

Almanac

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OF RECORD



MINORITY RECRUITMENT

Following is the text of a memorandum sent by the Provost on October 12, 1973, to all Deans, Directors and Department Chairmen.

Dr. Robert F. Engs, Assistant Professor of History, has agreed to work with my office and with all Deans, Department Chairmen, and personnel committees on the recruitment of Black faculty as a part of our overall effort to increase the numbers of women and minority group members on the faculty of the University. A Faculty-Advisory Committee has also been appointed to assist Dr. Engs in his effort. Their names are appended.

Dr. Engs and his committee may be of assistance to you in several areas. They will be identifying a pool of Black candidates for consideration by various schools and departments. I urge you to call upon Dr. Engs as a part of your recruitment effort. He and his committee may be of help to you both in suggesting and in screening candidates and in encouraging candidates whom you have selected to join the University. Please call the attention of your various search committees to his effort.

In accordance with the Implementation Report issued last February, we have established the addition of Black and other minority faculty as a high-priority claim upon University development funds to support or supplement the salaries of Black candidates whom a department wishes to hire but cannot because of current budgetary restrictions. These funds are to be used only in situations in which no other regularly appropriated monies are available. Regularly occurring vacancies would not fall within this category. Requests for expenditure of these special funds should also be made through Dr. Engs for consideration by his office.

Dr. Engs and I will, during the next few months, be in touch with you to map out the ways in which he may best be of service. I ask your full cooperation in his efforts so that we can achieve a significant increase in the number of Black faculty at the University. As of October 15th, Dr. Engs' office will be 303 College Hall, Ext. 6114

—Eliot Stellar, Provost

The Committee:

William R. Adams, Assistant to the Provost
Dr. Bernard E. Anderson, Assistant Professor of Industry
Dr. Edward S. Cooper, Professor of Medicine
Dr. Clement Cottingham, Assistant Professor of Political Science
Dr. Renee C. Fox, Chairman and Professor of Sociology
Dr. Arthur E. Humphrey, Dean of Engineering
Howard Lesnick, Professor of Law
Dr. Alfred K. Mann, Professor of Physics
Dr. John F. Szwed, Associate Professor of Folklore

NEWS IN BRIEF

SENATE HOMEWORK

Two reports published in this issue will be discussed at the October 31 meeting of the Faculty Senate: the Academic Planning Committee's report (page 3) and the proposals of the Senate Subcommittee on Tenure (page 2). Also on the agenda are Faculty Grievance Procedures (ALMANAC, October 2) and a forthcoming report on voluntary early retirement. Following a Development Commission recommendation, the question of early retirement options was submitted to the Senate for investigation.

The Senate Meeting will be held at 3 p.m., Room 102, New Chemistry Building, 34th and Spruce.

UNIVERSITY LIFE: AN ADVISORY GROUP

The formation of a University Life Advisory Group—representing all undergraduate, graduate and professional schools—has been announced by Dean of Students Alice F. Emerson. It was set up to advise Dr. Emerson's office, to provide an information channel to each school and to increase exchange among the schools on matters affecting University life.

The group is currently studying housing policy and the orientation of new students, including review of the *Intro to Penn* and the *Graduate Student Handbook*.

On the Advisory Group are Dr. John Amsterdam, and Mrs. Ruth Reichard, Dental Medicine; Dr. Arthur A. Brennan Jr., GSAS; Dr. John W. Carr, Engineering; Joette Clark and Mary Ann Morgan, Nursing; Dr. Rita T. Denny, Education; Mrs. June B. Jackson, Social Work; Frank N. Jones, Law; Joseph T. Looby, Fine Arts; Dr. David S. McDevitt, Veterinary Medicine; Dr. Kim Morrison, College; Dr. George M. Parks, Wharton Graduate; Dr. Sidney Rodenberg, SAMP; Dr. Edward J. Stemmler, Medicine; Sol Worth, Annenberg; and Anne York, CW.

SPENCER LECTURE TODAY

As part of the Moore School's 50th anniversary, Dr. Mario Bunge of the Foundations and Philosophy of Science unit of McGill University will give the second Herbert Spencer Lecture on Technology and Society today at 3 p.m. in Alumni Hall, Towne Building.

LIFE OPTIONS TOMORROW

The 1973-74 Life Options for Women Program begins tomorrow with "Woman's Place & the Impact of American Culture on It", by Dr. Cynthia Fuchs Epstein, Professor of Sociology at Queens College; October 17, Stauffer recreation area, 7:30 P.M.

PAUL ERLICH: OCTOBER 23

Stanford biologist Paul Erlich will speak at a special meeting of Professor McHarg's class, Landscape Architecture
(Continued on page 8)

SENATE

The following report, adopted by the Senate Committee on the Faculty October 9, 1973, was prepared by its Subcommittee on Tenure: Dr. Maria Z. Brooks, chairperson; Drs. Frank Brooks, Brian Chellas and Noyes E. Leech, members; and Drs. Jean Crockett, Philip H. De Lacy and Paul Taubman, ex-officio.

Proposed Changes in Tenure Rules

Revised September 25, 1973

1. After June 30, 1974, tenure may be acquired only by individuals holding the ranks of Professor or Associate Professor and only by an explicit grant of tenure after appropriate investigation of qualifications at the departmental, school and central administration levels.* This rule shall be implemented as follows:

a. Each department must review the qualifications for tenure of all its members in tenure-probationary status well in advance of the end of their probationary period, and a decision by the school based on this review must be rendered at least 15 months before the end of the probationary period. This decision must be to recommend either tenure, contingent upon the approval of higher administrative levels, or termination with appropriate notice. All required action at higher administrative levels (other than Trustee approval) must be completed at least 12 months before the end of the probationary period; and if tenure is not granted, notice of termination must be given at that time.

b. Failure to complete all required administrative action (other than Trustee approval) one year prior to the end of the probationary period constitutes grounds for grievance and, if the aggrieved faculty member is not subsequently granted tenure during the final year of his probationary period, entitles him to substantial financial compensation from the University, to be funded (to the extent of responsibility for the delinquency) through reductions in subsequent budgetary allocations to his department and school. If a negative decision is delayed more than one month after the end of the penultimate year, the faculty member's compensation should not be less than one year's salary, as severance pay. Depending on the circumstances it could be substantially in excess of that amount in any case in which employment without tenure is permitted to continue, beyond the probationary period.**

2a. The probationary period for tenure shall be a maximum of ten years for faculty members having very substantial clinical duties in the schools of Medicine, Veterinary Medicine and Dental Medicine, who were initially appointed as Instructors, Associates, or Assistant Professors. The determination as to whether a particular individual is eligible for the ten-year probationary period shall be made as follows:

Individuals holding the ranks of Instructor, Associate, or Assistant Professor and in tenure-probationary status in clinical departments on June 30, 1974 may elect in writing within six months after the effective date of this rule to have their tenure-probationary period extended from seven to ten years if they so desire and if their department chairman certifies in writing that they have very substantial clinical duties. This change to a ten-year probationary period is not reversible.

* This does not in any way affect the status of currently tenured faculty members holding other ranks.

** A concerted effort should be made, both by programming computer records for automatic notification and by improving school and departmental record-keeping, to ensure that the tenure-probationary faculty member, his department chairman and his Dean are all aware at the beginning of the penultimate year of the probationary period that a tenure decision is required during that year. In addition, there should be annual notification to all full-time teaching and research personnel regarding their tenure status, the benefits they are entitled to receive and the terminal date of their present contract, if untenured, or their mandatory retirement date, if tenured. This, accompanied by an urgent request for correction of any mistakes, should facilitate early disclosure of honest misunderstandings, as well as correction of clerical errors.

In the case of individuals appointed as Instructors, Associates, or Assistant Professors in clinical departments after June 30, 1974:

i) Each new appointee and his department chairman shall determine by mutual agreement at the time of appointment whether a seven-year or ten-year probationary period is to apply, depending on the extent of the clinical duties to be performed; and this shall be recorded in the letter of appointment.

ii) At the time of his first reappointment any individual initially appointed at one of the above listed ranks may request to shift from a seven- to a ten-year probationary period (or from a ten- to a seven-year probationary period) if his current and prospective duties involve a significantly different emphasis on clinical responsibilities from that initially anticipated. Such a shift must be requested in writing and shall require the approval of the department chairman and the Dean. It may occur only once—at the time of the first reappointment.

The preceding provisions may be extended to an individual in a nonclinical department in the School of Medicine, Veterinary Medicine or Dental Medicine who nevertheless has very substantial clinical responsibilities. This shall require certification by both the department chairman and the Dean that the magnitude of such responsibilities in the case of that individual is sufficiently unusual to warrant such an extension.

2b. Promotion to the rank of Associate Professor without tenure is permitted for faculty members who are in a ten-year probationary period, but their maximum total service in that rank without tenure must not exceed five years.

3. Appointees from outside the University to Associate Professor without tenure, if they have had no previous full-time academic experience, may be continued in this rank for seven years (including renewal of original contract). However, if such appointees have had previous full-time academic experience, service without tenure continues to be limited to a maximum of five years.

4. After the effective date of this change in the tenure rules, only individuals with a terminal professional degree may be appointed as Instructors or Associates. Such appointments must be approved by the Provost.

5. Full-time service in the rank of Lecturer is limited to three years in the absence of a terminal professional degree. *[An amendment will be presented at the forthcoming Senate meeting.]*

6. Ranks that are by present University regulations excluded from eligibility for tenure (e.g. Lecturer, Visiting Professor, Visiting Associate Professor and Visiting Assistant Professor) should not be given to full-time faculty members holding a terminal professional degree and continuously engaged over an extended period in the same academic activities as faculty members having tenure or serving in a probationary period for tenure. Therefore:

a. The rank of Lecturer may not be held full time for a continuous period longer than one year by persons with a terminal professional degree. If an individual who after the effective date of this rule serves one year full time as Lecturer after receiving his terminal degree is appointed for the following year to a tenure-probationary rank, the year spent as Lecturer shall count as part of his probationary period.

b. Full-time service as Visiting Professor, Visiting Associate Professor or Visiting Assistant Professor shall be limited to three consecutive years. If an individual performing such service after the effective date of this rule is subsequently appointed at a tenure-probationary rank, the time served in one of the visiting professorial ranks after attainment of a terminal professional degree shall count as part of the probationary period.

7. In extraordinary circumstances, it may be desirable to depart from the above rules. Such exceptions must be approved by the Senate Committee on Academic Freedom and Responsibility.

NOTE: Other questions, including those of research personnel, are being currently considered by the Subcommittee on Tenure.

Measuring Academic Excellence:

The Approach of the Academic Planning Committee

For the past two years, the Academic Planning Committee has been wrestling with the problems of measuring excellence—department by department, group by group, or school by school in the University. In many respects we have been motivated by President Meyerson's quest for definition and identification of selective excellence, and in other respects we have felt compelled to attempt to measure quality dimensions to go along with John Hobstetter's dollars-and-cents estimates of net balances in responsibility centers.

During the 1971-72 year, we spent a great deal of time and effort in designing a questionnaire, originally inspired by an outline of the quality/excellence issue before the Academic Planning Committee by John Hobstetter. The questionnaire structure was worked out in great detail in an APC subcommittee chaired by Ward Goodenough, with participation by John Hobstetter, other members of the APC, and co-opted outsiders. By late spring, 1972, we came up with a questionnaire that had been developed by the subcommittee, discussed at length in the APC as a whole, and pretested with a select group of departments. This questionnaire was distributed to all chairmen of departments and graduate groups in the University. Deans of schools that are not subdivided into departments also received questionnaires.

Response was generally good and cooperative. A total of 73 questionnaires was returned. Some chairmen required repeated prodding, a few failed to cooperate, and a few refused to cooperate. Although response was not complete, there were enough filled-in returns to warrant our going ahead with an analysis, at least on an experimental basis, to establish feasibility. I supervised the research efforts of John Blackwell and K. C. Lee, graduate students in economics, who edited, coded, and processed all the completed returns. By early fall, 1972, we had coded data in machine-readable form for analysis of the contents of this investigation.

A new subcommittee of the APC was formed, under the chairmanship of Burton Paul, for survey analysis of the questionnaires. Faculty outside the APC were co-opted for this task, as well. The Paul subcommittee met almost weekly throughout the greater part of 1972-73 to come up with numerical measures of the results of the investigation. We concentrated on the following grouping of information, according to the original design of John Hobstetter:

1. Academic Quality
2. Academic Productivity
3. Centrality
4. Uniqueness
5. Peripheral Questions

For measures of quality, we tabulated results on external ratings, test scores of entering graduate students, fellowship awards, faculty publication records, faculty election to professional positions of leadership, self-ratings. In all, we made statistical calculations with nine variables in this category. It is evident that we relied on external information

available apart from the APC questionnaire, namely, ACE and similar ratings (1924, 1957, 1966, and 1969), GRE scores, and fellowship award records. In all tabulations, an attempt was made to take account of department size.

Productivity was measured by some of the same replies that were used for Quality (publication records) and by teaching loads, degrees granted, gestation periods of degrees, and student placement.

Centrality is indicated by the significance, relevance, importance of subjects or departments for other departments and groups. This concept was measured in the survey by the number of times a given department, group, or subject was named by another department in response to particular questions. Responses were weighted by the size of the naming department.

Uniqueness is a concept that we tried to get at by questioning about the presence of particular facilities, collections, or other attributes of University departments that would not be readily found elsewhere. In a sense, these questions and their associated responses proved to be uninformative for the work of the APC in this particular survey, and we dropped the idea of trying to obtain direct measurements. We have not given up on the idea of measuring some aspects of uniqueness in the future, but have not tried to analyze responses to the 1972 questionnaire that were purported to relate to this concept.

Peripheral questions were those in a residual category—some factual and some more subjective. They were included in the APC analysis mainly for the sake of completeness.

Although all responses to questions have been subjected to some analysis, the bulk of the Paul subcommittee's work was devoted to measurement of academic quality. Three parallel approaches have been followed in this connection: (1) Simple tabulations of frequencies or scores in individual questions have been listed for each department, group or school as a set of descriptive statistics; (2) A composite index score has been constructed by the subcommittee, giving "consensus" weights to the different items considered under the heading of quality; (3) A formal application of factor analysis has been used in order to try to develop a statistical index of quality. After a good deal of experimental calculation, approach (3) has been temporarily set aside because the results were too unstable (with regard to inclusion or deletion of individual questions or departments). Approach (2) shows a great deal of promise, but it can be criticized as being arbitrary. Approach (1) is all right, in principle, but not very informative.

In the course of rejecting the factor analytic approach, one finding stands out, namely, that academic quality as we try to assess it, is highly multidimensional. There is no single indicator or small group of two or three indicators of quality. The intercorrelations among the various items that we placed under the heading of quality are so low that a high degree of data reduction is not possible at this stage of analysis. This is an intuitively appealing finding to many

in the University community and certainly one that may be evident without need for a survey such as ours. Many branches of this highly diverse collection of academics have their own way of excelling—some in appealing to peer groups' judgment, some in publication, some in professional leadership, some in student achievement, etc.

In the case of each of the other information groupings (productivity, centrality, peripheral) we did not try to form indexes or combined scores; we simply listed results for individual questions and designated top-ranking departments for each.

All tabulations have been grouped according to major disciplinary areas: Natural Sciences and Engineering, Social and Behavioral Sciences, Humanities, Law and Medicine, other Professional and Business Schools. It seems to us, in the APC, that it makes more sense to try to analyze departments, groups, or schools within, rather than between, these broad classifications.

What does this two-year effort and experiment show? While we recognize clearly that we do not yet have measures for the quality dimension that we are seeking for purposes of University planning, we feel that the results are suggestive enough to warrant another major round of questionnaire distribution, completion, and evaluation that will build constructively on the deficiencies that we have uncovered in this first round. The APC in cooperation with John Hobstetter's office has taken the following steps towards improved implementation of the whole process:

I. A separate group of questionnaires has been prepared for the Medical School. Response was poor and criticism severe by the Medical faculty in the original try. A new, separate group of questionnaires has been prepared for clinical departments, medical departments, and the Dean's office. We are hoping that response will be good from the Medical School.

II. The questionnaire for the other parts of the University has been streamlined, shortened, and clarified. More specific instructions for responses have been provided.

III. We are now better equipped to supplement the questionnaires with other information in University files and from outside. Also, we should be able to draw upon past experience and do a better job of editing, coding, and tabulating responses.

Even if these improvements turn out to be fully effective, there will still be gaps in the whole process. There is a notable gap on which we have, as yet, taken little action, namely, the evaluation of the quality of undergraduate teaching. We feel, in the APC, that we know how this might be done, but the procedure would be very expensive and demanding—both in time and human resources. We are not prepared, at this stage, to rectify this deficiency until the more tractable issues listed above have been dealt with to our satisfaction.

If enough effort is put into tracking down non-response, querying unusual response, and interpreting unclear response, chances are good that a much improved and more useful analysis can be made. The role of the APC ought to be more in showing how, than in actually doing the planning job for the University. Our resources are much too small for us to do this job adequately on a repetitive basis; therefore, we are pleased to be turning over execution in the second round to the Office of the Associate Provost for Academic Planning.

—Lawrence R. Klein on behalf of the
Academic Planning Committee

OF RECORD



CHARTER OF THE

Approved by the University

Amended by the University

Amended by the University

I. Purpose and Competence

This Judicial System Charter establishes procedures and organizational structures for dealing with alleged infractions of regulations of the University of Pennsylvania involving students (including individuals holding current matriculation cards, and individuals on leave who held such cards within the preceding year), faculty (A-2), and administrators (A-1). Among the regulations of the University included under this Judicial System are the specific conduct rules contained in the *Student Handbook* and the *Handbook for Faculty and Administration*, standards of conduct established by divisions and departments, the Guidelines on Open Expression, and the Code of Academic Integrity. In vehicular cases, the University Vehicular Regulations will be applicable, and the jurisdiction will include A-3 and A-4 employees as well as those listed above.

The Senate Committee on Academic Freedom and Responsibility on request from any person against whom charges are pending may decide that a case at issue involves rights of faculty protected by principles of academic freedom or would interfere with existing professional employment relationships. In such a case, the charges shall be heard and determined by the appropriate Academic Freedom Committee within the University.

II. Staff

The President shall appoint for a term of not more than four years a Judicial Administrator who shall act as Clerk to the several courts provided for in this Charter. If in a particular case, the Judicial Administrator feels for whatever reason that he should disqualify himself, the Presiding Judge of the University Court (see Section III-B-3) shall appoint a member of the faculty to act in his stead. There is hereby created an additional office to be known as the Judicial Inquiry Office. This office is to be administratively located by the President outside the jurisdictions of both the Office in which the Judicial Administrator is located and the Office of University Security. The Judicial Inquiry Officer (JIO) shall act in cases within the jurisdiction of the Primary Court and the University Court, as provided below.

III. Tribunals

A. PRIMARY COURT

1. There shall be one court of original jurisdiction in cases other than those involving alleged infractions of the Code of Academic Integrity for undergraduate and post-baccalaureate students. However, any graduate or professional school may resolve to establish (or continue) its own court of original jurisdiction for its students, not inconsistent with these procedures and guidelines.

2. A judicial pool for the Primary Court shall consist of 14 students (ten undergraduates and four post-baccalaureate), twelve faculty and six administrators. The pool shall be constituted in the following manner. The Judicial Administrator shall request of the University Registrar a random printout of the names of at least 2½% of all registered undergraduate students and of registered post-baccalaureate students. He shall request a random printout from the University Personnel

JUDICIARY SYSTEM

Council October 14, 1970

Council March 10, 1971

Council October 10, 1973

Director of the names of at least 5% of all fully affiliated full-time faculty members and all A-1 administrative employees. This request shall be made in the spring of each academic year.

A letter shall be sent to all persons whose names appear on these lists, outlining the nature of the Judicial System and asking if the recipient would be willing to serve in the Primary Court pool. A list of those who reply affirmatively shall then be sent to the Registrar who shall have the University computer randomly select enough names from four categories (faculty, staff, post-baccalaureate student, undergraduate student) to fill the vacancies in the pool. Those individuals so selected will then serve in the pool for two years or, in the case of students, until they receive their degree if that is in less than two years.

3. The Presiding Judges of the Primary Court shall be one post-baccalaureate student and one undergraduate student selected from among those student members of the Primary Court judicial pool who have already served one year. The selection of the post-baccalaureate student Presiding Judge shall be made each spring on the nomination of the Judicial Administrator, by a panel consisting of those faculty, administration, and post-baccalaureate student pool members who have already served for one year and will continue to serve during the following year. The selection of the undergraduate student Presiding Judge shall be made each spring on the nomination of the Judicial Administrator by a panel consisting of those faculty, administration, and undergraduate student pool members who have already served for one year and will continue to serve during the following year.

The Judicial Administrator shall appoint a panel for each court session by alphabetic rotation from among those members of each group previously indicating their availability to serve for that session. Each panel shall consist of the appropriate Presiding Judge, three students (who shall be undergraduates when the respondent is an undergraduate, and post-baccalaureates when the respondent is a post-baccalaureate student), two faculty members and one administrator. A quorum shall consist of the Presiding Judge (who shall vote only to break a tie) and four panel members; provided that when a panel member is discovered prior to the beginning of a hearing to be unable to sit, the Judicial Administrator shall make every reasonable effort to replace him or her with the next available person in alphabetical order, so as not to disturb the proportional representation on the Court.

4. If a panel member demonstrates a lack of any substantial capacity to understand proceedings with which the Court deals, or to participate in good faith in those proceedings, he or she may be removed from the pool on unanimous vote of all other panel members participating in the most recent case in which he or she sat. Such action may be initiated by any participant in the proceedings. It may not be taken during a hearing, but any respondent found guilty by a court on which a removed panel member sat shall be notified of the action of removal and shall be entitled to a new hearing on request made in writing within 10 days of such notice.

B. THE UNIVERSITY COURT

1. There shall be one court of University-wide jurisdiction to be known as the University Court. It shall have appellate jurisdiction over the Primary Court and independent graduate or professional school primary courts. In addition, it shall have original jurisdiction in all cases involving infractions alleged to have been committed by faculty or administrators, all cases in which a single charge includes respondents of different court jurisdictions, and all cases involving alleged infractions of the Guidelines on Open Expression.

2. A judicial pool for the University Court shall consist of eight students (four post-baccalaureate and four undergraduate), six faculty, four administrators and the Presiding Judge. The pool shall be constituted in the same fashion as the pool of the Primary Court (except for the Presiding Judge). Pool members selected for the University Court pool shall also serve two years, or, in the case of students, until they receive their degree if that is in less than two years.

3. A Presiding Judge shall be nominated by the Committee on Committees and approved by the Steering Committee. The Judicial Administrator shall appoint a panel for each court session by alphabetic rotation, from among those members of each group previously indicating their availability to serve for that session. Each panel shall consist of the Presiding Judge, four students (two post-baccalaureate and two undergraduate), three faculty members and one administrator. A quorum shall consist of the Presiding Judge (who shall vote only to break a tie) and six panel members; provided that when a panel member is discovered prior to the beginning of a hearing to be unable to sit, the Judicial Administrator shall make every reasonable effort to replace him or her with the next available person in alphabetical order, so as not to disturb the proportional representation on the Court.

4. If a panel member demonstrates a lack of any substantial capacity to understand proceedings with which the Court deals, or to participate in good faith in those proceedings, he or she may be removed from the pool on the unanimous vote of all other panel members participating in the most recent case in which he or she sat. Such action may be initiated by any participant in the proceedings. It may not be taken during a hearing, but any respondent found guilty by a Court on which a removed panel member sat shall be notified of the action of removal and shall be entitled to a new hearing on request made in writing within 10 days of such notice.

5. The final appeal shall be to the President of the University, or at the President's discretion, the Provost. There shall be a right of appeal to the President or at the President's discretion, the Provost, from the University Court, when it acts as a court of original jurisdiction. When the University Court acts as an appellate court, appeal to the President or at the President's discretion, the Provost, shall be at the option of the President.

C. THE HONOR COURT

1. There shall be one court with jurisdiction in all cases involving alleged infractions of the Code of Academic Integrity by undergraduates, to be known as the Honor Court. The Court shall have competence to act as a court of original jurisdiction, but in cases where students have been disciplined within the framework of their own courses, the Court shall have appellate jurisdiction, judging both procedure and the facts of the alleged offense.

2. The judicial pool for the Honor Court shall consist of six undergraduates (three juniors and three seniors), six faculty members, and a chairman, who shall be an undergraduate student who has served on the Court the previous year. Members of the judicial pool of the Honor Court shall be selected in the spring semester of each academic year in the following manner. The Judicial Administrator shall obtain from the University Registrar a random printout of the names of at least 2½% of those in the rising sophomore class. A letter shall be sent to each person on this list explaining the functions and procedures of the Honor Court and requesting that those interested in serving notify the Judicial Administrator within fourteen days of the date of said letter. From this list, the Judicial Administrator shall randomly select the members to

fill the vacancies, including one person who shall be chosen to act as an alternate during his junior year and to fill the vacancy created by the choice of the Chairman in his senior year. This same procedure shall be employed to fill faculty positions on the Honor Court judicial pool, except that the initial random selection shall be at least a 5% printout of all fully-affiliated faculty of the rank of assistant professor or higher in the several undergraduate schools.

3. The Judicial Administrator shall convene a panel from the members of the Honor Court judicial pool for each case. A panel shall consist of three undergraduates, three faculty members, and the Chairman. A quorum will consist of five members including the Chairman who shall vote only to break a tie.

4. The final court of appeal in all cases of alleged infractions of the Code of Academic Integrity shall be the Executive Committee of the school in which the respondent is registered.

D. THE VEHICULAR COURT

1. There shall be one court of University-wide jurisdiction to be known as the Vehicular Court. It shall have jurisdiction over all complaints as to University actions resulting from alleged infractions of University vehicular regulations.

2. The Vehicular Court shall consist of four members; one undergraduate student, one graduate-professional student, one faculty member, and one administrator. It shall be constituted in the same fashion as the judicial pool of the Primary Court. One of the panel members shall be selected as Chairman.

3. The Judicial Administrator shall convene the Court for each case. A quorum shall consist of three members including the chairman, who shall vote only to break a tie.

4. There shall be no appeal from the decisions of the Vehicular Court.

E. THE UNDERGRADUATE AFFAIRS COURT

1. There shall be one court with jurisdiction to resolve controversies and/or interpret the constitutions of the various undergraduate activities, including that of the existing student government.

2. The Undergraduate Affairs Court shall consist of the entire undergraduate membership of the Primary Court judicial pool. The Presiding Judge of the Undergraduate Primary Court shall preside.

3. In addition to overseeing operations of the Court, the Presiding Judge shall convene the court for each case. A quorum shall consist of five members plus the Presiding Judge.

4. There shall be no appeal from the decisions of the Undergraduate Affairs Court.

F. SUMMER JUDICIARY

1. Before the end of March the Judicial Administrator shall determine which, if any, of the 28 students, 24 faculty members and 10 administrators who are members of the judicial pools for the Primary Court, the University Court and the Honor Court would be willing and able to hear cases during one or both of the months of June and July. If it is possible to find four students, four faculty members and two administrators from this group who will serve in each of the two months (not necessarily the same ten persons for both months), then these shall constitute the judicial pool for the Summer Judiciary. If more than ten are available, they shall be included in the pool.

If a judicial pool of the required size and composition cannot be developed in this way the Judicial Administrator, when he sends letters to the students, faculty and administrators who are randomly selected each spring for the purpose of filling vacancies in the several judicial pools for the following academic year, shall at the same time inquire as to availability of these individuals to serve on the Summer Judiciary for the current year.

2. Panels convened from this pool by the Judicial Administrator shall consist of two students, two faculty members and one administrator and shall be authorized to hear cases within the jurisdiction of any of the three courts supplying members to the judicial pool. In case of Honor Court cases the administrative member would be replaced with one faculty member and one student.

3. Respondents whose cases cannot be heard prior to the completion of the spring semester may with approval of the Judicial Administrator request a hearing before the Summer Judiciary or may choose to postpone any hearing until the beginning of the fall semester. Any individual before Summer Judiciary will have options presented to him.

IV. General Procedures

A. All complaints and appeals must be in writing, and shall be filed (by any member of the University community) with the Judicial Administrator, who shall determine which tribunal has probable jurisdiction over the matter.

B. The Judicial Administrator shall refer all complaints within the jurisdiction of the Primary Court or the University Court to the JIO, who shall determine whether there is reasonable cause to believe that an offense has been committed and, if so, whether a satisfactory settlement of the matter cannot be achieved informally. The determination of reasonable cause will ordinarily be made on the basis of the written complaint, but the JIO may interview such people as he or she thinks appropriate, including a respondent or prospective respondent, provided that any person interviewed is told that participation in such an interview is voluntary. No statement, written or oral, made by any respondent to the JIO shall be admitted into evidence at any hearing which may be held in the matter. Any additional evidence obtained by the JIO as a result of the interview may be used against any respondent and all persons interviewed will be so advised at the time of an interview. Additional persons may be added as respondents by the JIO as a result of his investigation.

Should the JIO determine that further proceedings are warranted, he shall file with the Judicial Administrator a written charge, disclosing with reasonable particularity the nature of the offense alleged and the witnesses thought likely to be called in support of the complaint. The Judicial Administrator shall constitute a panel and set a time and place for the hearing (which shall be at least 10 days after notice of the date is given). He shall supply any respondent, by hand delivery or registered or certified mail, with: (a) a copy of the complaint and the charge; (b) the names of the panel constituted to hear the case; (c) the time and place of the hearing; (d) a copy of this Charter; and (e) any other relevant information.

Should the JIO determine that further proceedings are not warranted, he will so advise the complainant in writing. The complainant may within ten days request the Judicial Administrator to refer the complaint to two members of the appropriate court's judicial pool (other than the Presiding Judge). Should the panel determine, on the basis of the complaint and such further submission as the complainant shall provide, that reasonable cause exists, the JIO shall prepare a charge and the matter shall then proceed as above. The JIO shall also be responsible for the presentation at the hearing of all relevant evidence (such as witnesses and documents) provided by the complainant or resulting from the investigation, except that the complainant, prior to the commencement of the hearing, may elect to conduct the presentation of the evidence and the case himself.

C. In academic disciplinary cases, in which the Honor Court has either original or appellate jurisdiction, the Office of the Judicial System, at least ten days prior to the date chosen for the hearing, shall send the respondent and the instructor by hand delivery or registered or certified mail the following: (a) a copy of the charges including the names of witnesses, and if appropriate, a copy of the appeal; (b) the time and location of the hearing; (c) the names of the panel members who will hear the case; (d) a copy of this charter; and (e) any additional relevant procedures and information.

D. In vehicular cases, the Office of the Judicial System shall first determine if the appellant is indeed a member of the University community, in one of the categories itemized in Section I. On such a positive determination and ten days prior to the date chosen for the hearing, the Office of the Judicial System shall notify the appellant of the time and location of the hearing, although the appellant is not required to appear.

E. Judicial Panel members may at their discretion disqualify themselves from hearing a case, but must do so when they believe,

in good faith, that their capacity for making an objective judgment in the case is impaired. The Judicial Administrator shall not appoint as members of the panel to hear a case those two members of the judicial pool who were consulted about that case under the provisions of Article IV-B above. At any time after receipt of notice from the Judicial System under Articles IV-B and IV-C above, but not less than 24 hours before the hearing is scheduled, a respondent may, by writing to the Judicial Administrator, object for specific cause to any panel member assigned to hear the case. If the Judicial Administrator accepts the challenge as valid, he may replace the challenged member from the remaining members of the Court's judicial pool. If the challenge is rejected, it may be renewed at the outset of the hearing in which case it shall be ruled upon by the court.

F. A respondent may be assisted or represented by an advisor of his choice. Any respondent who does not have an advisor and wishes to have one should so notify the Judicial Administrator. The Judicial Administrator shall assist the respondent in securing an advisor either through the Office of the Dean of Students or from any other appropriate source. If the respondent is to be represented by an attorney at a hearing, however, he shall identify him to the Judicial Administrator not less than 48 hours before the hearing is scheduled. In such a hearing, the JIO may elect to be advised by the University's legal counsel. The court may also, in its judgment, seek advice from other legal counsel.

G. If a respondent does not appear at the hearing and the Judicial Administrator reasonably believes that notice was received, the case may be heard in the respondent's absence.

H. All hearings shall be held in appropriate University facilities (e.g., the Bishop White Room or the Franklin Room of Houston Hall) and shall be private unless the respondent requests an open hearing in writing to the Judicial Administrator.

I. All hearings shall be conducted in such manner as to permit the judges to achieve substantial justice taking into account that they will normally not be experts as to technical rules of evidence and procedure. All participants and observers should conduct themselves in accordance with these objectives. The respondent shall have the right to confront the witnesses against him and all parties shall have the right to present witnesses on their behalf and to cross-examine witnesses presented by opposing parties. The Presiding Judge may however in his discretion limit the number of witnesses to be heard on the same issue. At the time of announcement of the judgment of the court the Presiding Judge shall state the decision on the case and summarize the reasoning for the decision. Subsequently, a written summary of the findings of fact and reasoning shall be prepared for court files. All decisions shall require a majority of votes of all those sitting on a case.

J. Proceedings shall be taped. Tapes shall be retained by the Office of the Judicial System for at least ninety days after the appeals procedure has been exhausted. They shall be available only to the respondent or his advisor, and any others having a direct interest in the case and authorized by the Judicial Administrator.

K. Where a respondent has been acquitted, there shall be no appeal.

Where a respondent has been found guilty by a Primary Court, he or she may appeal to the University Court. Where a respondent has been found guilty by the University Court, he or she may appeal to the President or, at the President's discretion, the Provost (See Article III B-5). Any appeal from a decision of the Primary Court of the University Court that includes a fine less than one hundred dollars or a sanction other than a suspension shall be heard and determined by a three-person panel of the University Court selected by the Judicial Administrator, unless the Presiding Judge of the University Court determines that consideration by a regularly convened Court is warranted.

All appeals must be submitted to the Judicial Administrator in writing within ten days after the written decision being appealed is mailed to the respondent. The appeal must state in detail on what specific grounds it is made. Appeals shall ordinarily be determined on the basis of written submissions; however, the principals before the court shall upon written request be granted an opportunity to appear orally before the person or tribunal deciding the appeal. On appeals to the President, he may delegate the authority to hold an oral hear-

ing to a member of his personal staff before making his ruling.

In all cases on appeal, findings of fact shall not be reconsidered. Appellate review shall be limited to procedural error, degree of punishment, and existence of guilt on the basis of facts found. A new hearing by the Primary Court may be ordered following a finding of procedural error. The sanction may not be increased on appeal.

Newly-discovered evidence shall not be the basis for an appeal, but the respondent may petition the Presiding Judge of the court of original jurisdiction for a new hearing before that court on the basis of evidence not presented to it initially. The Presiding Judge shall rule on any such petition, taking into account (among any other factors deemed relevant) the cause of the failure to bring the evidence in question forward initially and the likelihood that the result may have been affected by the omission.

V. Sanctions

A. Where a Primary Court panel or a University Court panel, acting as court of original jurisdiction, finds a respondent (student, faculty member, or administrator guilty, one of the following sanctions shall be imposed: warning (reprimand), conduct probation for a specified period, indefinite probation (i.e., probation until currently sought degree is obtained), term suspension (ordinarily not to exceed two years), an indefinite suspension with no automatic right of readmission or reemployment. In addition, fines may be imposed and financial restitution or other compensatory payments, to be paid within a period fixed by the panel, may be required in all instances involving damage. Further, when appropriate, privileges that have been determined to have been abused may be withdrawn, consonant with University regulations and policy.

B. Where the Honor Court finds a respondent guilty, the panel may affirm the action of the instructor or recommend to the Executive Committee of the appropriate school one of the following: disciplinary probation for a specified period, a mark of X, or suspension for a specified period.

C. The sanctions of warning, conduct probation, or indefinite probation do not affect a respondent's academic, extra-curricular, or social activities. If however, a respondent is brought before the same disciplinary tribunal or any other disciplinary tribunal of the Judicial System another time, and again found guilty, the panel, after the determination of guilt, shall be informed of the previous sanction for the previous offense.

D. Enforcement of sanctions shall be the responsibility of appropriate deans and/or administrative supervisors. The Judicial Administrator shall inform those responsible regarding sanctions imposed, making clear that time limits apply where applicable. Those charged with enforcement shall inform the Judicial Administrator within a reasonable period of time as to the execution of this responsibility.

E. The Judicial Administrator shall report to the University community at the end of each semester the number of defendants charged, the nature of each offense charged, the number found guilty, the sanctions imposed, and the sanctions carried out.

In connection with the foregoing document, Dr. Daniel Perlmutter, as Chairman of the ad hoc Committee on Revision of the Judicial System Charter, asked at the October 10 Council meeting for budgetary support for a full-time secretary to the Judicial Administrator. (It is estimated that the Judicial Administrator, would have to devote about half of his time to that office.) Council passed that motion, along with the following:

There are occasions when the complexities of a particular case are such that the Judicial Administrator would appreciate other opinions from a responsible source. For this purpose we recommend that a standby committee be created with the responsibility of advising the Judicial Administrator on interpretation of the Judicial Charter.

New questions introduced at the October 10 meeting, such as the extension of the judicial session to cover the May examination period, will be referred to the standby advisory committee.

NEWS IN BRIEF continued from page 1

611, next Tuesday at noon in Room B-1, Fine Arts; open to visitors. Dr. Erlich is author of *The Population Bomb* and a founder of Zero Population Growth.

QUICK AND SEARLE EXHIBITS

Acrylic paintings by David Quick, Harnwell House Artist-in-Residence, will be on exhibit at Harnwell House Gallery from October 21 through November 18. A wine and cheese party will be held there at Sunday's opening from 2-4 p.m. Regular gallery hours are 2-8 p.m. (closed Mondays).

The University Bookstore is holding an exhibition and sale of drawings and watercolors by British artist Ronald Searle at the Faculty Club through October 19. Hours: daily, 11 a.m.-3 p.m.; Wednesday, 5 p.m.-8 p.m.

TIFFANY LECTURE: OCTOBER 24

Sir Misha Black, senior partner in the Design Research Unit and professor of industrial design at the Royal Academy of Art, will speak on "The Designer and the Manager Syndrome" October 24 at 4:30 p.m., Fine Arts Auditorium. Free tickets at Assistant Dean Schutte's office, E-111 Dietrich Hall, Ext. 7601.

FIFTH ANSPACH CONFERENCE: OCTOBER 25-26

Dr. Alvin Z. Rubenstein has announced a four-session conference on Soviet and Chinese Influence in the Third World to be held next Thursday and Friday. The aims of the conference are to use "empirically validated criteria" to analyze Soviet and Chinese influence on Third World regions, then perhaps to contribute to theoretical literature on comparative foreign policy analysis. Penn faculty members and guests will speak at the sessions.

Session I, Africa and Latin America; Session II, South Asia; Session III, Soviet-Egyptian Relations; Session IV, The Persian Gulf Region and Afghanistan. The conference will be held in Room 286, McNeil Building; all sessions will be open to the public.

COUNCIL

Council elected Martin J. Stamm, graduate student in Education, to the Steering Committee, filling the single remaining opening in that body. The appointment of Professor Richard Schiro as parliamentarian was announced by President Meyerson in the light of Dr. Arnold Rosoff's fall class commitments.

The President also said that Teaching Assistants' salary concerns are being taken up by a committee that includes Deans Stephens, Humphrey and Carroll and Acting Dean O'Kane.

For the Steering Committee, Chairman Paul Taubman announced that the Council on Undergraduate Education now comprises nine faculty members (including the chairman of the Educational Policy Committee) and five students. He also informed Council of proposals-in-progress for relief of Chilean intellectuals through invitations as visiting faculty and the enrollment of transfer students; the sense-of-the-meeting response was in favor of departmental and individual efforts.

Council's amendments of the Charter of the Judiciary System are incorporated in the documents on pages 4-7.

MORE TIME AT THE LIBRARY

The longer hours listed below are now in effect at Van Pelt Library. During the semester, the Library staff will note attendance and make any necessary adjustments for the spring semester.

	Main Collection	Rosengarten Reserve
Sunday	noon-midnight	noon-1 a.m.
Monday-Thursday	8:45 a.m.-midnight	8:45 a.m.-1 a.m.
Friday	8:45 a.m.-10 p.m.	8:45 a.m.-10 p.m.
Saturday	10 a.m.-6 p.m.	10 a.m.-10 p.m.

OPENINGS

ADMINISTRATIVE/PROFESSIONAL (A-1)

ADMISSIONS OFFICER, LAW SCHOOL, responsible to the Assistant Dean, Admissions and Financial Aid, for general assistance in student admissions program. *Qualifications:* Graduation from a recognized college or university. At least three years experience in admissions work, preferably at the University of Pa. Ability to speak and write effectively. \$10,250-\$12,750 (midpoint). ASSISTANT TO THE PRESIDENT (10/9/73).

ADMINISTRATIVE ASSISTANT II (9/18/73).

DIRECTOR OF STUDENT FINANCIAL AID (9/25/73).

ELECTRICAL ENGINEER II (9/18/73).

RESEARCH ADMINISTRATOR, Institute for Environmental Medicine (10/2/73).

SUPPORT STAFF (A-3)

ADMINISTRATIVE ASSISTANT I (10/9/73).

ADMINISTRATIVE ASSISTANT II (9/18/73).

DATA CONTROL COORDINATOR for Dental area. (10/9/73).

ELECTRON MICROSCOPE TECHNICIAN II (9/18/73).

PROJECT BUDGET ASSISTANT for college business office. (10/9/73).

RESEARCH ASSISTANT for clinical-research projects using behavior modification. (10/9/73).

RESEARCH LABORATORY TECHNICIAN III, biochemical and endocrine, (9/4/73).

SECRETARY II *Qualifications:* Excellent typing; some require shorthand as well as dictaphone. Ability to perform varied duties. \$5,425-\$6,325-\$7,225.

SECRETARY III (4) *Qualifications:* Interest in working with figures. Excellent typing, shorthand and/or dictaphone. Ability to work with minimum of supervision in performing varied duties. \$5,825-\$6,825-\$7,825.

SECRETARY IV in Dean of Students Office. All typing and considerable drafting of Dean's correspondence; responsible for organizing meetings, handling student requests for appointments, problems; liaison with other offices for correlating procedures. *Qualifications:* Accurate dictaphone typist, excellent telephone skills and ability to deal with people. Three years' office experience. At least two years' college and university work experience preferred. \$6,725-\$7,950-\$9,150.

PART-TIME There are several part-time positions available, as well as temporary positions, for persons with good secretarial skills. Contact Clare Trout at Ext. 7287 for further information. *Dates in parentheses refer to publication of full job description in ALMANAC. Those interested should contact Personnel Services at Ext. 7285 for an interview appointment. Inquiries by present employees concerning job openings are treated confidentially by Personnel staff.*

ALMANAC: 515 Franklin Building (16) Ext. 5274

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