In re Carolyn Page

Carolyn Page, Appellant

v.

Red Oak Community School District
Appellee

DECISION

[Admin. Doc. 443]

The above entitled matter was heard on August 21, 1978, before a hearing panel consisting of Dr. Robert Benton, state superintendent and presiding officer; Dr. Donald Cox, associate superintendent, instructional and professional education branch; and Dr. LeRoy Jensen, associate superintendent, administration. The Appellant was represented by Attorney Richard Davidson, and the Red Oak Community School District (hereinafter District) was represented by Attorney R. John Swanson. The hearing was held pursuant to Chapter 290, The Code 1977, and Departmental Rules, Chapter 670-51, Iowa Administrative Code. The holding of the hearing was delayed due to vacations of parties, attorneys and Hearing Panel members.

The Appellant appealed a decision of the District Board to reorganize the District's elementary attendance pattern.

I. Findings of Fact

The Hearing Panel finds that it and the State Board of Public Instruction have jurisdiction over the parties and subject matter.

The issue of elementary grade organization is not new to the District, and we will attempt here to provide a brief chronological description of relevant events leading up to the decision at issue. The matter was a topic of consideration, at least as early as 1971. In that year, a Department of Public Instruction visitation team, including over two dozen professional educators, made recommendations at pages 10 and 11 of its "Summary Report." The Report suggested that the "neighborhood school" concept in existence at that time, be reevaluated with the possibility of reorganizing the elementary attendance centers so that grade levels could be homogenously grouped in separate buildings. The report was critical of the then existing organization which resulted in one section of each grade level being housed in each attendance center. The organizational pattern was criticized on the grounds that it did not allow for flexibility of teaching approaches and caused unnecessary duplication of materials and equipment.

The fact that the District's teachers and administrators considered and discussed the issue of elementary reorganization many times over the years is reflected in the January 14, 1975, Board minutes. According to those minutes, the elementary teaching staff had recommended a plan of organization for the elementary grades different from
The fact that the District's teachers and administrators considered and discussed the issue of elementary organization many times over the years is reflected in the attendance and attendance pattern. The report was created by the attendance organization which resulted in the report. The report suggested that the attendance pattern was changed and the change was noted in the report.

The issue of elementary organization is not new to the District, and we will discuss the progress over the past and subject matter.

The hearing panel finds that it and the State board of public instruction have

Finding of Fact

1.
The applicant appealed a decision of the district board to reorganize the district's

Appellant: Bed Oak Community School District

DECISION

Carolina Page, Appellant

In the Carolina Page case, 60-2, 1979, before a hearing panel

OF PUBLIC INSTRUCTION

IOWA STATE DEPARTMENT

(Office as of 1 D.P. 1. Appt. Dec. 266)
In the local newspaper.

Neatly all of the forecasting developments were mentioned in articles appearing.

The meeting attended was discussed at the September 12, 1977 meeting of the elementary attendance center. The meeting was discussed at the September 12, 1977 meeting of the elementary attendance center.

The need for a new attendance center was brought up at the meeting, and the board discussed the possibility of a new attendance center.

The board discussed the proposal for a new attendance center at the meeting.

The superintendent is to consider the matter and give direction to the attendance center.

The meeting was held on the 3rd of September 1977, the board made the decision to approve the new attendance center.

During the October 12, 1976 meeting the board was presented with the report of the attendance center.

The board discussed the matter and asked for the study and voted in support of the motion.

The motion was approved for the study and voted in support of the report.
the issue. The decision was a wise one. The authority of the board to make the decision was not

in regard to the latter of our restoration of the issues, we find that the

Conclusions of law.

The decision made on May 2, to necessitate a detailed discussion here.

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The applicants' claims of chancellors and essential measures, at which the matters

made at the May 2 meeting.

board of directors.

A third concern was the situation of deactivating employees and a corresponding

action and community input.

The decision made on May 2 that the district was not

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CONCLUSIONS OF LAW

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to the Applicant.

Appropriate costs under Chapter 290 are hereby assessed

The decision of the Red Oak Community School District Board of Directors in this

Decision

II.

Dated upon are hereby overruled.

District Board decision at issue here. All objections and motions not previously

In consultation, we have not been shown sufficient grounds for overruling the

be, are grounds for reversing school board decisions.

of individual board members, regarding possible board action, encouraging as they may

involved to keep parents informed, we are not intended to find that the opinions

promotes. In the absence of some indication of deceit on the part of board members

stated above appear from the record to have been given personal opinions and not making

members as indicated do not act for the board. The board members making such

members acting as indicants do not act for the board. The board members making such

did not feel that the issue would come to a vote on any day, we must remember that board

record shows that the issue would come to a vote on any day, we must remember that board

Second, the record shows that the elementary organization had been a topic of community

Second, the record shows that the elementary organization had been a topic of community

record shows that the decision on the part of the District Board for action and the opportunity for input from the community at large. While there are some

concern, we feel that on the whole, taking all factors into account, these were suitably

concern, we feel that on the whole, taking all factors into account, these were suitably

in our estimation, a more difficult one. The State Board of Public Instruction ruled

The issue of whether the decision was made with sufficient community input is,