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Administration, union air labor complaint Teacher says she's been harassed

by SCOTT NEWTON
Staff writer

At a labor hearing Friday, a teacher accused Sandy High School Superintendent Kent Heaton of harassment, but a lawyer for the school district said the teacher making the complaint is "paranoid."

Social studies teacher Jane Davey has charged that Heaton harassed her and tried to keep her from exercising her rights as a member of the teachers union. As a result of the complaint, William Greer, a lawyer representing the state Employment Relations Board, held a hearing Friday at the school district's offices. Greer is not expected to file an order recommending action until mid- to late November.

Davey's complaint asserts that Heaton tried to prevent her from talking to union officials about an incident last year in which Heaton gave Davey a flower in front of students. That incident was investigated by the district's legal counsel. Following the investigation, the teachers union and the school district both agreed that Heaton was not guilty of sexual harassment.

But the union and Davey claim that the incident led to other types of harassment for the teacher.

Paul Gamson, the lawyer representing Davey and the Sandy Education Association, said the

school district's administrators "threatened" and "coerced" Davey to prevent her from talking to union officials about the incident.

Chris Mullmann, lawyer for the district, countered that Davey was not harassed but instead suffers from a "paranoid" personality.

Davey's complaint asks that the district cease all unfair labor practices.

The hearing was held in a conference room in the district office and took 5½ hours to complete. Among those who testified were Davey; Heaton; Michele Miller, former chairwoman of the social studies department; Dennis Crow, principal; and Dick Harrison, vice principal.

Problems between Heaton and Davey apparently began in October 1986. After receiving a carnation at a National Honor Society induction ceremony at the school, Heaton stopped at Davey's classroom.

Heaton said he was "kind of elated" because his talk at the Honor Society induction was his first at the high school and had gone well.

Heaton said he randomly selected Davey's classroom and when he gave her the flower, he told her she deserved the flower more than he did.

Davey, however, testified that Heaton said "he liked me best of anybody around" and that "he knew he probably shouldn't be telling me

that."

Davey said she took the flower and thanked him but was embarrassed and angry. She said the students in her class began asking her what was "going on" between her and the superintendent. Later, teachers began asking about the "flower incident." The teachers heard about the incident from students, Davey said.

Heaton testified that he did not tell Davey he liked her best. He claimed that he did not say anything of a personal nature.

A few days later, Heaton and Davey discussed the incident in the school cafeteria. Davey testified that Heaton ordered her not to tell union representatives — other teachers — about it. Heaton denied giving Davey such an order.

Heaton said he apologized in that private conversation. Davey said he did not offer an apology.

Last winter, an investigation by the district's legal counsel found that Heaton was not guilty of sexual harassment in the flower incident. Both sides have accepted that decision.

The issue Friday was whether Heaton interfered with Davey's rights under the state's collective bargaining law. Davey filed her grievance in March.

According to the complaint filed by

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10 grievances filed in past year

More grievances have been filed by teachers in the past year under Superintendent Kent Heaton than were filed in the previous five years under two other superintendents, according to Gary Adams, chairman of the teachers' grievance committee at Sandy High School.

Adams said 10 grievances had been filed against the district in the past year. Three were withdrawn, one is still in the process of being resolved and six were resolved in favor of the teachers union, he said.

The six were "all wins in my opinion," Adams said.

The details of grievances are confidential, Adams said, but added, "The substance of most of them had to do with the administration doing something in violation of our contract," he said.

When told of Adams' remarks, Heaton declined to comment.

Of the 10 complaints, only one has needed to go before the state Employment Relations Board to be settled. That complaint of harassment was filed by teacher Jane Davey against Heaton and the school district. A representative of the state Employment Relations Board heard the complaint in a proceeding that was open to the



Kent Heaton



Jane Davey

public.

Heaton began working as superintendent in August 1986. Late this spring, Heaton's contract was renewed for another two years.

Heaton formerly was assistant superintendent of a 7,000-student district in Twin Falls, Idaho.

Davey teaches civics and world

cultures. She is beginning her third year at Sandy, having received her teacher's certificate in 1985 from Portland State University.

Davey received her bachelor of science degree in sociology in 1971 from the University of Oregon but began working and was not able to complete her teaching practicum at the time.

Multorpor suit might be re-filed

A lawsuit that attempted to overturn a decision by the Clackamas County board to sell a Government Camp ski area has been dismissed, but an official expects it will be re-filed.

The board of commissioners sold the ski area back to the owner of record, Multorpor Ski Bowl Inc., on Aug. 20 after back taxes and penalties of more than \$250,000 were paid. At the time, the board also had considered selling the ski area at a sheriff's auction.

Before the county board's action, American Guaranty Life Insurance Co. had been named the receiver by a federal district court after American Guaranty sued Multorpor for failure to repay a loan.

Mike Judd, chief assistant county counsel, said American Guaranty sold the ski resort to Kirk Hanna following the county board's action.

The lawsuit filed by Bill Butler, Alice Randall and Joe Couillard sought to have the sale to the owner of record invalidated, with the assumption that the ski resort would then be sold at an open auction, Judd said.

Judd said Couillard was a ski resort operator in Canada. He said that both Hanna and the people filing the lawsuit were anxious to get the matter settled so that the ski resort could open this winter.

A Clackamas County circuit court judge said that the lawsuit filed by Butler, Randall and Couillard was not the "right kind of action," and dismissed it. But Judd said he expects them to re-file the lawsuit.



A good-sized crowd gathered around to welcome Scott Larsen of Spokane, who impersonated President Franklin D. Roosevelt.

Fireworks, formalities mark lodge's birthday

Fireworks, free chairlift rides, a birthday bash and a rededication ceremony marked a five-day weekend honoring Timberline Lodge's 50th birthday.

Richard Kohnstamm of R.L.K. and Co., which manages Timberline under a contract from the Forest Service, was pleased with the extravaganza.

"It went fabulously," he said Tuesday. "I was most pleased in every respect."

Kohnstamm said Timberline employees had been working for

about 18 months preparing for the 50th anniversary. About 100 people would normally be on the staff at this time of year, and an additional 50 were working to help with the celebration.

In addition, about 35 volunteers, including some past Timberline employees, worked to help pull off the festivities. The celebration included speakers who specialized in Works Progress Administration-era history and the unveiling of a postcard that was the culmination of a five-year lobbying effort.

Among the volunteers were 20 people from the Western Culinary Institute in Portland, who helped serve more than 3,000 meals. About 850 attended a dinner and dance Saturday night, which was topped off with a 20-minute fireworks display.

More than 700 attended the rededication ceremony Saturday afternoon, which featured Scott Larsen of Spokane, Wash., playing the part of President Franklin D. Roosevelt.

Kohnstamm said Mount Hood Cleaners in Sandy made "midnight

laundry runs" to help the lodge serve customers at the hotel.

The 50th anniversary celebration came at a time when Timberline has regained its stature as a resort, Kohnstamm said.

The hotel suffered financially in the 1930s and '40s, said, because with only 59 rooms most professional hotel managers did not take it seriously as an investment.

When Kohnstamm took over in 1955, the area had only the Magic Mile ski run, which was in disrepair, and a rope tow.

Timberline now has more than 31

trails and more than 1,000 skiable acres.

"The ski wave supplied the money to run the operation," Kohnstamm said.

Advanced techniques in grooming snow have made the skiing better in the past five to seven years, he added, and give the area a bright outlook for the future.

Though Kohnstamm was pleased with the celebration and with his staff's performance, the work load doesn't seem to be easing.

Kohnstamm said they are gearing up for the busy ski season.

Accident claims life of Rhododendron man

A Rhododendron man died Tuesday when his pickup truck collided with a logging truck east of Sandy on Highway 26. The accident occurred about 6:15 a.m.

Winterhawk Harlan Semler, 35, of 72769 Snowdon Road, died at the scene of the accident, said Deputy Russ Williams, public information officer for Clackamas County.

Williams said Semler was west-bound in his Datsun pickup when he struck a log truck that was pulling onto the highway from Sandercock Lane. Semler hit the truck's fuel tank, causing an explosion and fire. The driver of the truck, Glen Leslie

VanSickle, 69, of Prineville, was not injured. Semler's wife, Rebecca, was taken by Life Flight helicopter to Portland Adventist Medical Center.

A spokeswoman at the medical center said Tuesday afternoon that Rebecca Semler was in good condition with a fractured left forearm and other cuts and bruises.

Neither VanSickle nor Rebecca Semler were burned in the fire, Williams said.

No citations have been issued. The accident is under investigation.

Winterhawk Semler participated in the 100-mile Western States Endurance Run earlier this year.

Inside

Senior lifestyles

Today's Post contains a special report on some of the services and opportunities available to area senior citizens. See Pages 4-5.

Back to the field

The Sandy High School football team is getting ready to face the Columbia Chargers following a loss to Central Catholic on Friday. See Page 9.

Kindergarten may not be required

The state might not require the Sandy Elementary School District to establish a kindergarten program for the 1989-90 school year, said Lee Chapman, superintendent of the Sandy Elementary District.

Chapman said a recent "proposed administrative rule" from the state Department of Education would allow districts with a financial hardship to be excluded from a state requirement for kindergartens.

The Sandy Elementary District could qualify under the proposed rule if it is forced to rely on limited funding provided by the state safety-net legislation.

Chapman said district officials now are working to determine if the district will be able to operate a standard program, as defined by the state, for the 1988-89 school year.

"This year, we're OK," Chapman said. "It's next year that the safety net could really get to us."

The State Board of Education will decide sometime this month whether to adopt the rule excusing districts with a financial hardship from meeting the requirement to add kindergarten.

The Oregon Legislature mandated kindergarten for all schools in Oregon for 1989-90.

The State Board of Education is responsible for determining policy in Oregon's public schools. An "administrative rule" is a recommendation to the State Board of Education.

If the district were to add kindergarten, it would need to gain voter approval for an increased operating levy or tax base.



Lee Chapman