

# Memorandum

PREPARED FOR: Senate Committee on Rules  
DATE: January 27, 2025  
BY: Leslie Porter, Legislative Analyst  
RE: Legislative Review of Executive Appointments



## FAIR DISMISSAL APPEALS BOARD

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The Governor has appointed the following individuals to the Fair Dismissal Appeals Board subject to Senate confirmation.<sup>1</sup>

### New Appointees

Brita Scott of La Grande  
Jennifer Underhill of Beaverton  
Peter Werner of Bend

### Terms

All appointees: July 1, 2025 – June 30, 2029

### Appointment/Confirmation Authority

[ORS 342.930 \(2023\)](#)

### Statement of Economic Interest<sup>2</sup>

Not required.

### Statutory Requirements<sup>3</sup>

The board consists of 24 members that must include

- six administrators in common or union high school districts, one of whom may be retired prior to appointment (BROCKETT, NIERAETH, ROBERTS, SICA, SIPE, SPITZER);
- six contract teachers, one of whom may be retired prior to appointment (LATHAM, POPE, **UNDERHILL**, VACANT, VACANT, VACANT);
- six common or union high school district board members (HARTSOCK, WETZEL, VACANT, VACANT, VACANT, VACANT); and
- six members with no affiliation with any common or union high school district (KONG, MCKEON, MOYER, **SCOTT**, **WERNER**, VACANT).

At least one member from each category must be a resident of a school district so that each type of school district described below is represented:

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<sup>1</sup> [Or. Const. art. III sect. 4, ORS 171.562 and 171.565 \(2023\)](#).

<sup>2</sup> [ORS 244.050 \(2023\)](#).

<sup>3</sup> [ORS 342.930 \(2023\)](#); [ORS 182.100 \(2023\)](#) for affirmative action policy; [ORS 236.115 \(2023\)](#) for diversity criteria.

- a school district with an average daily membership of less than 1,500 students (JOHNSON, NIERATH, SIPE, WETZEL);
- a school district with an average daily membership of 1,500 to 4,500 students (ROBERTS, SICA, WESTRICK, VACANT); and
- a school district with an average daily membership of greater than 4,500 students (BROCKETT, SPITZER, MOYER, VACANT).

Members serve four-year terms and are eligible for reappointment. The board selects one of its members as chair and another as vice chair. A majority of the members of the board constitutes a quorum for the transaction of business. A member whose term has expired may continue to serve to

- conduct a hearing and prepare a written decision; or
- reconsider a decision.

## **Duties<sup>4</sup>**

The board hears appeals of teacher and administrator dismissals, nonextensions of contracts, and provides a uniform statewide system of pre- and post-determination due process. When an appeal is filed, the Superintendent of Public Instruction must appoint a panel of three board members to conduct a hearing, selected from members representing the average daily membership that most nearly coincides with that of the involved district. The panel must consist of

- one member representing district school board members;
- one member not affiliated with common or union high school districts;
- if the appellant is a teacher, one member representing teachers; and/or
- if the appellant is an administrator, one member representing administrators.

The panel may not contain a member who is a resident of the district that is bringing the dismissal or nonextension. The Department of Education must provide appropriate professional and other special assistance reasonably required to conduct a hearing, and the Attorney General must assign an assistant to advise the board.

The board must

- receive and adjudicate appeals;
- conduct a contested case hearing staffed by board members; and
- prepare and send a written decision to the appellant, district superintendent, district school board, and the Superintendent of Public Instruction.

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<sup>4</sup> [ORS 342.445 to 342.910 \(2023\)](#).



## Fair Dismissal Appeals Board

Agency: **Education, Oregon Department of**

Authorization: **ORS 342.930**

Min Members: **24** Max Members: **24**

Term Length: **4** Term Limit: **2**

Senate Confirmation Required?: **Yes**

Policy Area: **Education**

Board Admin: **Emily Nazarov**

Address:

**Public Service Bldg**

**Salem, OR 97310**

**503-947-5651**

**NazarovE@ode.oregon.gov**

## Current Appointments

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**Nieraeth, Krista**

Administrator (ADM under 1500)

Position Number: **1**

Term(s): **7/1/2024 - 6/30/2028**

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**Sica, Brian**

Administrator (ADM 1500-4500)

Position Number: **2**

Term(s): **10/5/2023 - 6/30/2027**

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**Brockett, Debbie**

Administrator (ADM over 4,500)

Position Number: **3**

Term(s): **7/1/2024 - 6/30/2028**

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**Roberts, Gary**

Administrator (ADM 1,500-4,500)

Position Number: **4**

Term(s): **7/1/2024 - 6/30/2028**

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**Spitzer, Dayle**

Administrator (ADM over 4,500)

Position Number: **5**

Term(s): **7/1/2024 - 6/30/2028**

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**Mrs Sipe, Heidi A**

Administrator (ADM under 1,500)

Position Number: **6**

Term(s): **7/1/2024 - 6/30/2028**

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**Mr Sconce, Robert W Jr**

Teacher (ADM over 4500)

Position Number: **7**

Term(s): **7/1/2020 - 6/30/2024**  
**12/13/2016 - 12/12/2020**  
**12/13/2012 - 12/12/2016**

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**Latham, Laura**

Teacher

Position Number: **8**

Term(s): **7/1/2024 - 6/30/2028**  
**7/1/2023 - 6/30/2024**

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<b>Underhill, Jennifer</b>	Term(s):	<b>7/1/2025 - 6/30/2029</b>
Contract Teacher		
Position Number: <b>12</b>		

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<b>Mr Hartsock, John N</b>	Term(s):	<b>7/1/2020 - 6/30/2024</b>
Non-affiliated (ADM over 4500)		<b>12/19/2016 - 6/30/2020</b>
Position Number: <b>20</b>		

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<b>Mr McVay, Mitchel "Tory" T</b>	Term(s):	<b>7/1/2024 - 6/30/2028</b>
School Board Member (ADM over 4500)		<b>3/1/2021 - 6/30/2024</b>
Position Number: <b>13</b>		

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<b>Al-Abradbbuh, Sami</b>	Term(s):	<b>3/1/2021 - 6/30/2024</b>
School Board Member (ADM 6775 students)		
Position Number: <b>14</b>		

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<b>Mr Westrick, James "Jim" G</b>	Term(s):	<b>7/1/2024 - 6/30/2028</b>
Non-affiliated		<b>3/1/2021 - 6/30/2024</b>
Position Number: <b>19</b>		

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<b>Mr Wetzel, Joshua "Josh" W</b>	Term(s):	<b>7/1/2024 - 6/30/2028</b>
School Board Member (ADM less than 1500)		<b>3/1/2021 - 6/30/2024</b>
Position Number: <b>18</b>		

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<b>Scott, Brita</b>	Term(s):	<b>7/1/2025 - 6/30/2029</b>
Non-Affiliated		
Position Number: <b>21</b>		

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<b>Werner, Peter</b>	Term(s):	<b>7/1/2025 - 6/30/2029</b>
Non-Affiliated		
Position Number: <b>22</b>		

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<b>McKeon, Sascha</b>	Term(s):	<b>7/1/2023 - 6/30/2027</b>
Non-affiliated		
Position Number: <b>23</b>		

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<b>Kong, Connie</b>	Term(s):	<b>7/1/2024 - 6/30/2028</b>
Non-affiliated		
Position Number: <b>24</b>		

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## Vacant Positions

<b>Pos</b>	<b>Former Member</b>	<b>Appointed By</b>	<b>Term Begin</b>	<b>Term End</b>
9	Ms Stratton, Karen E	Governor	7/1/2016	6/30/2020
9	Ms Stratton, Karen E	Governor	9/18/2013	6/30/2016
9	Ms Ramey, Carolyn L	Governor	7/1/2009	6/30/2013
9	Ms Ramey, Carolyn L	Governor	7/1/2005	6/30/2009
9	Ms Ramey, Carolyn L	Governor	2/1/2002	6/30/2005
9	Mr Fisher, Mike	Governor	7/1/1997	6/30/2001
<b>Pos</b>	<b>Former Member</b>	<b>Appointed By</b>	<b>Term Begin</b>	<b>Term End</b>
10	Mr Pope, Camron E	Governor	7/1/2024	6/30/2028
10	Mr Pope, Camron E	Governor	3/1/2021	6/30/2024
10	Mr Humphries, Gary L	Governor	7/1/2016	6/30/2020
10	Mr Humphries, Gary L	Governor	9/18/2013	6/30/2016
10	Mrs Nicholson, Lisa D	Governor	3/1/2010	6/30/2013
<b>Pos</b>	<b>Former Member</b>	<b>Appointed By</b>	<b>Term Begin</b>	<b>Term End</b>
11	Mr Nelson, Douglas M	Governor	9/18/2013	6/30/2016
11	Mr Krumbein, David H	Governor	7/1/2009	6/30/2013
11	Mr Krumbein, David H	Governor	11/1/2005	6/30/2009
11	Mr Fox, Michael F	Governor	7/1/2001	6/30/2005
11	Mr Fox, Michael F	Governor	7/1/1997	6/30/2001
11	Mr Fox, Michael F	Governor	4/12/1996	6/30/1997
<b>Pos</b>	<b>Former Member</b>	<b>Appointed By</b>	<b>Term Begin</b>	<b>Term End</b>
15	Mr Westrick, James "Jim" G	Governor	3/1/2021	6/30/2024
15	Mr Cassidy, Kevin D	Governor	12/19/2016	6/30/2020
15	Ms Miller, Kathy K	Governor	7/1/2011	6/30/2015
15	Ms Miller, Kathy K	Governor	10/1/2007	6/30/2011

<b>Pos</b>	<b>Former Member</b>	<b>Appointed By</b>	<b>Term Begin</b>	<b>Term End</b>
16	Dr Placido, Edith "Elaine" E DPA	Governor	3/1/2021	6/30/2024
16	Mr. Ross, Dennis D	Governor	7/1/2013	6/30/2017
16	Mr. Ross, Dennis D	Governor	10/1/2010	6/30/2013
16	Mr Brawner, Frank E	Governor	7/1/2003	6/30/2007
16	Mr Brawner, Frank E	Governor	10/8/1999	6/30/2003
<b>Pos</b>	<b>Former Member</b>	<b>Appointed By</b>	<b>Term Begin</b>	<b>Term End</b>
17	Mr McVay, Mitchel "Tory" T	Governor	3/1/2021	6/30/2024
17	Mr Crow, Doug M	Governor	7/1/2013	6/30/2017
17	Mr Crow, Doug M	Governor	3/1/2010	6/30/2013
17	Mr Lopez-Vasquez, Alfonso	Governor	7/1/2005	6/30/2009
17	Mr Lopez-Vasquez, Alfonso	Governor	7/1/2001	6/30/2005
17	Mr Lopez-Vasquez, Alfonso	Governor	1/30/1998	6/30/2001