

FAIR DISMISSAL APPEALS BOARD ANNUAL MEETING

Monday, October 26, 2015

9:00 a.m.

Minutes

Oregon Department of Education

255 Capitol Street NE

Salem, Oregon

Rooms 251B

FDAB Members Present

Ron Gallinat
Gary Humphries
Duane Johnson
Mary McKay
Doug Nelson
Christy Perry, by phone
Victoria Purvine, Chair
Bob Sconce
Karen Stratton

FDAB Members Absent

Michael Cosgrove
Fred Marble
Kathy Miller
Dennis Ross

Others Present

Cindy Hunt, FDAB Executive Secretary
Donna Newbeck, FDAB Admin. Staff

Lisa Umscheid, Senior Assistant Attorney General, DOJ
Yael Livny, Assistant Attorney General, DOJ

Call to Order

Chair Victoria Purvine called the meeting to order at 9:00 am.
Introductions were made by all those present at the meeting, both in the room or on the phone.

Approval of October 27, 2014 Minutes

Gary Humpfries moved to approve the draft minutes of the October 27, 2015 FDAB Board Meeting. The motion was seconded by Robert Sconce. The motion was passed unanimously.

Materials in Packets

Cindy Hunt, FDAB Executive Secretary, described the contents of the folders given to each member. She stated that it was important to look at the membership list to make sure that all personal information was accurate. She also explained the expense claim form, and said that FDAB members who live more than 70 miles away from Salem may claim reimbursement for lodging. Other items in the folders included FDAB Procedures, Membership Handbook for Boards and Commissions, and an Ethics Law Summary.

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Actions taken since October 27, 2014 Meeting

No old business. Moved on to new business.

FDA #15-02 Timothy O'Donnell v. Sweet Home School District

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FDA #15-03 Robert Anthony McCutchan v. Linn Benton ESD

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FDA #15-04 Brett Bigham v. Multnomah ESD

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- Yael Livny from the Department of Justice briefed the Board on the above hearings. They also went over the 2014-2015 Compilation of FDAB Case they had prepared. These documents interpreted causes for dismissal under ORS 342.865 and selected procedural matters. Discussed were insubordination, neglect of duty, inadequate performance, and any case which constitutes grounds for revocation of the teacher's teaching certificate.
- Lisa reiterated that it is their role to advise the FDAB panel on legal standards, and to give panel members advice on what decisions might withstand an appeal process. DOJ attorneys are not involved in actual decision making. Lisa mentioned that they are continuing to hold multiple pre-hearing conferences with lawyers to encourage them to look at the merits of cases well in advance of hearings.

Nominating Committee for Vice-Chairpersonⁱ

Mary McKay, Ron Gallinat and Robert Sconce were chosen to pick the Vice Chair for 2015 and Chair for 2016. Dennis Ross was nominated. Robert Sconce moved the motion, Gary Humphries seconded the motion and the vote was unanimous.

Next Meeting

The next FDAB Annual Meeting is scheduled for October 24, 2016.

Notes

Christy Perry suggested that hearing information be sent to "teacher" with a note to CCs that the hearing was scheduled and selected.