

249 NW 31st Street
Corvallis, OR 97330

March 14, 2013

Senator Mark Hass
Senate Education and Workforce Development Committee
900 Court St., NE
Salem, Oregon 97301

Re: HB 2096

Dear Senator Hass:

As a representative of the public, and as Chair of the Fair Dismissal Appeals Board (FDAB), I write in support of HB 2096. This bill will help address difficulties FDAB has experienced over the last several years in ensuring that a sufficient number of FDAB members can be empanelled in a timely manner to consider appeals from teachers or administrators who have been dismissed from their employment with one of Oregon's 197 school districts. I am sorry I cannot appear in person to testify in support of this bill.

HB 2096 increases the number of members on FDAB and enables retired teachers and administrators to qualify for service on FDAB as representatives of their former professions. By increasing the number of members by one in each of the categories that exist in statute - school board members, administrators, teachers, and "unaffiliated" or public members - HB 2096 will increase the pool available to serve on panels when teachers or administrators file an appeal. The increase in membership on the board will have a minimal cost increase in FDAB's operational costs because the full FDAB meets only once a year, primarily to review trends in cases, and to elect a chair. Recently we have made arrangements so that FDAB members can participate in the annual meeting without having to travel.

All other FDAB meetings are quasi-judicial proceedings that are held to consider appeals filed by teachers or administrators who have been dismissed. These hearings involve no more than three members at a time. The cost of these proceedings will be unaffected by increasing the overall size of the board. However, increasing the size of the board will enable FDAB to move more quickly and efficiently to schedule hearings and this will reduce costs for all parties.

Enabling retired teachers and administrators to serve on FDAB as representatives of their former professions will address a vexing problem school districts and teachers have faced in arranging for extended leave in order to participate in hearings. Over the last several years, FDAB has seen a significant increase in the number of appeals filed by teachers. In addition, the time sought by

parties for the conduct of these hearings has also increased. Typically these appeals are filed in the spring following contract renewal/non-renewal deadlines. It has been difficult for FDAB to schedule timely multi-day hearings because they typically occur at critical times at the beginning or end of the school year when teacher members have the most difficulty rearranging their schedules for significant blocks of time. Enabling retired teachers to serve on FDAB as teacher members will help alleviate this problem.

As a member of FDAB responsible for representing the public, I assure you that FDAB is meeting its intended role of providing an effective process by which teachers, administrators and school boards can avoid costly court proceedings whenever there is a dispute over dismissals. All parties in this process - teachers, administrators, school board members, and the public - are supportive of HB 2096.

Sincerely,



Jock Mills, Chair

cc: Sen. Tim Kropp, Vice-Chair
Sen. Lee Beyer
Sen. Jeff Kuyse
Sen. Arnie Roblan