

# TSPC: OEA argues against 90-day rule

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disciplinary action when an educator violates standards set by the organization.  
On June 20 the commission met in Warm Springs and considered amending current rules to better address certain types of sexual misconduct complaints.  
TSPC is still investigating a case involving Jake McElligott, a former Hermiston teacher and coach, regarding an alleged relationship with a former student he had taught while at Irrigon Junior/Senior High School. However, TSPC meeting agendas and minutes indicate the commission has been working on a new rule to address situations like the McElligott scandal.  
In an interview with police, a former Irrigon student admitted to being sexually active with McElligott on the morning prior to her graduation from high school in 2013, though she was not a minor at that time.  
According to the woman, their physical relationship continued through the summer. During the police investigation the former student said McElligott was appropriate with her while she was a student and helped her through personal issues during that time. She said McElligott followed a personal code in which he never gets involved with a student until they graduate and are over 18.  
No criminal charges were filed, but Morrow County administrators notified TSPC. McElligott, who left Irrigon Jr./Sr. High School when he was hired by the Hermiston School District in July 2014, was placed on administrative leave by

the district on Aug. 4, 2015, and resigned his position in December of that year.  
At the November 2015 TSPC meeting in Salem, a Professional Practices Subcommittee was formed to review professional practices. One of the issues discussed at a Feb. 25 meeting, as shown by documents from the TSPC website, was further clarifying the definition of "student" and, according to notes from the subcommittee, to "hold educators responsible for not engaging in inappropriate sexual misconduct with students who are at or near graduation."  
On April 6, the full commission met in Portland and reviewed the subcommittee's recommendations regarding new professional practices rules for educators. At the meeting the TSPC voted to open the proposed new rule changes for public comment.  
One proposed rule change would amend a current rule to add to the definition of student, "Regardless of age, a student remains a student for 90 days past high school graduation."  
The commission also proposed amending rules regarding grounds for disciplinary action so that Gross Neglect of Duty included "any sexual conduct with any person who has been a student and graduated from high school within the past 90 days."  
According to Heidi Sipe, who chairs the TSPC Executive Committee and is the Umatilla schools superintendent, those amendments were not approved and are still under discussion. Meeting documents show opposition to these amend-

ments came from attorneys representing the Oregon Education Association, a labor union representing Oregon educators.  
A letter entered as OEA's public comments to the proposed amendments stated, "The OEA strongly supports the aim of keeping students safe by discouraging and penalizing predatory conduct, including sexual 'grooming' of students. ... We do not, however, believe that the proposed rule language is the best way to target such predatory conduct."  
The OEA argues the amendments are "too broad," "inconsistent," unconstitutional and would lead to litigation.  
The letter further states, "Under the Commission's proposed rules, educators who have a legal and consensual relationship with an adult, non-student with whom they have had no previous contact would be automatically subject to discipline. This behavior alone, in the absence of any evidence of predatory or grooming conduct, however, is neither illegal nor unethical."  
Audio from the meeting suggests the subcommittee members wanted more time to discuss the testimony and come up with a "compromise" for the definition of a student. Elizabeth Keller, TSPC director of professional practices, states concern during the meeting regarding social media use and "Not making it easy for ... grooming activities."  
The next TSPC meeting takes place Nov. 3-4 in Salem. Comments on proposed rules can be emailed to TSPC.RuleTestimony@state.or.us.



Staff photo by E.J. Harris  
**A group of children watch the Fourth of July parade Monday on Main Street in Pendleton.**



Staff photo by E.J. Harris  
**Veterans ride on the back of a Tum-A-Lum Lumber float on Monday in the Fourth of July Parade in Pendleton.**

# BIRTHDAY: Williams rode on Wal-Mart float

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birth to a daughter on — you guessed it — the Fourth of July.  
Williams said she has been through a lot in her 40 years and has overcome much. The love of her life and father of her children, Robert Hess, died in November 2008 of complications from diabetes, she said. He was 30. Williams said the loss sparked her to be an advocate for everyone checking to see if they might be diabetic and to not letting life sneak by.

"You just got to live life to the fullest, make life count," she said. "That's what I look forward to with my birthday each year."  
She has new significant other, she said, and he has two children of his own. She works for Wal-Mart in Pendleton and spent Monday morning on the company's float in the Round-Up City's annual Fourth of July parade. Her beau's almost-2-year-old granddaughter rode with her on the float.  
Williams said she and her family will celebrate the

Fourth and her birthday with a barbecue with friends and relatives. If there is a downside to sharing your date of birth with the establishment of the United State, she said, it is that your birthday cake will inevitably be patriotic in theme.  
But she said that's part of going with the flow and sharing the day with the people she cares about. Life is too short and is about moving forward, Williams said, and you have to be there with the people who will be there for you.

# PLATINUM: A kiss before bed each night

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Karin Hall and eldest son Paul Hendricks. Their oldest, Jimmy Hendricks, lives in Friday Harbor, Washington.  
After 48 years in their Pendleton home, the Hendricks' made the move to the retirement center last November because of health concerns. But even in their new surroundings, they find ways to keep busy.  
At 94, Jim still drives and Carolyn, 90, frequently tags along.  
"I was going to stop driving at 90 and then I reneged," Jim said.  
The two also frequently take summer trips to Wallowa Lake, where they own property on the neighboring Wallowa River. Ten years ago, celebrating their 60th anniversary, the two renewed their vows at the lake with several friends, one of whom is an ordained minister.  
Jim and Carolyn first met in high school in their hometown of Cottage Grove. They dated a few times, but the relationship didn't last long. After graduating from Cottage Grove High in 1941, Jim moved 20 miles north to attend University of Oregon in Eugene. Carolyn remained in Cottage Grove to finish high school.  
Jim's schooling was interrupted when the United States entered World War II. He enlisted at an Air Force recruiting office in Seattle in September 1942.  
Overseas in Italy, Jim flew as an A-20 combat pilot in numerous missions between 1944 and 1945. He also spent a couple of weeks in Southern France ferrying gas to General George Patton's tanks.  
Jim returned to the U.S. in 1945 and resumed school at UO. Little did he know, Carolyn was also attending the school by then.  
Jim made plans one night with his friend, Dick Smith, to go out to Swimmers Delight — an old dance venue in Eugene. The only problem: Who were going to be their dates?  
"(Dick) said, 'There's a couple gals here who are

available.' One of them was Carolyn," Jim recalls.  
The two were reunited when Jim asked Carolyn out and this time, they wouldn't be separated.  
"One thing led to another and in June (1946) we got married," Carolyn said.  
For the young newlyweds, marriage and the idea of starting a family soon got in the way of school. Jim and Carolyn first settled in Cottage Grove, before leaving in 1960. The family made stops in Portland and Toppenish, Washington, while Jim worked as a truck sales manager for both Peerless and Harvester International. The job required Jim to fly around Oregon and Washington five days a week, leaving little time to spend with Carolyn and the kids.  
"Of course I didn't like it very well," Carolyn remembers. "I don't think most wives would like to have their husbands gone all the time."  
But the family persevered.  
They moved to Pendleton in 1968 when Jimmy and Karin had moved out, though Paul was still a sophomore in high school.  
Jim took a job with Woodpecker Trucks before opening his own truck and equipment business in 1970.

He would routinely wake up at 5 a.m. and fly his plane out of Pendleton to pick up potential customers. In addition to 1,000 hours logged in the Air Force, Jim said he flew an additional 5,000 civilian hours during his career.  
Meanwhile, Carolyn worked as a school secretary at Hawthorne Middle/High School for 22 years, continuing a job she enjoyed when the family lived in Toppenish.  
Moving cities and jobs while the Hendricks' children grew up would take a major toll on many families. Their kids, however, aren't the least bit surprised the marriage lasted this long.  
"They've been through a lot," said Hall, their middle child. "Ups and downs with kids and jobs ... they've made it through with themselves intact."  
Jim and Carolyn acknowledge they've had their share disagreements 70 years of marriage. But they've always been able to round off the corners, never ending a day on a sour note.  
"Even if we haven't agreed on something that day, we always kiss each other goodnight before we go to sleep," Jim said.  
"It's hard to stay mad then," Carolyn adds.

# AG: Tax compiles as fuel is bought and sold

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some Oregon businesses with high sales receipts but relatively low profit margins, said Dave Dillon, executive vice president of Oregon Farm Bureau.  
Wilco typically nets income of 2.5 to 3.75 percent of gross sales, Hoffman said. In some years, such as 2009, the company doesn't make a profit. One reason he opposes IP 28 is that even companies that lose money have to pay the tax as long as their gross sales exceed \$25 million.  
Supporters are unmoved.  
"A Better Oregon was specifically designed to protect farm co-ops and it won't raise taxes on the supplies farmers buy through their co-ops," said Katherine Driessen, a campaign spokeswoman. "A Better Oregon was also designed to make large pesticide companies like Wilco and Monsanto pay their fair share in taxes. Based on the claims

that Wilco has made, it has to do at least \$100 million in non-farm co-op sales. It can and should pay more to support or schools and critical services."  
Dillon said those extra costs will be passed onto farmers.  
The impact of the tax could be felt at every point of sale, as suppliers and retailers increase prices to cover their additional costs.  
The gas and diesel that Wilco sells, for instance, changes hands several times before it gets to the end consumer, Hoffman said. By that time, the tax may push the cost up 5 to 7 percent, he said.  
That will impact farmers who have to drive their products to market. The tax also will drive up the cost of fertilizer, farming equipment and other necessities for producing and selling a crop, Dillon said.  
"We are going to have

folks out of work, and there isn't going to be an economy to pick them up," said Katie Fast, executive director of Oregonians for Food and Shelter.  
The tax is estimated to slow growth in private sector jobs by 38,000 in the next five years years, but public sector jobs would grow by 17,000 in the next five years, according to the Legislative Revenue Office.  
A recent study by Portland State University, commissioned by A Better Oregon, found that the tax would boost public sector jobs by 33,600 by 2027 and slow growth in private sector jobs by 13,500.  
"You don't see Wilco take a stand on many things," Hoffman said. "We believe we have the story that touches people in a small way. It will affect us and our consumers. We couldn't let it stand and suck it up and not get involved."

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