

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
OF THE STATE OF OREGON

In the Matter of the  
Teaching License of  
BENJAMIN FRANKLIN KOLB, II

DEFAULT ORDER  
SUSPENDING LICENSE

On or about October 16, 2002, the Teacher Standards and Practices Commission received a report from Jerry L. Sessions, Superintendent of Schools in Hood River County School District, indicating that Ben Kolb violated his contract by failing to provide 60 days' written notice prior to resignation. The Commission notified Ben Kolb of intent to suspend his teaching license and his opportunity for hearing by letter dated November 13, 2002. The letter was sent by U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested #7001 0320 0005 0740 5482. The receipt was signed by Peggy Kolb on November 14, 2002, and returned to TSPC on November 15, 2002. Ben Kolb did not request a hearing.

Ben Kolb did not request a hearing within the time required by the notice. Based on the foregoing, the Commission finds Ben Kolb to be in default and enters the following findings of fact, conclusion of law and order based on the Commission's files and records.

## FINDINGS OF FACT

1. On July 9, 2001, Ben Kolb signed an Administrative/Supervisor Contract with Hood River County School District for a term commencing July 1, 2001, and ending June 30, 2004.
2. On or about September 24, 2002, Ben Kolb informed the Hood River County School District via letter that he was resigning from his position as Hood River Valley High School Principal to accept an administrative position in the San Francisco bay area in California.
3. Meeting in regular session on October 9, 2002, the Hood River County School Board adopted a resolution requesting suspension of the teaching license for Mr. Kolb for failure to fulfill his contract.
4. On October 16, 2002, TSPC received a report from Jerry L. Sessions, Superintendent of Schools in Hood River County School District, charging that Ben Kolb violated his contract under ORS 342.553 for failure to give the necessary 60 days notice to the District prior to resigning.

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ULTIMATE FINDING OF FACT

Benjamin Kolb resigned his teaching position with the Hood River County School District without providing 60 days' prior written notice to the district.

CONCLUSION OF LAW

Benjamin Kolb violated ORS 342.553 by failing to provide 60 days' notice prior to resignation from his teaching position.

ORDER

The Commission suspends the Oregon Basic Administrative Teaching License of Benjamin Franklin Kolb, II for the remainder of the 2002-03 school year.

Dated this 10<sup>th</sup> day of January 2003.

TEACHER STANDARDS AND PRACTICES COMMISSION

By Victoria Chamberlain  
Victoria Chamberlain, Executive Director

NOTICE OF APPEAL RIGHTS

YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.