

Almanac

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- Report of the University Council Ad Hoc Committee on University Relations with Intelligence Agencies
- Supplement: Personnel Relations Newsletter

Athletic Director Search Committee Formed

Provost Eliot Stellar has announced the formation of a search committee for a new director of recreation and intercollegiate athletics. Andy Geiger, athletic director since 1975, has resigned his University post to become director of athletics, physical education and recreation at Stanford University as of January 1, 1979. (See *Almanac*, October 17, 1978.) Members of the committee are:

Faculty: Philip Rieff, Benjamin Franklin Professor of Sociology; Henry Teune (chairman, political science); Joseph Torg, director of Sports Medical Center, (orthopedic surgery, HUP); Thomas H. Wood (physics).

Administration: Philip G. Mechanick, acting vice-provost for undergraduate studies and University life; Fred Shabel, vice-president for operational services; Lee J. Stetson, director of admissions.

Trustee: Robert P. Levy.

Coaches: Ann D. Wetzell, women's squash; Robert Seddon, soccer and baseball.

Alumni: George R. Burrell, Jr.

Students: Jan Bernstein, FAS '79; Tony Price, Wharton '79; Tom Roland, FAS '79; Richard Voith, GR '79.

SAC Approves Wharton Professorships

The following resolution has been adopted by the Senate Advisory Committee acting on behalf of the Senate:

"The Faculty Senate recommends to the administration that the Wharton School be authorized to establish two untenured full professorships carrying titles of the form "Practice Professor in _____." These positions, which would be in the associated faculty, would be limited to two at any given time and each appointment would be for a term of five years, renewable for not more than a single additional five-year term. Recruitment for and review of these positions should be subject to the same procedures as those which normally apply to the standing faculty."

This action was taken by the Senate Advisory Committee at its meeting November 1 by a vote of nine to one. The action was in accordance with recommendations of the Senate Committee on Academic Freedom and Responsibility and the Senate Committee on the Faculty.

The rules of the Senate permit the Senate Advisory Committee to act on behalf of the Senate. Such an action must be published in *Almanac* and announced at the next Senate meeting. If twenty Senate members protest in writing within two weeks, the action does not take effect unless it is ratified at a Senate meeting or, if the Senate Advisory Committee so chooses, by referendum.

The Wharton School's request has been pending for a long time, and it seemed to SAC to be undesirable either to try to add this matter to the agenda of the November meeting or to delay it until the spring meeting. In the opinion of the large majority of all three of the committees that have considered the proposal, it is a sensible and necessary way of permitting the Wharton School to fulfill its educational mission—by recruiting distinguished practitioners to provide, in particular, instruction in the area of business policy.

—Irving B. Kravis, Chairman, Faculty Senate

Senate Meeting Scheduled for November 15

The Faculty Senate has scheduled its regular fall meeting for Wednesday, November 15 from 3 to 5:30 p.m. in Room 200 of College Hall. The tentative agenda includes discussion and action on proposals for a new grievance machinery and for reorganization of the Senate and on the Report of the Faculty Panel on Administrative Functioning of the University (see *Almanac*, October 10, 1978).

From the FCC Decision

On October 27, the Federal Communications Commission (FCC) released its decision denying the University's request for a renewal of a broadcast license for WXPB-FM, the student-run radio station. Below are excerpts from the 45-page decision. Editor's notes are in italics or within brackets.

Three issues were before the commission:

(a) To determine whether the applicant has exercised adequate control or supervision of the operation of station WXPB(FM) in a manner consistent with the responsibilities of a licensee. . .

(b) To determine in the light of the evidence adduced under the preceding issue, whether the applicant possesses the requisite qualifications to be or remain a licensee of the commission, and whether a grant of the captioned application would serve the public interest, convenience and necessity. . .

(c) To determine whether the programming of station WXPB has been meritorious, particularly with regard to public service programs.

On the governance structure of WXPB, the FCC stated:

The ALJ [Administrative Law Judge Walter C. Miller who released an initial decision denying the license renewal application on April 4, 1977] termed the WXPB(FM) governing structure a "complex maze of delegations, subdelegations and sub-subdelegations." The record bears him out. . .

Standing alone, this complex system of delegation of control and supervision ultimately to student organizations might not be a basis for denying renewal of WXPB(FM). Nor might the fact, amply borne out by the record, that the various individuals and groups having some authority over the station were unclear where their authority began and ended, be a sufficient basis for this denial. However, as also fully supported by the record, the complex and uncertain governing structure of WXPB(FM) was tested early in the license period and clearly was inadequate. The individuals and groups which shared responsibility for the station were either unaware of the problems or were unwilling or unable under the governing structure to investigate, to respond to continuing complaints and to take corrective action where appropriate. It is this failure to act over an extended period, for whatever reason, which is the basis of our conclusion that the licensee did not exercise sufficient control and supervision over the station; indeed that the absence of effective control and supervision demonstrated by this record is intolerable in a commission licensee.

The commission cited evidence of what it termed "inadequate licensee supervision and control"—failure to respond effectively to complaints from WXPB staff, University students and other listeners, and inquiries and notices of violation from the FCC—and concluded that:

. . . it was only after approximately 27 months of complaints and after the institution of a commission investigation that the licensee—through the president of the University—acted to assert some degree of control over WXPB(FM). Even so, as late as March 9, 1975, the station was still broadcasting material which the licensee's own delegate (i.e., the director of student activities) considered to be in poor taste. As of that date, despite all that had transpired until that point including the initiation of an FCC investigation, the University still had not asserted its licensee responsibilities over WXPB(FM).

On the issue of control, the commission said:

We do not mean to imply that extensive delegation of authority by a licensee—commercial or educational—is in itself unworkable.

(Continued on page 6)

Report of the University Council Ad Hoc Committee on University Relations with Intelligence Agencies

To the Members of the University Community:

At the request of the University Council Steering Committee, the University Council Committee on University Relations with Intelligence Agencies (CURIA) has reconsidered its report in the light of the discussion of the May 10, 1978 Council meeting and subsequent comments and suggestions by several members of the University community. The committee wishes to place the following document before the community as a draft working paper for further comment. We urge all members of the community to study it carefully, and to pay particular attention to changes from earlier versions (see *Almanac*, February 21, 1978). Written comments should be sent to D. N. Langenberg, vice-provost for graduate studies and research, 106 College Hall/CO before November 27, 1978.

An open meeting, at which members of the committee will be present to discuss the working paper with all comers, will take place in the Franklin Room, Houston Hall, from 4 to 6 p.m., Friday, November 17, 1978.

—D. N. Langenberg, chair, CURIA

I. Introduction

On October 12, 1977, the University Council, amid growing local and national concern about relationships between academic institutions and members of their communities and intelligence organizations, and in response to a recommendation of President Martin Meyerson, established an *ad hoc* Committee on University Relations with Intelligence Agencies (CURIA). On November 9, 1977, the Council approved a charge to CURIA (see appendix), that called for an examination of relevant University policies and public documents, consideration of the desirability and propriety of policies specific to relationships with intelligence agencies and recommendations for appropriate policy modifications and additions.

In approaching our charge, we took the view that, insofar as possible, University policies applicable to intelligence organizations should be identical with those applicable to all other extramural organizations. We also sought to achieve our objectives by identifying appropriate modifications of existing policies rather than by developing a special set of guidelines. As our work progressed, however, it became clear that a separate policy statement was necessary. Several existing University policies contain appropriate and useful provisions but reflect too narrow a range of concerns or apply to too narrow a segment of the academic community to be adequate for present purposes. Furthermore, some of the abuses which appear to have occurred in relationships between intelligence organizations and academic institutions and their members seem to have resulted from the special character of intelligence organizations and are not adequately covered by any of our present policies.

At the same time, in formulating policies to govern relationships with intelligence organizations, and having in mind our desire that, to the extent appropriate, all extramural organizations should be treated alike, we concluded that some concerns were not specific to intelligence organizations and that the policies treating them should accordingly be more broadly based.

The recommendations which follow are therefore of two kinds: proposed general policies regarding issues of special concern in relationships with intelligence organizations but which in some particulars are not confined to such organizations; and a set of suggestions for modifications in several existing policies. We have devoted most of our effort to the development of the general policies, which we recommend be adopted in the form presented here. In presenting our suggestions for modifications in existing policies, our intention is merely to adumbrate desirable changes and not to recommend specific language, with the view that the development of such language is more properly the responsibility of other committees.

II. General Policies

We recommend adoption and implementation of the following general policies regarding issues of concern in relationships between the University and members of the University community and intelligence organizations.

General Policies Regarding Issues of Concern in Relationships Between the University of Pennsylvania and Members of the University Community and Intelligence Organizations

A. Introduction

The generation, preservation and dissemination of information and ideas are primary functions of an academic institution. They are also primary functions of intelligence organizations. From this functional congruence have stemmed relationships between the academic and intelligence communities which in many instances are both proper and beneficial. There are, however, profound differences between the two communities which invest such relationships with potential for harm to the integrity and effectiveness of both. Open and unfettered exchange of information and ideas is the life blood of the academic community. For the intelligence community, on the other hand, secrecy is an inescapable fact of life. Furthermore, reports of questionable activities of intelligence organizations must influence consideration of relationships between such organizations and an academic community. It therefore is appropriate for the University to establish policies regarding issues of concern in relationships between itself and members of the University community and intelligence organizations in order to protect its interests in any such relationships.

In adopting such policies the University recognizes the importance to the nation of effective intelligence organizations. Further, it recognizes the desirability of assistance to such organizations by the University and by members of the University community where that assistance does not compromise academic integrity. University policies regarding issues of concern in relationships between members of the University community and intelligence organizations must also be consistent with the maintenance of individual rights and freedoms. Finally, the University recognizes that some of the issues raised by relationships with intelligence organizations are not specific to such organizations and that, therefore, policies designed to govern these issues should be more broadly based.

These considerations have guided the development of the following policies which shall govern issues of concern in relationships between the University of Pennsylvania and members of the University community and intelligence organizations.

B. Definition of Terms

University: the corporate entity formally known as the Trustees of the University of Pennsylvania.

Intelligence organization: any organization or part thereof which has as its primary function the collection, analysis or dissemination of information in aid of the security objectives of a domestic or foreign government.

University community: the set of individuals who are employed by, or who participate in the educational and other activities of, the University, at times when they are, or may reasonably be thought by others to be, acting in their capacity as employees or participating in such activities.

Explanatory Note: The definition of *University community* is intended to reflect the fact that relationships between members of an academic community and *intelligence organizations* may pose a threat to the integrity of that community and to the academic community at large, even at times when the individuals in question are, in their own minds, pursuing private interests or conducting personal affairs. In attempting to achieve a balance between this concern and its concern for individual rights and freedoms, the

committee concluded that adherence to policies in this area could legitimately be expected when individuals are conducting *University* business or participating in *University* activities and also when they "may reasonably be thought by others to be" doing so.

The committee appreciates the difficulty of applying the definition of *University community* in some cases but nevertheless believes that it provides necessary and useful guidance. As an example, consider a situation in which a *University* faculty member and an employee of an intelligence organization find themselves participating as members of a church choir, a patently non-*University* activity. In terms of our definition, the faculty member could not normally be construed to be a member of the *University community* in these circumstances. However, if the employee of the intelligence organization were to take advantage of his proximity to question the faculty member about a *University* student or colleague for intelligence purposes, in the committee's view the faculty member should reasonably be thought to be responding as a member of the *University community* because the information in question would normally have been learned at a time when the faculty member was acting in his capacity as an employee of, or was participating in the activities of, the *University*.

The terms defined in section B are hereafter indicated in *italics*.

C. Research and Technical Service Agreements

The *University* may properly enter into an agreement with an *intelligence organization* for the conduct of a research program or for the provision of technical services, provided that the terms and conditions of such agreement are consistent with the Integrated Policy on Conduct of Research Programs and with any other *University* policies and practices governing agreements with extramural organizations.

Explanatory note: The committee believes that the current Integrated Policy on Conduct of Research Programs, if amended as recommended in section III.A, will adequately protect the *University's* interests in its relationships with *intelligence organizations*.

D. Consultation

Individual members of the *University community* may properly enter into an agreement with an *intelligence organization* to act as a technical or professional consultant or practitioner, with or without fee, *provided* that the general nature of the proposed agreement is reported to the appropriate dean (for faculty or students) or other administrative officer (for others) prior to the provision of any services thereunder. The dean or other administrative officer shall consider whether the proposed agreement is consistent with existing *University* policies, e.g. the Policy on Extramural Consultative and Business Activities of Fully-Affiliated Faculty Members or the Guidelines for Extramural Activities, Associations and Interests for Administrative and Professional (A-I) Staff. The dean or other administrative officer shall also consider whether the proposed agreement would compromise the individual's participation in, or the integrity of, *University* programs or activities. If the proposed agreement appears to be in conflict with existing policies or to be inappropriate on the grounds stated in the preceding sentence, and if the matter cannot be resolved with the member of the *University community*, the dean or other administrative officer shall report that fact to the provost and president and recommend appropriate action.

Explanatory note: Existing *University* policies require reporting of extramural consultative and business activities for a fee by fully-affiliated members of the faculty, and reporting of such activities whether compensated or not by administrative and professional (A-I) staff. Their purpose is to prevent excessive diversion of effort into extramural activities and to avoid conflicts of interest. Because recent events have raised concerns about the potential effect of agreements with *intelligence organizations* on an individual's ability to function properly in a free and open academic community, we believe that a reporting requirement for such agreements should be extended to all members of the *University community* and should apply whether or not a fee is involved. Such

reports are not intended for public release.

The requirement that the dean or other administrative officer "consider whether the proposed agreement would compromise the individual's participation in, or the integrity of, *University* programs or activities" reflects a standard that is, at least in part, already embodied in the existing *University* policies mentioned in this section. However, these policies presently apply only to fully affiliated faculty members contemplating an extramural consultative or business activity for fee and to administrative and professional (A-I) staff. The committee's intent here is both to extend the standard of existing policies to all members of the *University community* in the case of a proposed relationship with an intelligence organization and to make it clear that in exceptional cases such a relationship may be objectionable for reasons not reflected in existing policies.

In section III.B we recommend that consideration be given to extending present *University* policies on extramural consultative and business activities of faculty to encompass all such activities, whether or not a fee is involved.

E. Information Concerning Members of the University Community

Members of the *University community* who provide any factual information or opinion about other members of the *University community* to extramural organizations or individuals (e.g., in connection with possible employment) must at all times exercise good judgment and discretion and distinguish clearly between factual information and opinion. In addition:

1. Any member of the *University community* who has an agreement or understanding with an extramural organization or individual to provide any factual information or opinion about other members of the *University community* on a regular basis, for recruiting purposes, must identify himself to the appropriate dean or other administrative officer and to the appropriate *University* placement officer as a recruiter for the specified extramural organization or individual.

2. All extramural organizations and individuals soliciting any factual information or opinion about a member of the *University community* should be required to identify themselves fully and accurately and to indicate the expected use of the information or opinion to the member of the *University community* from whom such information or opinion is sought.

3. A member of the *University community* who is asked by an *intelligence organization* or representative thereof to identify for recruiting purposes or to provide factual information or opinion about another member of the *University community* should consider whether the exercise of good judgment and discretion requires obtaining the prior informed consent of the individual in question. If the individual in question is a currently enrolled student, prior informed consent should always be obtained before factual information (including the individual's name) is provided.

Explanatory note: The *University* Guidelines on the Confidentiality of Student Records, which reflect and elaborate the requirements of federal law, specify the circumstances in which personally identifiable information may be disclosed from the student's educational records without his prior written consent. Even in such circumstances, the guidelines require the exercise of informed discretion by the person disclosing the information. The guidelines do not apply to information which is not part of or derived from a student's education records and, although individual departments of the *University* have policies regarding the confidentiality of other (e.g., employment) records, there is no comprehensive *University* policy with respect to such records.

We believe that the standard set forth in this section provides appropriate guidance for those providing information or opinions about any member of the *University community* to any extramural organization or individual. However, we recommend in section III.C that a review of policies regarding the disclosure of information from *University* records other than students' education records be undertaken, to ensure that adequate and uniform safeguards exist.



University of Pennsylvania Personnel Relations

NEWSLETTER

Office of Personnel Relations

737 Franklin Building/16

November 7, 1978

A supplement to *Almanac*

Personnel Policy Manual Distributed

Supervisors in all University divisions who have responsibility for professional, administrative and support staff are receiving from the Personnel Relations Office the new Personnel Policy Manual, which will provide a central reference source for existing University personnel policies. With few exceptions, these policies have been printed at one time or another in various campus publications. However, the Office of Personnel Relations believes that placing all these policies in a standard format and sequence will provide easy reference and prove useful to supervisors. The manual was prepared under the direction of James J. Keller, associate director of personnel relations.

Since the University's personnel policies may not always be definitive or all-inclusive, the Personnel Relations Office staff is available for consultation and interpretation. Comments and suggestions concerning implementation of the policies are encouraged. Further information on the manual is available from Douglas R. Dickson, director of personnel planning, at Ext. 6017.

Topics covered in the initial sections distributed this month include affirmative action, employment, termination and grievance. Most of the pertinent sections on benefits have already been distributed in individual folders to all employees, and the benefits section and portions of the compensation section will soon be distributed to manual holders.

Employees' may also consult the Personnel Policy Manual at the reference desk in Van Pelt library.



United Way

The campus campaign for the 1978 United Way drive in metropolitan Philadelphia will continue through mid-November, according to United Way campus co-chairmen Andy Geiger, director of recreation and intercollegiate athletics, and Dr. Donald S. Murray, professor of statistics.

The campus goal this year is \$85,000. Last year a total of \$82,700 was raised at the University for the United Way. In the Philadelphia metropolitan area, the United Way hopes to raise \$25 million to support a wide variety of community service organizations.

Performance Reviews Resumed

Performance reviews of administrative staff have been reinstated and will be conducted by departmental and divisional supervisors during November and annually thereafter. The reviews will be conducted by the staff member's immediate supervisor and, where there is a unit supervisor, that individual will also participate in the review. When the performance review form has been completed, the evaluation will be discussed with the staff member and signed by him or her and by the reviewer or reviewers.

The review process is designed to encourage constructive dialogue between administrative staff members and their supervisors as well as to clarify job responsibilities. It is also designed to assure that job performance and career development information is recorded in each individual's University employment history.

Signing of the review form by the employee does not necessarily mean that the person reviewed agrees with the evaluation. The person being reviewed may submit comments in a specified area of the form. At all times, and in every respect, performance review forms will be afforded confidential treatment.

The reviewing officer will retain one copy of the review form. The person reviewed will receive a copy. The original copy will be sent to the personnel officer who has been designated to monitor reviews for that unit. The original will then be forwarded to the staff member's central personnel file by the personnel officer.

Some department heads have expressed concern that the rating "satisfactory" will be interpreted as less than good. In the context of the performance reviews, "satisfactory" denotes an administrator whose performance fully meets the requirements of the position and the quality and quantity of whose work is completely acceptable, and so it will be gratifying if a large majority of the administrators being reviewed are found to be "satisfactory." Even a satisfactory administrator will exhibit some performance traits that are stronger than others and may need to show improvement in certain areas. Since this is the first time in many years that performance reviews of the administrative staff have been undertaken, the Personnel Relations staff will welcome comments on the usefulness of the form and the effectiveness of the procedure.

Employees to Receive Personnel Benefits Reports

Individual personnel benefits reports will be sent to all employees by the Office of Personnel Relations near the end of 1978. These reports, similar to those distributed at the end of last year, will include information on life insurance coverage, retirement contributions and anticipated benefits and health insurance. Detailed information about employee benefits is available from the Personnel Benefits Office. These packets have been distributed over the past year to most employees.

Recent Retirements

The following University employees have retired since June 30, 1978. The Office of Personnel Relations wishes them happy years of retirement.

Faculty

Arthur Bernstein, 22 years
A. Orville Dahl, 13 years
William D. Frazier, 42 years
Lois I. King, 13 years
Henry F. Lee, 37 years
Edward Simmler, 9 years

Administrative Staff

Earl A. Conley, 38 years
Frances Hickman, 17 years
Vincas Maciunas, 28 years
Irwin W. Solomon, 7 years
Caroline E. Werkley, 13 years

Salaried Support Staff

Joan Bailey, 15 years
Bernetta Craig, 10 years
Elsie E. Hegemann, 47 years
Helen Perilli, 15 years
Adah Pollock, 14 years
Willie Mae Purnell, 25 years
Dorothy Schwemmer, 11 years
Anna Whalen, 9 years

Hourly Support Staff

John M. Damian, 6 years
Marie H. Daniels, 4 years
Miriam L. Hoffman, 14 years
Mary T. Logue, 7 years

Retirement Plan Improved For A-3 and A-4 Staff

The improved staff retirement allowance plan for A-3 and A-4 employees, which was approved at the August meeting of the Trustees' Executive Board, is now being implemented and benefits are being computed at the higher rates. The benefit formula has been changed from a career average to a formula based on the employee's five highest years of earnings. Thus, an employee with 30 years' service would upon retirement receive University benefits and Social Security which would total approximately 70 to 75 per cent of his or her average salary during the five highest earning years. Also included in the new plan are improvements in the survivorship coverage provisions for spouses.

Employees in clerical, craft, technician and service positions automatically become members of the retirement plan on July 1 provided that they are at least 24½ years old and have completed six months' employment. Although the plan is now undergoing normal review by the U.S. Treasury and Labor Departments, the Office of Personnel Relations anticipates early routine approval of the plan.

FORUM

Do you have questions, comments, notices and suggestions? Send them to Forum, 737 Franklin Building or call Personnel Relations, Ext. 5249. All inquiries and remarks will be kept strictly confidential. Questions asked most often will be answered in this column.

Question: How can I get a replacement identification card? I lost it, and I know I need to have one.

Answer: To replace your missing card, first stop at the office of your department's business administrator. Here a Faculty/Staff identification card data form will be completed. Take the form to Room 215 in the Franklin Building, 3451 Walnut Street, for processing any Tuesday or Thursday afternoon between 12 and 1 p.m. There is a \$1.00 replacement charge.

Question: Where can I find out more about the Credit Union here? May anyone belong?

Answer: Penn's Credit Union office, located in Room 418, 133 South 36th Street, is open every Monday, Tuesday, Wednesday and Friday from 10 a.m. to 3 p.m. The staff can explain what credit unions are all about. Any full-time employee may join after six months of service. Two principle advantages are that members can save regularly (through payroll deduction) and may borrow money at fair interest rates.

Health Maintenance Plans Available

Employees who are eligible for University-paid Blue Cross-Blue Shield major medical expense coverage may choose as a substitute any of five health maintenance organization (HMO) plans in Philadelphia, its suburbs or South Jersey. Health maintenance organizations provide routine medical care, examinations and immunizations as well as the usual range of hospital in-patient, diagnostic, and doctors' fees coverage. Since the cost of HMO coverage, and the range of benefits, is greater than that of Blue Cross-Blue Shield, the University will pay an amount toward that premium which would be equivalent to the cost of the employee's Blue Cross/Blue Shield coverage.

Two HMO's have been added to the previous three HMO plans available to University employees. The two new HMO plans are the Greater Delaware Valley Health Plan (serving the Main Line and Delaware County areas) and the Health Care Plan of New Jersey, Inc. (serving Burlington and eastern Camden Counties). The other three HMO plans (principally covering the City of Philadelphia and nearby suburbs) available to University employees are the Philadelphia Health Plan, the Health Service Plan of Pennsylvania and the Health Maintenance Organization of Pennsylvania.

In light of reported abuses in the use of information provided to *intelligence organizations* by academic institutions or persons affiliated with them, particularly information about students, we believe that the requirement for the exercise of good judgment and discretion set forth in section E applies with particular force in this context. The committee notes, for example, that the director of the Central Intelligence Agency has recently confirmed that the agency currently has and intends to maintain secret contacts with University personnel for the purpose of recruitment of students, including foreign students.

The committee understands that the identity of "recruiters" is a matter of public record within the *University*. Subsection E.1 implies that this record shall include the names of all recruiters for extramural organizations as defined in that subsection.

F. Operational and Other Activities

Members of the *University community* may not undertake activities on behalf of an *intelligence organization* which are inconsistent with their normal *University* activities.

Members of the *University community* may not knowingly lend their efforts, names or positions to the production or dissemination of information known by them to be false or misleading.

Members of the *University community* may not cooperate with an *intelligence organization* in obtaining the unwitting services of any other individual.

Explanatory note: It is an announced policy of the CIA not to obtain the unwitting services of American staff and faculty members of U.S. academic institutions.

G. Interpretation of These Guidelines

In the first instance, the responsibility for interpretation and implementation of these guidelines rests with the appropriate dean or other administrative officer. If such interpretation is disputed, all parties to the dispute have the right of appeal to the president of the *University*, who has the ultimate responsibility for interpretation of these guidelines.

Explanatory note: It is understood that any member of the *University community* who is party to a dispute over interpretation and implementation of these guidelines may have recourse to one or another of the existing *University* mechanisms for resolution of disputes, e.g., a committee on academic freedom and responsibility, a grievance procedure or the office of the *University* ombudsman.

III. Modification and Review of Existing Policies

We recommend the following modifications to existing *University* policies, for referral to the cognizant *University* committees.

A. Integrated Statement of University Policy on Conduct of Research Programs

1. Language should be added to the effect that the *University* requires open identification of all actual sources of funding for sponsored programs. Reference to this policy should be required in all proposal transmittal letters, and thus place the burden of responsibility on the primary sponsor to identify any other organizations contributing support through the primary sponsor.

2. The traditional *University* practice of maintaining a public record of all sponsored programs should be explicitly required. This record includes, for each program, a title, name of sponsor, name of principal investigator or equivalent responsible person, term covered by agreement, and funding amount.

3. The wording of section B.1, second paragraph, lines 3 and 4, of the integrated statement should be modified to make it clear that "protection of identity of sponsor" is *not* intended to bar identification of the sponsor in the public record of a sponsored program.

B. Policy on Extramural Consultative and Business Activities of Fully-Affiliated Faculty Members

1. The principal objectives of this policy are to prevent undue diversion of effort from the faculty member's primary *University* function(s) and to prevent real or perceived conflicts of interest. The committee feels that neither of these potential abuses is necessarily confined to situations in which there is a fee or other

financial reward, and that consideration should be given to modifying this policy to cover all extramural activities where such undue diversion of effort or conflicts of interest may occur, whether or not personal financial gain is a significant factor. The committee appreciates the difficulty of formulating a policy which will not encroach upon the private affairs of our faculty, but nevertheless feels that prudence dictates that an attempt be made to do so. The committee notes that the *University's* existing Guidelines for Extramural Activities, Associations and Interests for Administration and Professional (A-I) Staff do apply in circumstances where no personal gain is involved.

2. The committee feels that existing requirements for reporting of extramural professional activities by faculty and staff should be clarified and enforced.

C. Confidentiality of University Records

We recommend that a review of policies regarding the disclosure of information from *University* records other than students' education records be undertaken to ensure that adequate and uniform safeguards exist.

D. Enforcement of University Policies and Regulations

In the course of its deliberations, the committee has become aware that there exists no generally accepted system of sanctions or penalties for enforcing adherence to *University* policies and regulations by faculty, staff and students. We recommend that an appropriate Council committee consider whether such a system should be established.

Appendix

Charge to the University Council Ad Hoc Committee on University Relationships with Intelligence Agencies (CURIA)

(Approved by Council, November 9, 1977)

The Committee will:

1. Examine established *University* policies such as the *Integrated Statement of University Policy on Conduct of Research Programs*, the *Policy on Extramural Consultative and Business Activities of Fully-Affiliated Faculty Members* and the *Guidelines on the Confidentiality of Student Records*, and determine on the basis of the Church Committee report and other public documents (e.g., testimony before and reports of other committees, press accounts) whether such policies adequately protect against possible abuses in the relationships between the *University* and/or individuals affiliated with it, and external agencies;

2. In the context of the above, consider to what extent it may be desirable or proper for the *University* to establish distinct policies and guidelines governing relationships between the *University*, and/or individuals affiliated with it, and intelligence agencies;

3. On the basis of the results of its deliberations recommend to the *University Council* such modifications of, and additions to, established policies as may be appropriate.

(Continued from page 1)

Nor do we wish to discourage *University* licensees from operating student-run stations. We do emphasize, however, that a licensee, educational or otherwise, may not delegate and subdelegate authority over a broadcast facility and thereby insulate itself from the ultimate responsibility for the operation of the station.

The stark controlling fact in this case is that the system of "shared responsibility" under which WXP(N)FM operated did not work. Persons in the chain of command either knew or should have known that this was the case, yet effective action was taken only after commission investigators arrived on the scene. Despite or perhaps because of the many people in the chain of command, no one was responsible for seeing that WXP(N)FM conformed to even minimal operating procedures. No one was responsible for investigating and responding to complaints from listeners, staff members and other students and no one was responsible for responding to commission inquiries. In light of the long list of

complaints concerning the station, this is not a case of shared responsibility, but one in which responsibility was abandoned. *In responding to the University's argument that the ALJ failed to give proper weight to corrective action taken by the licensee, the commission noted its*

... policy not to give credit for post-license term improvements in a station's performance since the licensee must run on its record. . . . To permit belated improvements in a licensee's performance as a general matter would also undermine the basis of the commission's enforcement system. . . . Our system is based to a great extent on voluntary compliance. If we were to permit all licensees to receive credit for "corrective" actions taken after the commission has investigated them, our system would break down. Even if we permitted only "one free bite at the apple," with over 9,000 licensees such a policy would make a mockery of broadcast regulation.

Asserting that "denial of renewal rests solely on the licensee's inadequate control and supervision" of WXPB, and terming the ALJ's characterization of certain broadcasts as "gratuitous and superfluous," the commission reaffirmed his statement that:

... this proceeding only involves questions of supervision and control. We are not concerned with program content *per se*. We are not faced with questions of obscenity or whether a particular broadcast is in good taste or whether a specific tape has artistic merit. . . .

Nor, said the commission, was the license denied because of "the violation of any particular rules by the licensee," and it declined to adopt the finding of the ALJ in which he relied upon allegations of rule violations as evidence of such violations. On the issue of meritorious programming, the FCC stated:

The licensee contends that in judging the meritorious programming of an educational licensee instructional and public affairs programming is irrelevant. However, the commission has repeatedly stated that the obligation to devote a reasonable amount of time to public affairs programming applies to noncommercial stations. Indeed, "public affairs programming is at the very core of the role envisioned for noncommercial broadcasting."

The commission concluded:

... we find no merit in the licensee's argument that educational broadcasters are under a lesser standard of care in the oversight of their stations. A licensee's duty to supervise and control its station's operations is central to our regulatory framework. All licensees should recognize that they are under an equal and compelling duty to fulfill this responsibility.

The evidence in this proceeding establishes that the licensee's conduct did not meet any meaningful standard of supervision and control. Its abdication was total and cannot be tolerated if licensing and operation of broadcast stations in the public interest is to have any meaning. The corrective action taken by the licensee cannot mitigate its unsatisfactory performance during virtually all of its license term because remedial steps which were taken came only after months of critical deficiencies in supervision and control of the station, and, moreover, they occurred after it became clear the station's license was in jeopardy. Thus, we are unable to find that a grant of the application for renewal of the WXPB(FM) license would be in the public interest.[†] To the extent indicated above, we therefore affirm the initial decision.

... It is [therefore] ordered, that the application of the Trustees of the University of Pennsylvania for renewal of the license of WXPB(FM) at Philadelphia, Pennsylvania, is denied.

It is further ordered, that the Trustees of the University of Pennsylvania are authorized to continue to operate Station WXPB(FM) until 12:01 a.m., January 21, 1979 to enable the licensee to conclude the station's affairs; provided, however, that if the licensee seeks timely judicial review of this decision, it is

[†]Denial of renewal means that the licensee must cease operations and it is prohibited from filing a new application for a period of one year. . . . Applications for the facilities of WXPB(FM) may be filed by any interested persons. . . . The licensee is free to file an application for the facilities accompanied by a request for waiver of section 1.519 of our rules. If waiver is granted, the licensee will not be entitled to any preference by reason of its prior status as a licensee and it will have to compete on an equal footing with any other applicants who may file for the frequency.

authorized to continue the operation of Station WXPB(FM) until thirty (30) days after the court which has jurisdiction to review this proceeding issues its mandate.

Commissioner Robert E. Lee's Dissent

The tragedy of this decision is that the public won't remember WXPB for its quality programming. It will remember the aberrations: pot parties, the Vegetable Report.

The further tragedy is that a few immature, irresponsible students did this with their thoughtlessness. While they pursue their careers unscathed, the University and the Philadelphia community will suffer the penalty, the loss of WXPB. Those students should have been spanked long ago and the matter ended there.

I hope that the University has learned it cannot coddle immature students. To keep a license, it must exercise discipline and guidance. It cannot afford to wait for students to learn responsibility on their own.

Not all of the blame for lax control belongs with the University, however. Some must be shared by the commission. For years the commission has been aware that university stations are not as tightly controlled as commercially operated stations. Yet, the commission has consistently licensed these stations and renewed these licenses; until now.

I do not object to making an example of the University of Pennsylvania. Its abdication of control was serious and should not have continued unnoticed. I do object, however, to using the death sentence in this case. A short-term renewal would have effectively announced a policy of strict accountability for university licensees.

I dissent.

Openings

The following listings are condensed from the personnel office's bulletin of November 2, 1978. Dates in parentheses refer to the Almanac issue in which a complete job description appeared. Bulletin boards at 14 campus locations list full descriptions. Those interested should contact Personnel Services, Ext. 7285. The University of Pennsylvania is an equal opportunity employer. The two figures in salary listings show minimum starting salary and maximum starting salary (midpoint). An asterisk () before a job title indicates that the department is considering promoting from within.*

Administrative/Professional

Applications Programmer (9-12-78).

Assignment Officer (10-31-78).

Assistant Chairman for Administration (10-31-78).

Assistant Director for Contract Accounting (10-31-78).

Assistant to Director (9-12-78).

Associate Director for Maintenance Operations (9-12-78).

Business Administrator IV (10-10-78).

Coach (9-12-78).

Contracts Administrator I (10-24-78).

Controller (9-12-78).

Director of Facilities Management (9-12-78).

Engineer, Pressure Chamber (9-19-78).

Group Practice Administrator (10-3-78).

Insurance Manager (10-3-78).

Junior Research Specialist (10-31-78).

Librarian (10-3-78).

Library Department Head III (9-19-78).

Office Manager (two positions) (a) (10-31-78); (b) manages the information and records office (two years' experience). \$9,275-\$13,000.

Placement Counselor (9-12-78).

Project Coordinator (10-17-78).

Research Specialist I (three positions) (a) operates electron microscope (one year of experience and junior professional standing in electron microscopy); (b) performs cell culture and histological work (bachelor's degree with a major in biology, three years' experience); (c) assists in investigations of prostoglandins (background in chemistry or biochemistry). \$10,050-\$14,325.

Research Specialist II (9-12-78).

Research Specialist III (10-10-78).

Senior Systems Analyst (two positions—9-19-78).

Senior Systems Programmer (9-12-78).

Staff Writer I (9-26-78).

Statistician-Scientific Programmer (10-31-78).

Systems Analyst (10-3-78).

Terminal Manager (9-12-78).

Support Staff

***Administrative Assistant I** develops and interprets policies pertaining to record maintenance and release of information (registered record administrator or eligible for examination). \$7,150-\$9,150.

Administrative Assistant II (10-24-78).

***Assistant Buyer I** (10-24-78).

Cashier (9-12-78).

Clerk IV (10-31-78).

Custodian (21 positions) for second shift from 4:30 p.m. to 1 a.m. and split shift including work on weekends. Experience required. \$4.34 per hour (union job).

Duplicating Machine Operator II operates duplicating machines. High school graduate, three years' experience. \$6,700-\$8,575.

Electrician (10-24-78).

Gardener I (10-17-78).

Information Control Clerk processes salary reallocation journals. Knowledge of basic accounting procedures. \$7,150-\$9,150.

Junior Accountant (four positions—9-26-78).

***Office Automation Editor** (10-10-78).

Programmer I (10-3-78).

Project Budget Assistant prepares requisitions and budgets. Bookkeeping and University budget experience preferred. \$7,150-\$9,150.

Psychology Technician I (two positions) (a) (10-31-78); (b) is responsible for patient clinics (college degree, experience.) \$8,625-\$11,050.

Receptionist (two positions) (a) (10-24-78); (b) makes reservations, does statistics (typing and light bookkeeping). \$6,700-\$8,575.

Research Laboratory Technician III (seven positions). See campus bulletin boards for details. \$8,625-\$11,050.

Secretary I (10-3-78).

Secretary II (four positions). \$6,225-\$7,975.

Secretary III (12 positions). \$6,700-\$8,575.

Secretary IV (two positions) (a) (9-26-78); (b) (10-31-78).

Secretary, Medical/Technical (five positions). \$7,150-\$9,150.

Senior Admissions Assistant assists with recruitment plans, handles correspondence. College graduate, experience. \$7,700-\$9,850.

Sergeant supervises campus police. Six months active police duty and Commonwealth-approved police academy training. \$10,100-\$12,925.

Supervisor, Assistant Accounting responds to inquiries, assists manager. High school graduate, experience. \$7,150-\$9,150.

Typist II (10-3-78).

Part-Time

Details on two administrative/professional and 13 support staff positions can be found on campus bulletin boards.

Things to Do

Lectures

The Intercollegiate Studies Institute presents Dr. Erik Ritter von Kuehnelt-Leddihn, a specialist on European affairs, on **The Church in Eastern Europe**, November 7, 7:30 p.m., Newman Hall. § The Writing Program and Philomathean Society sponsor a poetry reading by **Mark Strand**, November 8, 4 p.m., Philomathean Room, College Hall, fourth floor. § The Foodways Group, graduate program in folklore and folklife, and the Department of Anthropology present Arjun Appadurai on **Gastro-Politics in South Asia**, November 8, 5:30 p.m., 401 Logan Hall. § Dr. Michael Meister of the departments of South Asian regional studies and history of art discusses **Symbolic Substitution and the Origins of the North Indian Temple**, November 8, 5:30 p.m., in the Rainey Auditorium, University Museum. § Dr. S. S. Chern of the University of California at Berkeley offers two lectures on **Moving Frames: Old and New Applications**, in the Hans Rademacher Lectures, November 8 and 9, 3 p.m., Room A-6, David Rittenhouse Labs. § Dr. M. C. Cadeville of the University of Louis Pasteur, Strasbourg, France, will examine **Volume Interactions between Substitutional "SP" and "3rd" Solutes in Ferromagnetic Iron-based Alloys**, November 9, 3 p.m., Room 105, LRSM Building. § Moore School of Electrical Engineering alumnus and Trustee Donald O. Neddenriep discusses **Managing the Computer Enterprise: the Interaction of Technology and Management in the Computer Field**, November 9, 8 p.m., Raiser Lounge, Towne Building. § Walter McClure, director of the health policy group of InterStudy, analyzes **Market and Regulatory Strategies to Achieve Health Care Policy Goals** November 9, 4:30 p.m., auditorium, Colonial Penn Center. § K. G. Pontus Hulten, director of the *Centre National d'Art et de Culture Georges Pompidou* in Paris, speaks on **Beaubourg, A New Scope for Cultural Centers**, November 9, 8:30 p.m., Fine Arts Building Auditorium. § The Department of Microbiology offers a talk by Dr. Yoshiaki Suzuki of the Carnegie Institution of Washington on **Structural Analysis of the Silk Fibroin Gene**, November 9, 11:30 a.m., Room 161-162, medical school. § Indian Ambassador Nani A. Palkhiwala explains **Constitutional Changes**, November 9, 11 a.m., University Museum. § Mary

Lou Williams, pianist, composer and arranger of jazz music, will give a lecture-demonstration of **Blues, Spirituals, Gospel and Jazz**, November 10, 2 p.m., Hopkinson Hall, International House. § The Department of History and Sociology of Science presents Dr. Dora B. Weiner, Manhattanville College, on **The Madman as Patient in Late 18th Century France**, November 13, 4 p.m., Room 107, Edgar Fahs Smith Hall. § R. K. Swan, director of Swans Hellenic Ltd., and Martin Biddle, director of the University Museum, present an illustrated lecture on the sites a University Museum-sponsored **Cruise to the Mediterranean and Egypt** will visit in March 1979, November 13, 8 p.m., Rainey Auditorium. § The Annenberg School Colloquium Series sponsors Merrill Panitt, editorial director of *TV Guide*, on **Will the Networks Survive the Communications Revolution?** November 13, 4 p.m., Annenberg School Colloquium Room.

Films

Exploratory Cinema's program for November 8 includes: Frank Capra's **Prelude to War**, Leni Riefenstahl's **Day of Freedom**, the U.S. Army Pictorial Service's **The Atom Strikes** and **Lambeth Walk—Nazi Style**, 7 p.m. and 9:30 p.m., Annenberg Center, Studio Theater (students, \$1; others, \$2). § The Latin American Cinema presents Fernando Solanas and Octavio Getino's **Hour of the Furnaces** in three parts on November 8: part I, **Neo-Colonialism and Violence**, 4 p.m., part II, **An Act for Liberation**, 7:30 p.m., and part III, **Violence and Liberation**, 9:45 p.m., International House, Hopkinson Hall (\$1.50 for any or all parts). § The International House Cinema offers Michael Cacoyannis' **Iphigenia** (November 9, 7:30 p.m.; November 10, 4 and 9:30 p.m.) and Kidlat Tahmik's **The Perfumed Nightmare** (November 9, 10 p.m.; November 10, 7:30 p.m.), International House, Hopkinson Hall (evening, \$1.50; matinee, \$1). § The Philomathean Society presents **An Evening of Shorts**, November 9, 8 p.m., Hayden Hall, Room 105. § The Penn Union Council's selections for November 10 are **Dirty Harry** (7 and 9:30 p.m., \$1), and Hitchcock's **The Lady Vanishes** (midnight, 75c), Fine Arts Building, B-1. § The University Museum Children's Film Program features **Forever Young**, **Forever Free**, November 11, 10:30 a.m., Harrison Auditorium. § The Royal Ballet's production of **Romeo and Juliet** with Margot Fonteyn and Rudolf Nureyev will be shown by the Penn Union Council, November 12, 2 p.m., Houston Hall Auditorium, \$1. § The Sunday Film Series at the University Museum offers **Confessions of Amans**, November 12, 2:30 p.m., Harrison Auditorium.

Music/Theater

The La Mama production of Bertolt Brecht's **The Resistible Rise of Arturo Ui** continues through November 12 at the Annenberg School Theater. Call Ext. 6791. § Penn Players presents **Guys and Dolls** November 9 (8:30 p.m.), November 10 (8:30 p.m.) and November 11 (6:30 and 10 p.m.), Harold Prince Theater, Annenberg Center. Call Ext. 6791. § **The University Symphony Orchestra**, conducted by Eugene Narmour, with guest artist Philip Lorenz, perform Beethoven, Bizet and Sibelius, November 10, 8:30 p.m., Irvine Auditorium. § International House sponsors a **Philadelphia Folksong Society Concert**, November 12, 8 p.m., Hopkinson Hall (non-members, \$1.50).

Mixed Bag

Donate blood November 9 from 11 a.m. to 5 p.m. in the Law School and November 14 from 1 p.m. to 7 p.m. in McClelland Hall. (Sponsored by the **Blood Donor Program**.) § **Art, Anthropology and Archaeology: Tools for Deciphering the Past** is the topic of the 11th annual post-graduate program presented by the University's Society of the College, November 9. Call Ext. 7811. § The Faculty Club invites members and alumni to a **Football Brunch** prior to the Penn-Yale game, November 11, 11:30 a.m., Faculty Club. Call Ext. 4618. § The General Alumni Society features a **Family Day with the Gymnastics Team**, November 11, 9 a.m. until noon. Call Ext. 7811. § The Mid-Atlantic Region of the **National Women's Studies Association** sponsors its first conference, November 11, McNeil Building. Call Ext. 8740. § The **Faculty Tea Club** presents Dr. Patricia A. Gureghian, associate professor of radiology, in a demonstration of Middle Eastern cooking, November 14, 1:30 p.m., Faculty Club. § The Houston Hall Gallery exhibits **Photographs by Eddie Bishop, Bill Altman and Quarry Bingham**, undergraduates at the University, through November 27, 9 a.m. to 5 p.m. daily. § November 10 is the deadline for faculty to submit requests to Van Pelt Library's **Rosengarten Reserve Room** for the spring semester. Call Ext. 7561 or 7562.

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