-8 - July 20, 1982 - Darlene Reese vs. The Dalles School District 12. Teacher withdrew her appeal.

FDA 82-7 - June 16, 1982 - Rosemary Leas vs. Lincoln County School District. Teacher withdrew her appeal.

FDA 82-6 - June 3, 1982 - Janet Holcomb vs. Jefferson County School District 509J.

Teacher was dismissed by the FDAB.

FDA 82-5 - May 13, 1982 - Gerald Henry vs. Columbia School District 13. Settlement was reached between parties.

FDA 82-4 - April 30, 1982 - Robert Newton vs. Scotts Mills School District 73J. Settlement reached between parties and teacher withdrew his appeal.

FDA 82-3 - April 9, 1982 - Jack Peters vs. Lincoln County School District. Appeal was withdrawn by the teacher.

FDA 82-2 - April 5, 1982 - Alvin Pecka vs. Beaverton School District 48. FDAB dismissed the teacher.

FDA 82-1 - January 5, 1982 - Hugh Ewart vs. Parkrose School District 3. FDAB ordered the teacher be reinstated.

FDA 81-24 - November 18, 1981 - Richard Shipley vs. Salem School District 24J. The FDAB panel heard a Motion for Summary Order of Reversal and ordered the teacher reinstated. The school district appealed to the Court of Appeals and the Court of Appeals reversed and remanded the case back to the FDAB. After hearing the case on the merits the FDAB ordered the teacher reinstated.

FDA 81-23 - September 28, 1981 - Rosalie Parrish vs. Klamath Co. Sch. District. (Second appeal) Settlement was reached between parties and appeal was withdrawn.

FDA 81-22 - September 9, 1981 - Lulu Washington vs. Portland School District 1. Teacher was reinstated by the school district.

FDA 81-21 - August 31, 1981 - Patricia Skeen vs. Bethel School District 52. Teacher was reinstated by the FDAB. School district appealed the order to the Court of Appeals and the Court of Appeals affirmed the decision of the FDAB.

FDA 81-20 - August 26, 1981 - Barbara Brown vs. Astoria School District 1C. (Second appeal) Teacher was dismissed by FDAB.

FDA 81-19 - August 22, 1981 - Jude Lehner vs. McMinnville School District 40. Parties reached a settlement and appeal was withdrawn.

FDA 8L-18 - July 24, 1981 - John Loffer vs. Junction City School District 69. Teacher withdrew his appeal.

FDA 8L-17 - June 8, 1981 - Paul Wesockes vs. Powers School District 31. FDAB panel ruled that petitioner was not a permanent teacher and that they did not have jurisdiction. Teacher appealed to the Court of Appeals and the Court of Appeals affirmed the decision of the FDAB.

FDA 8L-16 - June 3, 1981 - Rosalie Parrish vs. Klamath Falls Co. Sch. District. Teacher was reinstated by the school district.

FDA 8L-15 - May 9, 1981 - Kathleen Jaworski vs. Curry School District 23. Teacher withdrew her appeal.

FDA 8L-14 - April 29, 1981 - Doralee Marie Hayden vs. Sutherlin Sch. Dist 130C. Teacher rehired by the school district and appeal was dismissed.

FDA 8L-13 - April 29, 1981 - Bonnie McKinley vs. Jackson County ESD. Teacher rehired by the ESD and appeal was dismissed.

FDA 8L-12 - April 25, 1981 - Laura Fauste vs. Amity School District 4J. Teacher withdrew her appeal.

FDA 8L-11 - April 18, 1981 - Barbara Brown vs. Astoria School District 1C. Hearing on the motion filed on behalf of the teacher to reinstate or make the superintendent's recommendation more definite and clear. The FDAB panel ruled that petitioner be reinstated.

FDA 8L-10 - April 15, 1981 - James Beck vs. Redmond School District 2J. Teacher was rehired by the school district and appeal was withdrawn.

FDA 8L-9 - April 15, 1981 - Karen Hawkins vs. Redland School District 116. (Second appeal) - FDAB panel ruled that she be reinstated.

FDA 8L-8 - April 13, 1981 - Richard Payne vs. Myrtle Point School District 41. Teacher withdrew his appeal.

FDA 8L-7 - April 13, 1981 - Janice Kendall vs. Myrtle Point School District 41. Parties reached a settlement.

FDA 8L-6 - April 8, 1981 - Mavis Sceesuck vs. Ontario School District 8C. Teacher was rehired by the school district and appeal was withdrawn.

FDA 8L-5 - April 8, 1981 - Larry Johnson vs. Grant County School District 4. Parties settled before hearing.

FDA 8L-4 - April 4, 1981 - Linda Dickerson vs. Redmond School District 2J. Teacher was rehired by the school district and the appeal was withdrawn.

FDA 8L-3 - April 4, 1981 - Janet Snow vs. St. Paul School District 45. Parties reached a settlement.

FDA 8L-2 - April 2, 1981 - Margaret Goodman vs. Redmond School District 2J. Teacher was rehired by the school district and the appeal was withdrawn.

FDA 8L-1 - February 20, 1981 - Karen Hawkins vs. Redland School District #116. The panel ruled that the FDAB lacked jurisdiction to consider this appeal and ordered her appeal dismissed.

FDA 80-12 - December 29, 1980 - Tom Vaught vs. Gladstone School District 115. Parties settled before hearing.

FDA 80-11 - October 30, 1980 - Peter Paul vs. Beaverton School District 48J. The appeal was dismissed with prejudice.

FDA 80-10 - September 23, 1980 - Margaret Owen vs. Junction City School District 69. The FDAB affirmed the Teacher's dismissal.

FDA 80-9 - September 23, 1980 - Adrienne DeFrank-Morey vs. Eugene School District 4. The appeal was dismissed for lack of jurisdiction by the FDAB.

FDA 80-8 - September 17, 1980 - Ramona Pierce vs. Douglas School District 4. The appeal was dismissed by the FDAB panel for lack of jurisdiction. The Teacher appealed to the Court of Appeals and the Court remanded back to the FDAB for hearing. The School

District appealed this ruling to the Supreme Court for review and the Court of Appeals was reversed and the decision of the FDAB was affirmed.

FDA 80-7 - September 12, 1980 - James Keene vs. Creswell School District 40. Teacher's dismissal affirmed by the FDAB. Appealed to the Court of Appeals and the decision of the FDAB was affirmed.

FDA 80-6 - September 10, 1980 - Ralph Crain vs. Reynolds School District 7. Parties reached a settlement and Teacher returned to full-time status.

FDA 80-5 - August 28, 1980 - David Stein vs. Newberg School District 29J. September 17, 1980 - Teacher resigned.

FDA 80-4 - August 18, 1980 - Martha Humphreys vs. Bethel School District 52. The appeal was dismissed by the FDAB panel. The teacher appealed to the Court of Appeals and the Court of Appeals reversed and remanded back to the Fair Dismissal Appeals Board. The teacher was reinstated by the Fair Dismissal Appeals Board. The school district appealed to the Court of Appeals and the decision of the FDAB was affirmed. The school district then appealed to the Supreme Court for review and was denied. The teacher appealed to the Court of Appeals that the school district be instructed to pay back wages, insurance, plus appropriate PERS deposits and interest. Reversed and remanded with instructions to enter judgment for plaintiff in the amount that district owes her (83 Or App 495 (1987)).

FDA 80-3 - April 8, 1980 - Monte Trautman vs. West Linn School District 3Jt. The teacher was rehired and the hearing canceled.

FDA 80-2 - March 17, 1980 - Stephen Rusk vs. Greater Albany School District. Settlement reached between parties.

FDA 80-1 - January 21, 1980 - Frank Ross vs. Springfield School District 19. FDAB affirmed the dismissal. A Petition for Rehearing was denied. The teacher appealed to the Court of Appeals, and the FDAB decision was affirmed. The teacher appealed to the Supreme Court and the Supreme Court remanded back to the FDAB for a determination of whether facts as to immorality are adequate to justify the statutory grounds. After further review, final Findings of Fact were rewritten. These were appealed to the Court of Appeals and the Court of Appeals affirmed the revision. The Court of Appeal's decision was appealed to the Supreme Court for review, and the Supreme Court remanded back to the FDAB for further action. After further review by the FDAB panel the final Order was written. On May 27,

1987, appellant filed a petition for reconsideration and rehearing with the FDAB. The FDAB granted appellant's request for a supplemental hearing on the relevant criteria for immorality. The panel wrote a revised findings of fact, conclusions of law and order on remand no two. Their decision, "Dismissal was not unreasonable, arbitrary or excessive."

FDA 79-14 - December 3, 1979 - Donald Shandy vs. Portland School District 1. FDAB reinstated the teacher. October 30, 1980 - FDAB upon reconsideration reversed their previous Order, and the teacher appealed to the Court of Appeals. The Court of Appeals affirmed the decision of the FDAB.

FDA 79-13 - November 19, 1979 - Marion Huff vs. Lincoln County School District. Settlement was reached between the parties.

FDA 79-12 - September 26, 1979 - Linda Peterson vs. Union School District 5. FDAB dismissed the teacher.

FDA 79-11 - September 14, 1979 - Rudolph Persaud vs. Portland School District 1. Hearing was postponed on eve of hearing. July 30, 1980 - Appeal was withdrawn.

FDA 79-10 - August 20, 1979 - Beulah Smith vs. Carlton School District 11. FDAB reinstated the teacher.

FDA 79-9 - July 12, 1979 - Kevin P. Watts vs. Eugene School District 4. Teacher was rehired.

FDA 79-8 - June 11, 1979 - Paul Rowton vs. Sweet Home School District 55. Appeal withdrawn and the teacher was given a full-time position.

FDA 79-7 - May 29, 1979 - Linda Peterson vs. Union School District 5. School district rescinded their previous action of dismissing the teacher.

FDA 79-6 - April 30, 1979 - Gerald Dickson vs. Clackamas School District 46. Appeal was withdrawn.

FDA 79-5 - April 30, 1979 - Howard B. Aschwald vs. Corvallis School District 509J. Issues between parties were settled.

FDA 79-4 - April 9, 1979 - Charles W. Zollinger vs. Eugene School District 4. Appeal was withdrawn and the teacher was permanently appointed to the position of principal.

FDA 79-3 - April 9, 1979 - C. Wayne Flynn and R. Clifford Moffitte vs. Eugene School District 4. Appeals were withdrawn.

FDA 79-2 - April 5, 1979 - Don Sanchez vs. Portland School District 1. Settlement was reached between parties.

FDA 79-1 - January 11, 1979 - Rod C. Matthews vs. Riverdale School District 51Jt. Teacher resigned.

FDA 78-15 - November 21, 1978 - Richard J. Riley vs. McMinnville School District 40. Appeal was dismissed.

FDA 78-14 - September 21, 1978 - Lyman L. Hatfield vs. Central Linn School District 552C. Appeal was withdrawn.

FDA 78-13 - August 1, 1978 - Karen Hittner vs. Beaverton School District 48J. Settlement was reached between the parties.

FDA 78-12 - July 10, 1978 - Clifford C. Vorm vs. David Douglas School District 40. FDAB dismissed the appeal. August 6, 1979 - FDAB denied petition for rehearing. April 30, 1980 - The Court of Appeals affirmed the findings of the FDAB.

FDA 78-11 - July 5, 1978 - Donald E. Kronser vs. Valsetz School District. Appeal was withdrawn and a financial settlement was agreed on between parties.

FDA 78-10 - July 5, 1978 - James H. McMurtry vs. Valsetz School District. Appeal was withdrawn and a financial settlement was agreed on between parties.

FDA 78-9 - March 21, 1978 - James Hendricks vs. Yamhill-Carlton UH School District 1. Appeal was withdrawn.

FDA 78-8 - March 20, 1978 - Carolyn White vs. Oakland School District 1. FDAB ruled that she was not a permanent teacher and they did not have jurisdiction.

FDA 78-7 - March 20, 1978 - Diana Ashley-Vranas vs. Eugene School District 4. FDAB ruled that she was not a permanent teacher and they did not have jurisdiction.

FDA 78-6 - March 16, 1978 - James C. Drivas vs. Eugene School District 4. FDAB ruled that he was not a permanent teacher and they did not have jurisdiction.

FDA 78-5 - March 12, 1978 - Sally Lowe vs. Eugene School District 4. Teacher was reinstated.

FDA 78-4 - March 9, 1978 - Donald Brown vs. Bend School District 1. Settlement between parties.

FDA 78-3 - March 9, 1978 - Kenneth Chamberlain v. Burns UH School District 2. Hearing postponed indefinitely.

FDA 78-2 - March 7, 1978 - Eileen Pomerantz v. Salem School District 24J. The teacher was reinstated by the FDAB. The school district appealed to the Court of Appeals. The school district dropped the appeal.

FDA 78-1 - February 22, 1978 - Robert M. Chereck vs. Tigard School District 23J. Appeal was dismissed.

FDA 77-14 - November 25, 1977 - Alan J. Carell vs. Glide School District 12. Teacher was reinstated by the FDAB. January 14, 1979 - Court of Appeals reversed and remanded to the FDAB. July 31, 1979 - Supreme Court denied review.

FDA 77-13 - October 12, 1977 - Shawn Seifnia vs. Central Point School District 6. Hearing canceled.

FDA 77-12 - September 12, 1977 - Edward P. Belveal vs. Crowfoot School District 89C. Teacher resigned.

FDA 77-11 - August 26, 1977 - Robert L. Mayer vs. Lincoln County School District. Teacher was reinstated by the FDAB. December 15, 1978 - Court of Appeals reversed and remanded to the FDAB. July 31, 1979 - Supreme Court denied review.

FDA 77-10 - June 28, 1977 - Phyllis Dentel vs. Oakridge School District 76. Teacher was reinstated.

FDA 77-9 - June 20, 1977 - Christina Brown vs. Harrisburg School District 33C. Teacher was reinstated.

FDA 77-8 - June 16, 1977 - Bettyjane Davis vs. The Dalles School District l2. FDAB ruled that they did not have jurisdiction. September 20, 1978 - Court of Appeals affirmed the FDAB.

FDA 77-7 - June 14, 1977 - Earnest V. Ryan vs. Seaside School District 10. The appeal was dismissed and the teacher was reinstated by the school district.

FDA 77-6 - June 13, 1977 - Richard E. Jones vs. Vernonia School District 47J
Teacher was reinstated.

FDA 77-5 - May 16, 1977 - James Jenkins vs. Brookings-Harbor School District l7C. Parties reached an agreement and the petitioner moved for dismissal. Granted.

FDA 77-4 - March 18, 1977 - Christina Brown vs. Harrisburg School District 33C. The school District rescinded their prior action of dismissing the teacher.

FDA 77-3 - March 16, 1977 - Ruth T. Berger vs. McMinnville School District. Teacher was reinstated.

FDA 77-2 - March 15, 1977 - Bettyjane Davis vs. Wasco IED. FDAB ruled that they lacked authority to order reinstatement. June 26, 1978 - Court of Appeals reversed and remanded back for hearing. March 7, 1979 - Supreme Court reversed the Court of Appeals.

FDA 77-1 - February 18, 1977 - Donnel Chubb vs. Grants Pass School District 7. Teacher was reinstated.

FDA 76-10 - December 17, 1976 - Stanley McWillis vs. Portland School District 1. FDAB ruled in the affirmative on Teacher's Motion to Make More Definite and Certain. The teacher did not pursue appeal.

FDA 76-9 - November 30, 1976 - Jack Hausotter vs. Douglas School District 4. Teacher dismissed.

FDA 76-8 - November 30, 1976 - John Smith vs. North Clackamas School District. Teacher was reinstated by the FDAB. The School District appealed to the Court of Appeals, and the Court of Appeals upheld ruling of the FDAB.

FDA 76-7 - August 18, 1976 - Jimmie Fogle vs. Hood River School District. FDAB ruled that teacher should be reinstated. May 19, 1977, Court of Appeals reversed this ruling.

FDA 76-6 - August 10, 1976 - James Cooper vs. Banks School District 13. Teacher dismissed by the FDAB. August 18, 1977, Court of Appeals reversed and remanded to the FDAB with instructions. December 6, 1977, Petition for reconsideration denied.

FDA 76-5(Admin.) - July 6, 1976 - Allan R. Martin vs Reynolds School District 7. The administrator was reinstated by the FDAB. The school district appealed to the Court of Appeals. The court remanded the case back to the FDAB. The parties reached an agreement.

FDA 76-4 - April 2, 1976 - Ruth O. Smith vs. Junction City School District 69. Appeal dismissed.

FDA 76-3 - March 18, 1976 - Joel Neuschwander, V. Salvador, P. Wigus, S. Baycroft and Ada Hill vs. Beaverton School District 48J. Notice of appeal filed on behalf of Ada Hill was withdrawn and her appeal was dismissed.

FDA 76-2 - March 18, 1976 - Glenn R. Harrison vs. Central Linn School District. Appeal dismissed.

FDA 76-1 - March 12, 1976 - Gale Barcroft vs. Sweet Home School District 55. Motion to dismiss the appeal denied by the FDAB, and the teacher was dismissed. The Teacher appealed to the Court of Appeals. The appeal was dismissed on the motion of the petitioner.

FDA 75-11 - September 15, 1975 - Rolland Aschim vs. Yamhill-Carlton School District. The school District rescinded their Order to dismiss teacher.

FDA 75-10 - July 7, 1975 - John M. Barnes vs. Scappoose School District 1J. Teacher dismissed by the FDAB. After being appealed to the Court of Appeals the court supported the FDAB.

FDA 75-9 - June 24, 1975 - Susan Wilcoxon vs. Jewell School District 8. Teacher reinstated.

FDA 75-8 - May 28, 1975 - Herbert Williams vs. Estacada Elementary School District 108. FDAB ruled that they did not have jurisdiction as the appeal was not timely. The teacher

was dismissed by the School District. Teacher appealed to the Court of Appeals, and the Court of Appeals supported the FDAB.

FDA 75-7 - May 19, 1975 - Virginia Judd vs. Gresham School District 4. Teacher reinstated.

FDA 75-6(Admin.) - April 14, 1975 - Schaaf, Barham W. Miller, B. Miller, Lind, and Wilhelmi vs. Eugene School District 4. Settlement agreement reached between Administrators and the School District.

FDA 75-5 - March 19, 1975 - Mildred Larson vs. Reedsport School District 105. Teacher reinstated.

FDA 75-4 - March 3, 1975 - 16 Teachers vs. Portland School District 1. The school District reinstated teachers and the appeal was dismissed.

FDA 75-3(Admin.) - March 3, 1975 - Thomas Hornig vs. Salem School District 24J. Settlement was reached between the administrator and the school board and the administrator was reinstated.

FDA 75-2 - January 23, 1975 - Robert M. Hanson vs. Culver School District 4. FDAB ruled that they lacked jurisdiction in the non-renewal of a superintendent's contract and dismissed the appeal.

FDA 75-1 - January 8, 1975 - William C. Whitaker vs. Coos Bay School District 9. Teacher was dismissed by the FDAB. Teacher appealed to the Court of Appeals and the court supported the FDAB.

FDA 74-7 - September 23, 1974 - Beulah Scofield vs. Eugene School District 4J. FDAB granted motion to dismiss proceedings and the teacher was reinstated (Teacher resigned and District will continue to pay salary until retirement).

FDA 74-6 - Mildred Rodgers vs. Douglas County School District 4. Teacher dismissed by the FDAB.

FDA 74-5 - June 3, 1974 - Noel Keith Taylor vs. Lincoln County School District. (2nd appeal) Teacher reinstated.

FDA 74-4 - April 2, 1974 - Noel Keith Taylor vs. Lincoln County School District. District rescinded their previous action of dismissing the teacher.

FDA 74-3 - February 19, 1974 - Julius Speiginer vs. Portland School District 1. Agreement of compromise and settlement reached between teacher and board and the teacher was placed in a non-teaching position.

FDA 74-5 - June 3, 1974 - Noel Keith Taylor vs. Lincoln County School District. (2nd appeal) Teacher reinstated.

FDA 74-4 - April 2, 1974 - Noel Keith Taylor vs. Lincoln County School District. District rescinded their previous action of dismissing the teacher.

FDA 74-3(Admin.) - February 19, 1974 - Julius Speiginer vs. Portland School District 1. Agreement of compromise and settlement reached between teacher and board and the teacher was placed in a non-teaching position. FDA 74-2 - February 14, 1974 - Genevieve Barham vs. Eugene School District 4J. Administrator dismissed and placed in another position. The teacher appealed to the Court of Appeals. Court of Appeals ordered FDAB to hold a hearing - Eugene School District appealed - Petition for rehearing denied.

FDA 74-1 - February 13, 1974 - Oscar F. Schaaf vs. Eugene School District 4J. Administrator dismissed and placed in another position - Teacher appealed to the Court of Appeals and the FDAB was ordered to hold a hearing - Eugene School District appealed - Petition for rehearing denied.

FDA 73-1 - January 29, 1973 - Ancil I. Nance vs. Portland School District 1. Teacher dismissed - No appeal.

FDA 72-2 - May 15, 1972 - William I. Jueneman vs. Portland School District 1. Teacher was dismissed by the FDAB. The teacher appealed to the Court of Appeals and the court supported the FDAB.

FDA 72-1 - April 28, 1972 - Peter Paul vs. Beaverton School District 48J. Teacher was reinstated by the FDAB. Beaverton School District appealed to the Court of Appeals and the Court of Appeals supported the FDAB.

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