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CWU Faculty Senate Minutes - 04/28/1971

Linda Busch

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ROLL CALL

Senators Present: All senators or their alternates were present except John Allen, Pearl Douce', Ilda Easterling, John Purcell, Gerald Reed, Mike Reid, Owen Shadle, and Larry Sparks.


The chairman announced that there were two items to be discussed at the meeting--the report of the Personnel Committee concerning the grievance of Professor Russell Hansen of the Sociology Department and Senate election of the faculty members to serve on the Committee to Study Reorganization of College Governance.

Before the major items of business were discussed, Mr. Harsha announced the following items:

1. A memo was distributed to senators offering a slate of faculty nominees that the Executive Committee was recommending for membership on the Council of Faculty Representatives. Space was provided on the memo for additional nominations by senators. Mr. Harsha asked the senators to review the slate and be prepared to take action on the matter at the May 5 Senate meeting.

2. The Board of Trustees and Faculty Senate will meet in joint session on Saturday, May 15, at 10:00 a.m. in Hertz-Room 123. Senators were asked to send agenda items to the Faculty Senate office by May 7.

3. Recently a memo was sent to Senate members asking them to respond to priority recommendations on meeting the college's projected credit-hour mix. The Deans' Council and the Executive Committee will be meeting jointly to discuss this problem. Senators were asked to forward any responses to the Senate office as soon as possible.

The chairman then turned the meeting over to Frank Collins, chairman of the Personnel Committee. Mr. Collins stated that the Personnel Committee was acting as a grievance committee in the case of Professor Russell Hansen, but did not wish to be thought of as a grievance committee in the future.

Mr. Collins then presented the Personnel Committee's report.

Mr. Berry asked what the relationship was between persons from the college teaching classes at the Migrant Center and the administrators? Were the salaries of these teachers paid by the college or the Center?

Mr. Carlson stated that it was his understanding that the instructors were paid by Continuing Education.
Mr. McGehee asked if there was a motion on the floor. Mr. Harsha said there was not.

Mr. McGehee said he would move that the report of the Personnel Committee be received by the Senate, but not accepted. He felt that to accept the report would be to accept the reasons given for denial of a formal hearing. He felt there was a fear of the consequences. These were not appropriate grounds for denying a formal hearing. To accept the report on these grounds would be to violate Mr. Hansen's due process.

MOTION NO. 762: Mr. McGehee moved, seconded by Mr. Alexander, that the report of the Personnel Committee be received by the Senate. The motion was passed with a unanimous voice vote.

Mr. McGehee said that he commended the Personnel Committee for dealing with this matter, but the question remained that this sort of impromptu hearing did not represent a valid hearing, with a chance for rebuttal. Mr. McGehee stated that, knowing that the Senate had talked about a grievance committee for a long time, he would present the following three-part motion.

MOTION NO. 763: Mr. McGehee moved, seconded by Mr. Bachrach, that: (1) the chair immediately empanel a standing grievance committee of nine members; (2) the committee be instructed to draw up grievance procedures, possibly utilizing AAUP guidelines; and (3) Professor Hansen be granted a formal hearing on his grievance, if he so desires.

Mr. Ladd said he felt that the Senate would find more of the true sentiment if each of the parts of the motion were made into separate motions. He thought it would be in order to have a motion for each of the points. Mr. McGehee agreed, withdrawing his motion.

MOTION NO. 764: Mr. McGehee moved that the chair be instructed to immediately empanel a standing grievance committee of nine members.

It was felt by some that nine members would be too many.

Mr. McGehee then changed Motion No. 764 to read: a standing grievance committee of five members.

Mr. Dillard stated that a new standing committee of the Senate would need a Code revision. The Senate would have to go through the normal procedure of an entire faculty vote, plus Board ratification. Mr. Dillard reported that the Code Committee had undertaken its major revision, which should be presented by the end of the year, and had included a grievance committee.

Mr. Wise asked if it would be possible for the Personnel Committee to reconstitute itself as a committee to hear grievances until the Code was changed?

Mr. Collins stated that the committee's lack of enthusiasm to function in this capacity was enormous.

Mr. Hansen stated that he found that he had been somewhat stymied by the course of proceedings at this meeting. The Senate went quickly through the motion to receive the report. Mr. McGehee moved that the report be received
but not accepted. That was transferred into a motion to receive the
Personnel Committee's report. Mr. Hansen stated that he had an argument
to present at that time, but not being thoroughly in touch with the way
that procedure went, he was incapable of presenting it. He had an argument
to make against receiving the report. He said the vote had been held,
but he wanted an opportunity to make that argument. He was requesting that
the vote be taken again after he had made his argument.

The chairman then asked Mr. Hansen to present his argument.

Mr. Hansen argued that the Faculty Senate should not receive the report
of the Personnel Committee. He said the report simply contained no definite
recommendations. It was a non-report. It did not contain a recommendation
for a formal hearing. He thought this was the task of the Personnel Committee.
The report stated that it would be extremely difficult to manage the
hearings, since all of the thirty-three students would have to be involved.
He said a formal hearing did not conduct polls; it looked for evidence.
He said that the report stated that a formal hearing would cast publicity
on the Center which would endanger its effectiveness. Mr. Hansen thought
this was an appalling argument, implying that something had gone on that
would be embarrassing to the Center. If such evidence was substantiated,
then the Migrant and Indian Center would profit from alteration in its
present form. He stated that in sections three and four of the report,
the central issue of academic freedom was submerged, and all kinds of
observations were referred to regarding Hansen's alleged uncooperativeness
with the Center. These observations in the report had no direct or indirect
bearing on whether or not a unilateral interference with the instructor and
students had occurred.

The chairman reminded the Senate that Mr. McGehee's motion regarding a
standing grievance committee was still on the floor.

Mr. Ringe stated that this motion was in direct conflict with the Code.
The Code definitely states that standing committees are subject to
Code review. This would mean that the Code would have to be modified to
accept a standing committee. If there was to be another committee
empaneled, it should be a hearing committee, not a grievance committee.
It should have the power to make the final decision.

Mr. McGehee then withdrew Motion No. 764.

Mr. Lawrence suggested that he could see no reason why there could not be
a motion for an ad hoc committee. He would agree that formation of a
standing hearing committee would take considerable time, since it would
need faculty and Senate ratification.

MOTION NO. 765: Mr. McGehee moved, seconded by Mr. Odell, that an ad hoc
hearing committee be established to hear Mr. Hansen's case, if he so desires.

Miss Heckart stated that the AAUP recommends a standing grievance committee
that shall have established procedures. A hearing committee is usually
only recommended to be convened in a case involving dismissal.

Mr. Leavitt stated that the motion seemed to him to be a little inappropriate.
The Senate had accepted what it has now. He asked if Mr. Hansen had requested
a hearing.
Mr. Hansen stated that he had requested a hearing, but that the Personnel Committee contended that it was not a hearing committee.

Mr. Ringe asked what would come from a hearing? Would the hearing committee scold the Center or vice versa? Mr. Ringe failed to see how a committee could solve anything.

Mr. McGehee said the question of the consequence of a hearing was to safeguard against this happening again. To question the consequences would be to prejudice the case.

Mr. Nadler said that if he understood everything said, there was only one way of obtaining justice; that was, dismissal of whoever was violating the principles. In most institutions you have various levels where justice is done. Dismissal would be the most serious kind of penalty to bring about justice. The next thing might be a letter of censure. If Mr. Hansen feels he was done an injustice, something was out of kilter in this academic community. He thought the Personnel Committee decided that it could not really decide if an injustice had been done. It seems we have no procedure to resolve a conflict of this sort. The ad hoc committee could do this.

Mr. Harsha asked Mr. McGehee if this committee would be named by the Executive Committee.

Mr. McGehee said it would be named through the normal procedure for naming a committee.

Mr. Alexander asked that if a hearing committee was established, and it was to speak at some time in the future, would it speak for the Senate? If recommendations have to do with the operations of the Center, it would be of administrative concern, as well as faculty concern. He said he wouldn't know if the Senate had the authority to speak on behalf of the Center or not. This had to include concurrence by the administration. If there was to be a hearing committee, it should be sponsored both by the Senate and the administration.

Miss Heckart stated that in the AAUP guidelines, there is no mention of administrators serving on such a committee.

Mr. Nylander, in speaking against the motion, said it seemed to him that there was validity in what people had said that spanking someone's hands was all that could be done. We are really interested in solving this kind of problem for the future. Mr. Nylander felt that the Senate should be establishing some kind of committee that would work toward establishing guidelines for the operation of this kind of a Center and establishing guidelines for academic freedom and the relationship between the faculty here on campus and at the Center.

Mr. McGehee called attention to the second part of his original three-part motion, which involved instructions to the committee.

Motion No. 765 was then voted on and defeated.


Abstentions:  H. Williams, F. Collins, A. Ladd, E. Harrington.

The chairman stated that the other item of business was election of the faculty members to serve on the Committee to Study Reorganization of College Governance. He then turned the meeting over to Mr. Leavitt, secretary of the Senate.

Five ballots were needed to elect the six faculty members, as follows:

1st Ballot  --  Larry Lawrence, English
            ---  Burton Williams, History

2nd Ballot  --  Robert Mitchell, Physics
            --   Kenneth Berry, Education

3rd Ballot  --  Jerry Jones, Chemistry

4th Ballot  --  No majority

5th Ballot  --  Charles McGehee, Sociology

ADJOURNMENT

The meeting was adjourned at 6:00 p.m.
MEMORANDUM

TO: Faculty Senate

FROM: Kenneth Harsha
Chairman, Faculty Senate

RE: Special Senate Meeting, April 28, 4:00 p.m., Hertz--Room 123.

DATE: April 16, 1971

The Senate Personnel Committee, serving as a temporary grievance committee, has completed its study on the grievance of Professor Russell Hansen of the Sociology Department. The Personnel Committee has filed its report with the Executive Committee. The cover letter of the report and the Personnel Committee's recommended procedures to be reviewed or instituted at the Center for the Study of Migrant and Indian Education are attached. Details and circumstances of the case have not been distributed to the Senate. Dr. Collins, chairman of the Personnel Committee, will present the circumstances and cruxes of the case orally at a special meeting of the Faculty Senate. The Senate will meet in special session on Wednesday, April 28 for this purpose. A copy of the complete report is on file in the Senate office if any Senator should care to examine it prior to the meeting.

A second item of business on April 28 will be Senate election of the faculty members for the Committee to Study Reorganization of College Governance.

Attachments
ROLL CALL

Alexander, James
Allen, John
Anderson, David
Berry, Kenneth
Brooks, James
Carlson, Frank
Clark, Glen
Collins, Frank
Dillard, David
Doi, Richard
Douce, Pearl
Duncan, Leonard
Easterling, Ilda
Fletcher, Steve
Glauert, Earl
Hammond, Kenneth
Harsha, Kenneth
Jakubek, Doris
Jones, Robert
Keller, Chester
Ladd, Arthur
Lawrence, Larry
Leavitt, Gordon
Lewis, Albert
McGehee, Charles
Nylander, James
Odell, Elwyn
Purcell, John
Putnam, Jean
Reed, Gerald
Reid, Mike
Ringe, Don
Shadle, Owen
Sparks, Larry
Williams, Harold
Wise, Don
Wright, Cheryl

Marco Bicchieri
Robert Harris
Frederick Lister
Alan Bergstrom
Edward Harrington
Bill Floyd
Sheldon Johnson
Robert Benton
App Legg
James Sahlstrand
Wesley Adams
Ted Bowen
Gerhard Kallienke

Kent Richards
Joel Andress
Earl Synnes
Jim Parsley
Charles Vlcek
Jay Bachrach
Bryan Gore
Donald King
John DeMerchant
Katherine Egan
Frank Sessions
Betty Hileman
Robert Yee

Everett Irish
James Klahn

Steven Farkas
Gerald Brunner
Max Zwanziger
Gordon Galbraith
Howard Shuman
VISITORS
PLEASE SIGN THIS SHEET

Faculty Senate Meeting
April 28, 1971

Beverly Meekart
Russell Hausen
Bill Benson
Joel Montagne
Charles Wiley
Bill Sullivan
Ole Osmolock
MEMORANDUM

TO: Faculty Senate
FROM: Executive Committee
RE: Membership on the Council of Faculty Representatives

The Executive Committee feels that the Senate should name three regular members and three alternate members to the Council of Faculty Representatives as soon as possible. In order to expedite this process, the Executive Committee is proposing the following slate of candidates.

<table>
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<th>Position #1 (one year term)</th>
<th>Position #2 (two year term)</th>
<th>Position #3 (three year term)</th>
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<tr>
<td><strong>Regular Member</strong></td>
<td><strong>Alternate Member</strong></td>
<td><strong>Alternate Member</strong></td>
</tr>
<tr>
<td>Ken Harsha (Bus. Education)</td>
<td>Charles Stastny (Political Science)</td>
<td>Jerry Jones (Chemistry)</td>
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<tr>
<td><strong>Additional Nominations</strong></td>
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The Executive Committee's slate of nominees includes faculty members who have been serving either in a temporary capacity on the Council of Faculty Representatives or whose names have been submitted to the Council on Higher Education for possible membership on the Council's forthcoming Advisory Committee. The slate, as proposed, should provide continuity with the Council of Faculty Representatives as it is currently constituted and offer at least some cross membership between the CFR and the CHE's Advisory Committee.

Please examine the proposed slate of nominees and be prepared to take action on this at the May 5 meeting of the Faculty Senate. The Executive Committee's slate is only a suggestion; space has been provided for additional nominees.
March 29, 1971

Professor Kenneth K. Harsha
Chairman, Faculty Senate
Central Washington State College
Ellensburg, Washington

Dear Professor Harsha:

After looking into the charge of violation of academic freedom filed by Professor Russell Hansen of the Sociology Department on January 22, 1971, and referred by you to the Personnel Committee on January 27, 1971, "for deliberation and eventual recommendation," we have reached the conclusion that:

1. no mode of inquiry short of a formal hearing can determine whether the indiscretions on the part of Mr. Charles Wiley of the Center for the Study of Migrant and Indian Education, and conceivably Professor Hansen as well, are of sufficient gravity to warrant a recommendation that could be the basis of disciplinary action;

2. such a formal hearing seems inadvisable for the following reasons:

   a. Since almost all of Professor Hansen's case is dependent upon what was reported to him by student observers and since the only means of determining what actually happened would be to take statements from and conduct hearings with all of the thirty-three students involved, it would be extremely difficult to manage the hearings in such a way that student identities would escape disclosure and student careers would not be placed in jeopardy.

   b. Such a hearing, with its attendant publicity, would clearly endanger the effectiveness or existence of the Center, whatever the nature of the finding, and this seems to us a sadly inappropriate way to evaluate the effectiveness of an important program.
For these reasons, as much as we share Professor Hansen's concern with academic freedom, we are not making a formal recommendation to the Faculty Senate concerning a form of specified behavior which would seem to warrant or not to warrant disciplinary action. We have chosen, rather, to follow a course that seems both more advisable and more appropriate in the case of an informal, fact-finding body such as we conceive ourselves to be. In the report that accompanies this letter, we have furnished the following:

1. A log of the Committee's meetings, so that they can become a matter of record.

2. The circumstances of the case to the degree that they can be determined from the statements, written and oral, of Professor Hansen, Mr. Wiley, and Professor Lloyd Gabriel, director of the Center. (In the interests of objectivity, the Committee decided not to use the three unsigned student statements supplied by Professor Hansen; as noted above, objectivity would require thirty-three student statements.)

3. The cruxes of the case, as they have come into focus in the course of our inquiry and deliberations.

4. Suggestions of procedures that need to be reviewed or instituted at the Center to prevent the collision of interests detailed in our report.

Sincerely yours,

Frank M. Collins, Chairman

Fred Cutlip

Ilda Easterling

Floyd Rodine

Owen Shadle

Attachments:
1. Committee Report
2. Professor Hansen's Statement
3. Statements by Professor Gabriel and Mr. Wiley
Report of the Personnel Committee of the Senate.

Re: Grievance of Prof. Russell Hansen of the Sociology Department.

Date: March 28, 1971

I. Log of Committee Meetings.

February 2, 1971. Prof. Harsha met with the Committee briefly to provide such background as he could on Prof. Hansen's grievance. The Committee decided upon the procedure of soliciting statements from Prof. Gabriel and Mr. Wiley to supplement Prof. Hansen's statement, dated December 9, 1970: "Record of Events Concerning Response of Administrators at CWSC Center for the Study of Migrant and Indian Education to Instructor-Approved Term Paper Project" (with two student statements as attachments, a third student statement being forwarded to the chairman by Prof. Hansen on February 3, 1971). The chairman agreed to solicit such statements at once. (Letter was sent to Prof. Gabriel on February 3, 1971, soliciting such statements.)

February 25, 1971. The chairman explained why there had been a delay in the Committee's getting statements from Prof. Gabriel and Mr. Wiley, Prof. Gabriel having called him to say that business away from Toppenish would keep him from giving immediate attention to his statement. The Committee agreed that a meeting should be scheduled with Prof. Hansen without further delay.

March 2, 1971. Before its meeting with Prof. Hansen began, the Committee debated whether or not to allow observers (Prof. Benson, chairman of the Personnel Committee of the Sociology Department, and Prof. Heckart, member of the AAUP executive committee, standing by in the meantime). The Committee voted unanimously to admit no observers in the course of its inquiry. Disturbed at the Committee's intention of conducting an informal inquiry, with no transcript or observers, Prof. Hansen decided not to participate until he had had a chance to decide whether he wished to participate in such an inquiry or whether he should choose to request a formal hearing by another body. After his withdrawal, the Committee instructed the chairman to urge upon Prof. Gabriel the advisability of prompt submission of statements by him and Mr. Wiley. (Letter was sent to Prof. Gabriel on March 3, 1971, to this effect.)

(March 5, 1971: Statements by Prof. Gabriel and Mr. Wiley were received by the chairman.)

March 8, 1971. The Committee met with Prof. Gabriel and Mr. Wiley, after first debating and then taking unfavorable action on Prof. Hansen's request that the Committee's meetings be tape-recorded.

March 9, 1971. The Committee met with Prof. Hansen. He informed the Committee that, as the result of his concern about the informality with which we were choosing to proceed, he had called the regional director of AAUP (Prof. Richard Peers in San Francisco). He said
Prof. Peers shared his misgivings and felt that it was appropriate to provide for neither transcript or observers only if the report of the Committee did not involve assignment of responsibility for wrongdoing or recommendation of any disciplinary action to be taken. In a long meeting, Prof. Hansen elaborated upon his written statement, in response to questions by members of the Committee.


March 17, 1971. Committee met in study session, and after a thorough review of the statements, both written and oral, by Prof. Hansen, Mr. Wiley, and Prof. Gabriel, settled upon the method and substance of its report. The chairman was instructed to prepare a draft of the report for review and revision at the next meeting of the Committee.

March 28, 1971. The Committee discussed the substance and phrasing of its report, then approved it for transmission to Professor Harsha.

II. Circumstances of the Case.

Since Prof. Hansen's charge of violation of academic freedom has to do particularly with what he regards as the interference of the Center's administrators in the carrying out of an optional term paper project in the Sociology 498 course he was teaching, the fall quarter of 1970-71, at the Center, it seems necessary to sketch in the nature of Prof. Hansen's relationship with the Center, the nature of the project, and the extent and nature of what Prof. Hansen regards as interference by the administrators.

The Center offers four courses to its trainees the fall quarter: Psychology 309, Human Growth and Development; Psychology 310, Learning and Evaluation; Education 314, Curriculum, Methods and Materials; and Sociology 498, a special topics course. The original plan was for Mr. Wiley to teach the Sociology course, the special topic to be Poverty and the Educationally Disadvantaged, but when the Sociology Department urged that a member of that department be allowed to teach the course, Prof. Hansen acquired the assignment. He felt the course designation gave him freedom to make the course considerably different from the course he understood Mr. Wiley planned to offer. His course outline bears the title: "The Social/Political Experiences of the Peoples of the Migrant Subculture." According to this course outline, the weekly meetings were to be concerned with the following topics: Why a sociological perspective on the Indian and the Chicano, Black, or Anglo "migrant worker"? Where are third world Americans located in the stratification of American society? Poverty: An Exploration of the cultural concomitants of poverty. U. S. History in relation to the Indian and Mexican American Peoples. Out of the American Experience: Brown Power, Red Power, and Black Power—an exploration of Third World Consciousness. American Education in relation to politically awakening minority groups. The "quarter project" is identified in the course outline as a paper "in which the special problems of an educator involved with peoples of the migrant subculture (Chicano, Blacks, poor Whites) and with American Indians are discussed."
The course outline also indicates the following standards of evaluation:
"Two criteria will be employed by the instructor in evaluating the
performance and participation of students in this class this quarter.
The main basis of evaluation will be the term paper. Secondarily
students' participation in class will be considered."

According to Prof. Gabriel and Mr. Wiley, the four courses were to be
coordinated (by Mr. Wiley) to the extent possible. To that end Mr. Wiley
met individually and collectively with the instructors in pre-quarter
sessions. He also asked the four instructors to provide him with copies
of their course outlines at the beginning of the quarter. Prof. Hansen
was the only instructor who failed to supply Mr. Wiley with a copy of his
course outline, although asked to do so several times. Prof. Hansen
said quite frankly this was a mistake, one which he would have rectified
if he had not learned that Mr. Wiley had a copy, given him, he supposed,
by a student. Mr. Wiley said he found the copy in the classroom.

Mr. Wiley says in his written statement that his inability to obtain
this course outline was "a determining factor in the limitation of my
efforts in coordination of assignments in the Valley schools during the
quarter." He also expresses concern that the course, as described by
the course outline, did not bear more directly on the "cultures of the
Migrant/Indian child." The course he had in mind "was to represent a
cross section of views from Valley people, which would enable the student
teacher a more effective diagnosis of learning difficulties of the child."

Mr. Wiley also says in his written statement that Prof. Hansen was the
only one of the four instructors who did not allow him to sit in on the
first meeting of the class so that he could "more adequately understand
the courses outlines." The reason given by Prof. Hansen was that Mr. Wiley
would represent authority to the students and thus affect the learning
atmosphere. A few days later, according to Mr. Wiley, Prof. Hansen
changed his mind and told Mr. Wiley he would be welcome to sit in on the
class.

Prof. Gabriel's written statement is essentially in accord with
Mr. Wiley's. It was the Center's intention to integrate the Sociology
class "into a total curriculum entity with three other classes." With
regard to the course outline, Prof. Gabriel says: "The instructor did
not present a course outline to Mr. Wiley or me prior to or at any time
during the course. At a meeting with Dr. Potter, Dr. Carlton, and the
Sociology Committee, the general content as perceived was not fully
incorporated as discussed. However, a course outline was shown to me
by the students who came to me for counsel."

The sequence of events which resulted in the optional research project
in Sociology 498 and the reaction to it by the Center's administrators,
especially Mr. Wiley, seems to be accurately indicated in Prof. Hansen's
chronological narrative, which is heavily drawn upon in the summary account
which follows:

November 4, 1970: On this sixth, weekly meeting of the Sociology 498
class, "four persons from the Chicano community in the Yakima Valley
came to my Sociology 498 class as visitors to talk with the class about
developing political consciousness among their people." The four
visitors are identified by Prof. Hansen as Luciano Perez, Tomas Villanueva,
Roberto Trevino, and Guadalupe Gamboa, the last three as organizers for the United Farm Workers in Toppenish. After this three-hour class meeting, Prof. Hansen says that the idea of an optional research project came up in the course of his conversation with Mr. Trevino and Mr. Gamboa about the difficulty they were experiencing in acquiring "first-hand information about local schools." The upshot was that Mr. Gamboa said he would prepare some questions to indicate what information was needed.

November 18, 1970: At this next meeting of the Sociology class, Mr. Trevino and Mr. Gamboa arrived at the mid-class break, with the prepared questions. After inspecting the questions and finding them reasonable, Prof. Hansen asked how many members of the class would be interested in doing research along the line of the questions. Approximately ten students expressed interest in the project and met at that time briefly with Prof. Hansen, Mr. Trevino, and Mr. Gamboa. Prof. Hansen stressed the voluntary nature of the project and the need for students to remain objective throughout their investigations. In his discussion with the ten or so students, he said that it was quite usual "for research to be performed at the initiative of some sector of society" and that in this case the research "would be of immediate service to a politically aggressive organization within the Chicano community, the United Farm Workers." Since the students planned to seek employment in the school system and the "project was of a sensitive nature," they requested that the copies of their research papers that were to be turned over to the United Farm Workers be unsigned. This request was granted. It was further agreed that the papers should be identified as "products of the special research group of the Sociology 498 class." As to the secrecy or openness with which the students would operate in collecting information in the schools in which they were serving their internships, Prof. Hansen says: "There was no expectation voiced by anyone that the investigations would be intentionally clandestine. One student intended to confer with the principal of the school he would study as the main step toward gathering data. Other students said they intended to record in writing observations they had already made of school operations combined with additional observations they might make during subsequent weeks. Another student, as an initial step in his inquiry, wrote a letter directly to school authorities Wednesday night inquiring about matters relevant to Title I Funds." According to Prof. Gabriel's written statement, the eight or so students in the class who came to him, the following day, with questions about the research project were of the opinion that the project was secret: "The students were told to gather the data, but not to inform their supervising teacher, the principal, the college supervisor, or any personnel at the Center. They were to make carbon copies of their papers, one copy for Mr. Hansen and one copy for Mr. Gamboa and Mr. Trevino." At the end of this meeting with Mr. Gamboa and Mr. Trevino, in any case, the students in the special research project agreed to meet with them again at 5:00 the following day (Thursday, November 19) to complete preparations for the research project. It was understood that Prof. Hansen's duties would keep him in Ellensburg and that he would be unable to attend that meeting.
In his meeting with the Personnel Committee, Prof. Hansen said, in response to a query concerning the degree to which he would have felt obliged to screen the student papers that were to be turned over to the United Farm Workers, that he would have felt obliged only to point out the inadvisability of turning over to the Workers a piece of research resting on fragmentary or hearsay evidence. The responsibility then rested with the student researcher.

November 19, 1970: Some time in the morning, the above mentioned eight students met with Prof. Gabriel to indicate their concern, according to Mr. Wiley's statement, "over the assignment and the ethics involved and their responsibility to assigned schools. They were asking if such an assignment would in any way affect their roles as student teachers since they were guests in the respective districts." Mr. Wiley's statement indicates further: "Students requested that time be allowed prior to a proposed meeting with a Mr. Gamboa and Mr. Trevino for the purpose of explaining the assignment." Class time was therefore taken in Psychology 314 that afternoon for this purpose. Prof. Gabriel spoke to the students, according to Mr. Wiley's statement, about the purpose of the Center, its role in research related assignments, "and the ethical implications of such an assignment regarding the future of the student teachers." Mr. Wiley then spoke to the students, identified as "Student Teachers" in his statement, on the implications of the research project they needed seriously to ponder. The students were not told they could not do the assignment, but they were told, again according to Mr. Wiley's statement, that the carbon copies could not be turned over to Mr. Gamboa and Mr. Trevino without the Center Director's permission. Mr. Wiley further states: "It was Dr. Gabriel's opinion that this information, if gathered, could not be released under the conditions described."

Prof. Gabriel's written statement stresses that he met with the students in the Sociology 498 class the afternoon of November 19 only because of the student concern ("... they felt they were being manipulated and exploited with the resultant grade being held over their heads") and that he made clear to the eight students who came to see him that he did not believe it his position "to interfere with the class by issuing a directive not to do the assignment." According to his statement, when he spoke to the class as a whole, he apologized to them for the position in which they had been placed by the optional research assignment: "They felt threatened by the prospect of terms of grading if they did not comply with the assignment. The violation of professional ethics could possibly jeopardize student teaching placements. The students felt they were in an untenable position." According, according to Prof. Gabriel's statement, the students were "at no time" informed that they could not complete the assignment; "they were advised this was their own decision upon reviewing all aspects of the project." Prof. Gabriel says further: "The sociology class nor the instructor were not criticized or interfered with during the quarter."

November 19, 1970: the 5:00 meeting of the student research group with Mr. Trevino and Mr. Gamboa. The time of the meeting was the normal closing time for the Center. The meeting, according to Mr. Wiley's
statement, was not cleared with Center administrators. Present at the meeting, according to Mr. Wiley, were the students in the research group, Mr. Gamboa, Mr. Trevino, Prof. Frank Carlson, and Mr. Wiley. As Mr. Wiley describes the meeting: "Student questions were very well stated, but no answers were disclosed from either Gamboa or Trevino. I explained my function as supervisor and coordinator of fall quarter block classes. Several comments from the visitors indicated they felt the Center hadn't done much for Third World People. I refused to debate any issue with them. They issued a few profane words and left." Prof. Hansen, himself not present at the meeting, reports what a student told him the next day: "The student said the class was as a whole convinced by Mr. Wiley's description of the threat to their careers posed by the research and there was a feeling on the part of some class members that those who were planning to do the research were being 'used' by the UFW. She said that when Lupe Gamboa and Roberto Trevino arrived at 5:00 there was some hostility toward them. She told them before they entered the room that the class had changed their attitudes toward the research after the talks of Messrs. Gabriel and Wiley. Mr. Wiley stayed during the meeting between the students and Messrs. Gamboa and Trevino. The meeting did not last long. The student said it appeared that Lupe and Roberto could see what had happened and felt helpless to restore the project. They were, she recalled, presented with suspicious questions from the class as to what they would do with the results of the research. They finally abruptly walked out after their conversations with Wiley and the rest of the class."

What happened at this point is open to question. It is clear that Mr. Wiley collected, from the students, the lists of questions prepared by Mr. Trevino and Mr. Gamboa, but what is not clear is how he made this collection. In his written statement, Mr. Wiley says: "Inasmuch the assignment was proposed by an outside source late in the term, rather than being the original assignment by the professor as part of the quarter grade, it was my feeling it would be wiser to review the situation and circumstances with the Center Director and the class Professor. I therefore requested return of the papers until the issue could be resolved." Mr. Wiley's elaboration on this point, in his talk with the Committee, left the emphasis on "requested." Prof. Hansen's student informant saw the action quite differently: "This student stated quite clearly that toward the end of this meeting, Mr. Wiley confiscated from the students the lists of questions which were to be the starting point for their research. . . . Charles Wiley took the lists out of the students' hands and picked up the remaining stack, saying that they would be returned at a later time. The student who visited me on Friday said she asked if she could keep hers, and Wiley replied negatively and received hers from her hand."

November 20, 1970: On this, the next day, Prof. Hansen learned for the first time, according to his written statement and his talk with the Committee, of the talks to the students given by Prof. Gabriel and Mr. Wiley the previous afternoon. He told the Committee that he was particularly concerned that he was approached on the subject of the research topic only after the talks had been given and the research project had been, in effect, "aborted."
At about 11:00, according to Prof. Hansen's written statement, he received a phone call from Prof. Gabriel: "Our call was approximately an hour in length and the main message was that he was very worried about the possible outcome of this project. He said that it would be a violation of the school system's trust were students in a migrant center program to do research which could expose aspects of the schools' policies and practices which the school administrations did not want exposed. He also said that the school authorities could respond by withdrawing their permission for students at the Migrant Center to student teach at the schools. Thus, he said, the students and the whole program would be in jeopardy if this research project in conjunction with the UFW request were undertaken. I informed Dr. Gabriel that I, as instructor of the Sociology 498 class, would not terminate the research project or cooperate with him in any way in his desire to terminate the project. . . . At the conclusion of our call I stated to Dr. Gabriel that if he wanted to stop the project he would have to issue an official directive to that effect, as I, as the teacher of the course, would not prevent voluntary research which I considered legitimate and potentially of educational benefit both to the requesting group and to the student researchers. He said he would like to meet with me and the students involved during my next visit to his center." In apparent reference to this same phone call, Prof. Gabriel says in his written statement that Prof. Hansen not only said a written request from Prof. Gabriel would be necessary to stop the assignment, he also stated that, "if our students were kept out of the schools and if the Center was seriously hampered in its work, perhaps it would be good, as it would emphasize the 'prejudice' of the schools toward migrant and Indian children."

At about 12:30, on this same day, the student informant already mentioned visited Prof. Hansen's office to report on the talks given the class the previous afternoon.

Shortly thereafter, at about 2:30 p.m., according to Prof. Hansen's statement, he called Prof. Gabriel back to say that since his next class at the Center did not take place until after Thanksgiving vacation, he saw no reason "to cause the students to wait until that time to resolve this issue at a meeting involving them, me, and Dr. Gabriel. Therefore, he would have to issue an official directive if he wanted to prevent the project, and the meeting plan would have to be abandoned."

November 23, 1970: According to Prof. Hansen's statement, he succeeded in getting a phone call through to Mr. Trevino on this date. Mr. Trevino substantiated what Prof. Hansen had learned about the events on Thursday and said he and Mr. Gamboa walked out of the 5:00 meeting in disgust: "He said the UFW was very concerned about the way they had been effectively excluded from the Migrant Center's operations on Thursday."
November 23, 1970: Also on this day, according to three student informants who met with Prof. Hansen and others on November 25, Prof. Gabriel and Mr. Wiley "visited the class again on Monday, November 23, during Lynette Lynch's class meeting. It was strongly emphasized by both Gabriel and Wiley that the certification of the class might be jeopardized if even a few undertook the research. They also recalled that on Monday (it may have been Thursday—I'm unsure what they said here) Wiley had stated that the two UFW organizers were militant troublemakers and that the whole Sociology 498 class had been one-sided. These three students said as of that Wednesday the question lists had not been returned to the students."

November 25, 1970: On this date, the three students mentioned above met with Prof. Hansen, Prof. Charles McGehee, Prof. William Benson, and Omar Arambul. They provided the information mentioned above and also "substantiated the description of events given to me by the student on Friday" (November 20). Of this meeting Mr. Wiley says in his statement that he learned, on December 7, that it had taken place, in a student teacher's home. He says further that an interview with the three students disclosed that three points had been discussed at the meeting:

1. Intimidation of student teachers by public schools, and college supervisor with respect to completing the assignment and losing their opportunity to student teach.

2. The second point discussed was the inability of Gamboa and Trevino to gather such information within public schools.

3. The third point was the supposition by Russell Hansen that his academic freedom had been violated."

December 2, 1970: According to Prof. Hansen's statement, the Sociology 498 class reconvened following Thanksgiving vacation. The research project was not dealt with at all during the class meeting. After class Prof. Hansen had a conversation with a student in the class, who told him that Mr. Wiley had made another visit to the student's class on the previous day, December 1.

December 1, 1970: On this date, according to Prof. Hansen's student informant, Mr. Wiley visited the class to speak about the research project. He told the class that he was sure by this time it was clear to everyone that the project was "terminated." "This was the third formal class visit by officials of the administration of the Migrant Center concerning this issue. Mr. Wiley was present each time, appearing by himself this third time" (Prof. Hansen's statement).

III. The Cruxes of the Case.

1. In the event that a coordinating agency is unsuccessful in getting cooperation from an instructor, what authority has that agency in dealing with the instructor. Can it act directly, in taking corrective or circumventive action, or should it exercise its authority only through procedural machinery?
2. Another way of putting this crux is to say: Does an instructor ever have complete autonomy in the classroom, subject to no limitations of any kind? And does an instructor who accepts an assignment in a "block project, where a considerable degree of coordination has been indicated as a major operating condition, have an obligation to proceed according to the operating condition he presumably accepted as one of the terms of his assignment? Further, in accepting an assignment to an institution such as the Center, is the instructor obliged to assume its value unless and until he challenges it openly? To describe Prof. Hansen's conduct in non-judgmental terms: he was planning to turn over to the United Farm Workers copies of papers identified in such a way as to make it possible for outsiders to assume the Center's responsibility and approval--papers that would have been screened only in the way described in the body of this report; he may or may not, depending on one's source of information, have allowed the students in the special research project to believe that it was acceptable practice for them to conceal what they were doing from the supervising institution (the Center) and the host institution (the school in which they were serving their internship); he chose to make the Sociology course a considerably different course than the course envisioned by the "block" coordinator, and he did not directly inform the coordinator of this change; and according to Prof. Gabriel's account of the second telephone call on November 20, he placed his responsibility to the trainees and obligations to the Center below his concern with discriminatory practices he wished to see remedied.

3. Should Prof. Gabriel and Mr. Wiley have addressed the students on the subject of the research project, the first time, the afternoon of November 19, 1970, without having first received Prof. Hansen's permission and, if at all possible, requested his presence? This is particularly a problem because of the meeting which the special research group of Sociology 498 had scheduled with Mr. Trevino and Mr. Gamboa at 5:00 that afternoon. Obviously the administrators at the Center would have been exceeding their authority if they had canceled that 5:00 meeting, and they had been asked by some of the students to discuss the research project with them before the meeting with Mr. Trevino and Mr. Gamboa took place.

4. Should Prof. Gabriel or Mr. Wiley have spoken to the students on the later occasions specified by Prof. Hansen? For after November 20, the date on which the two telephone conversations took place between Prof. Gabriel and Prof. Hansen, it was clear, as it had not been before, that Prof. Hansen did not intend to terminate the research project and that he did not wish the student interns to be addressed by the Center's administrators on the subject of the voluntary research project. Obviously, if the students had been addressed again on this subject, it should have been in Prof. Hansen's presence if that was at all possible. But to what extent really possible? It appears that Prof. Hansen would not have given his consent. He told the Committee that after the two telephone conversations on November 20 his relationship with the
Center's administrators was so strained that it would have been extremely awkward for the administrators to have addressed the students while in his class and his presence. Part of this crux involves the options apparently open to the Center's administrators. It appears to us that they had three options to choose from, if they were to take any action at all: they could have followed the course they did follow of speaking to the student interns again about the hazards of pursuing the research project; they could have forbidden continuance of the research project, which would indeed have been "interference" with Prof. Hansen's conduct of his class; or they could have attempted to arrange a meeting with Prof. Hansen, in the company of the chairman of the Department of Education and the chairman of the Department of Sociology, and that failing, they could have set in motion the procedural machinery that would have provided impersonal backing for such administrative actions as should then be undertaken. Had they exercised this last and, under almost all circumstances, most advisable option, a few students, it is necessary to recognize, would in the meantime have been pursuing and completing the research project. For the research project was proposed in the seventh week of the quarter. There were only three more weeks in the quarter, only two more meetings of the Sociology class. Under this last option, then, they would have been electing to let the Center and the student interns suffer such possible damage as would still result from a severely reduced participation in the research project.

5. The manner in which Mr. Wiley collected the list of questions provided by Mr. Trevino and Mr. Gamboa is obviously crucial. Did he ask the students, on November 19, to give him the list as they chose to or not, after he had discussed the hazards of the research projects? Or did he indeed "confiscate" the lists?

6. Who "interfered" with whom and when? If the administrators of the Center, by their actions, in effect aborted a research project in Prof. Hansen's class, he in turn might be said to have "interfered" in the operation of the student intern program for which Mr. Wiley had responsibility and presumably was accountable. The Personnel Committee is in no position to determine whether or not the apprehensions of Prof. Gabriel and Mr. Wiley were justified; but both men obviously and strongly felt that the research project would have a deleterious effect upon the working relationship the Center had with the Valley schools and upon the job prospects of the trainees whose work they were supervising and for whom they had responsibility. To put the matter bluntly, Mr. Wiley's interns (and soon-to-be student teachers) were being allowed—or encouraged, depending on which partisan account one relies on—to do what Mr. Wiley definitely did not want them to do.

7. How much freedom does a class have, should it have, to carry out a research project requested by an outside agency? Here again the question of limits is involved. Any agency, under any circumstances, without any check or clearance by administrators? To answer this question in the affirmative would mean putting aside the notion that institutions are accountable to society, for accountability on the part of administrators and trustees necessarily implies knowledge and approval, in some general way at least, of what goes on in the classroom.
IV. Suggested Procedures to Be Reviewed or Instituted at the Center:

1. The terms governing an instructor's assignment at the Center need to be put in writing. Some kind of handbook is needed which will spell out the degree of coordination and cooperation which the instructor should be prepared to expect; the requirement for clearance of all research projects that fall within carefully specified areas; the approximate date by which course outlines should be submitted to the coordinator of the "block" project; the nature of the responsibility which the administrators of the Center have for the trainees under their supervision; and so on.

2. The receipt of such a handbook by the instructor should be a matter of record.

3. Provision should be made for a committee with advisory functions to work closely with the director of the Center in complicated cases of this kind, and, in the event that more than advice is needed, for a committee with adjudicatory powers. The first committee would presumably be made up of members of the Department of Education, and it should be small, so that it could be called together quickly. The second committee should obviously have a broader membership. The appeals to and operation of these committees will, of course, take more time than the direct action by an administrator at the Center, and time is sometimes precious. But then so are the rights, privileges, and obligations which frequently can be determined or protected only by the expenditure of time.
# ROLL CALL VOTE:

**Motion No. 765**

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Faculty Nominees
for
Committee to Study Reorganization of College Governance

Aerospace Studies
No nomination

Anthropology
Anne S. Denman

Art
Richard Doi

Biological Sciences
Janet Lowe

Business Ed. & Ad. Mgmt.
Ross Byrd

Chemistry
Gerard Kallienke

Economics & B.A.
Jann W. Carpenter

Education
Daryl Basler
Kenneth Henry
J. Wesley Cram

English
Larry Lawrence

Foreign Languages

Geography
George MacInko

Geology
No nomination

History
Burton Williams

Home Economics
Pearl Douce

Library
Victor Marx

Mathematics
Kenneth O. Ganon

Music
Hal MacKlin

Philosophy
Robert Goedecke

Physical Education
Betty Mileman
Everett Irish

Physics
Robert C. Mitchell

Political Science
Thomas Kerr

Psychology
Don Shupe

Dick Alumbaugh

Sociology
Charles McGhee

Speech and Drama
Roger Reynolds

Tech. & Ind. Ed.
Gerald Brunner
Faculty Nominees for Committee to Study Reorganization of College Governance

Aerospace Studies  No nomination
Anthropology  
- Anne S. Denman IIII 6
Art  
- Richard Doi IIII 8
Biological Sciences  
- Janet Lowe IIII 8
Business Ed. & Ad. Mgmt.  
- Ross Byrd IIII 4
Chemistry  
- Jerry Jones IIII 9
Economics & B.A.  
- Jann W. Carpenter IIII 7
Education  
- Daryl Basler IIII 8
- Kenneth Berry IIII 11
- J. Wesley Crum IIII 4
- Larry Lawrence IIII 16
- Gerhard Kallienke
English
Foreign Languages
Geography  
- George Macinko IIII 7
Geology  No nomination
History  
- Burton Williams IIII 14
Home Economics  
- Pearl Douce' I
Library  
- Victor Marx IIII 8
Mathematics  
- Kenneth O. Gerson IIII 4
Music  
- Hall Macklin II 4
Philosophy  
- Robert Godecke II 2
Physical Education  
- Betty Mileman II 3
- Everett Irish II 2
Physics  
- Robert C. Mitchell IIII 13
Political Science  
- Thomas Kerr IIII 6
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- Don Shupe
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Speech and Drama
Tech. & Ind. Ed.  
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