# Almanac

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# Senate

# Grievance Machinery, SAC Expansion Discussed

The Faculty Senate passed new faculty grievance procedures at its fall meeting. Wednesday, November 15. The Committee on the Revision of Grievance Machinery was formed last spring, when proposals presented by the Senate Advisory Committee Board of Review for the Grievance Commission were rejected by the Senate (see *Almanac*, April 24, 1978).

The new grievance procedure does not differ in what constitutes a grievance, who is eligible to use the grievance machinery or in the preliminary procedures of the machinery. New features include the introduction of an independent legal officer who will "assist the commission in its work" by relieving the panel, grievant and respondent of the burden of assembling documentary evidence. The panel, previously composed of three or five members (one chosen by the grievant, one by the respondent and one or three chosen from the grievance commission), will now consist of three members—faculty members selected from a hearings list chosen by the Senate Advisory Committee. Another change is that in the old grievance mechanism the grievant alone was allowed to choose a colleague to assist in the case; now the respondent may also choose a colleague. (The full text of the new grievance mechanism appears inside.)

The Senate rejected by a vote of 39 to 36 the expansion of the 18-member Senate Advisory Committee to a 44-member Senate Executive Committee. According to Walter Wales, chairman of the Senate Committee on Administration, the expansion would "make the Senate a more viable vehicle for faculty opinion" and more representative of the faculty as a whole. According to Sol Goodgal, however, "SAC would become too large—you cannot function well as an executive body of 44 members." Phoebe Leboy suggested that the proposed distribution of members of the Senate Executive Committee was biased in that, for instance, fine arts, with 37 faculty members, would have the same representation—one member on the committee—as the dental school, which has 93 faculty members; at the same time, engineering and applied science, with 83 faculty members, would have two representatives.

In other business, the Senate voted to receive the report of the Committee on Administrative Functioning of the University, chaired by Dan McGill. (See *Almanac*, October 10, 1978 for the full text of the report.) "I believe there is an atmosphere of confidence and trust on campus now," McGill said.

# **News Briefs**

# Small Animal Hospital Construction to Begin

Work will begin on the School of Veterinary Medicine's small animal hospital within the week, according to Titus Hewryk, director of facilities development. Construction of the 39th Street bypass will mark the first phase of the multiphase, two-year building project.

Building costs for the new small animal hospital, which will stand adjacent to the present School of Veterinary Medicine hospital at 39th and Pine Streets, will total \$16 million, Hewryk said. Of that amount, \$8,035,000 will come from a state loan and \$5 million from a grant from the Department of Health, Education and Welfare. The University will pay the remaining costs. Vincent G. Kling and Partners of Philadelphia are the building's architects.

In order to make way for the new building, the School of Allied

Medical Professions building will be demolished, along with an abandoned gas station and a building that formerly housed the Western Exterminator Company.

When completed, the small animal hospital "will be the finest facility of its kind in the country," Guido Rubenis, manager of documentation for the facilities department, said. The hospital will accept emergency cases from the University City area and other cases by referral only. The new facility is needed for the School of Veterinary Medicine to retain its national accreditation.

#### Dental School Receives \$1 Million Grant

The Pew Memorial Trust has awarded the School of Dental Medicine a \$1 million grant to test the feasibility of the school's long range plan—a plan that calls for the reduction of class size from 160 to 80 students and an increased emphasis on family dentistry and group practice.

According to James Galbally, assistant dean for the dental school, the plan is "unique to dental education programs." An experimental house practice, in which students will work with master clinicians to deliver dental care, will open April I, with students participating starting July and September, 1979. The practice will be located in the shopping mall at Locust and 40th Streets. The feasibility study should be completed by December, 1980, Galbally said.

## Paley House Sold

The University recently sold the Chestnut Hill Paley House to an undisclosed buyer for \$200,000. The five-and-a-half acre estate was donated to the University in 1964 by the Samuel Paley Foundation. According to Harold Manley, vice-president and treasurer, an agreement of sale was signed two weeks ago, and settlement is expected next March, at which time the name of the purchaser will be released. The University decided to sell the house because of high maintenance costs and its infrequent use. The sale was an independent decision, not part of the space committee's consolidation program, Manley said. Nancy Longstreth of Emlen and Company real estate agency conducted the sale.

#### Council Agenda Set for November 22

The University Council will meet Wednesday, November 22 from 3 to 5 p.m. in the Council Room of the Furness Building. The agenda includes reports from the president, the provost and the chairman of the steering committee and a discussion of the University's athletics' policy.

## Trustees to Meet November 30

The executive board of the trustees will meet in an open stated session from 3 to 4 p.m., Thursday, November 30, in the first floor conference room of Van Pelt Library. No agenda has been announced.

#### Fuller Support to End

The University, the Science Center, and Bryn Mawr, Haverford and Swarthmore Colleges have decided to cease their \$50,000 a year support of architect and philosopher R. Buckminster Fuller, who has been a world fellow-in-residence at the University Science Center since 1972. According to Vice-President for Administration D. Bruce Johnstone, after \$90,000 was raised to fund Fuller's research for the first three years, further attempts to raise money failed. The University provided the bulk of the funding for the next three years, with the Science Center providing space for Fuller.

## Authors' Reception Scheduled at Bookstore

The book department of the Penn Stores invites the University community to an authors' reception at the bookstore's annual wine and cheese party, December 7, from 5:30 to 9 p.m. Attending the reception will be authors Peggy Anderson, Donald Drake, Jerre Mangione and Charles E. Silberman. Anderson, who is a staff writer for the Philadelphia Inquirer, has produced an account of what it means to be a nurse today, in Nurse (St. Martin's Press, \$10.95). Donald Drake, medical writer for the Philadelphia Inquirer, followed the class of '78 at the University of Pennsylvania medical school through its four years of study and has traced that experience in Medical School (Rawson Associated Publishers, \$9.95). Penn Emeritus Professor of English Jerre Mangione recently published An Ethnic at Large (G.P. Putnam's Sons, \$12.50). Charles E. Silberman, former senior editor of Fortune and author of Crisis in Black and White and Crisis in the Classroom, has undertaken an analysis of Criminal Violence, Criminal Justice (Random House, \$15).

## Mela Added to Search Committee

Leena Mela, associate professor of physical biochemistry in surgery in the medical school, has joined the faculty constituency of the search committee for a new director of recreation and intercollegiate athletics. For other members of the committee, see *Almanac*, November 7, 1978.

# **Bulletins**

## Confidentiality of Records: Deadline Extended

The deadline for students to refuse to permit the designation of a category or categories of directory information with respect to them (see "Of Record: Confidentiality of Student Records," Almanac, November 14, 1978) has been extended to December 1. Students must send written notification to the Office of the Registrar, Attn. FERPA, Franklin Building/16.

# Thanksgiving Hours Announced

Bookstore—closed Thursday, November 23 through Sunday, November 26; resumes normal hours Monday, November 27. Dining Service—closed Thursday, November 23 through Sunday, November 26; resumes normal hours Monday, November 27. Libraries—Van Pelt, Lippincott and Rosengarten are open 8:45 a.m. to 5 p.m., Wednesday, November 22; closed Thursday, November 23; open 9 a.m. to 5 p.m., Friday, November 24; open 10 a.m. to 6 p.m., Saturday, November 25. Van Pelt and Lippincott are closed Sunday, November 26, but Rosengarten is open noon to 2 a.m. All libraries resume normal hours Monday, November 27.

#### Save Energy over Thanksgiving

Horace Bomar and Steven Rood-Ojalvo of the energy office ask the University community to do the following before leaving for Thanksgiving recess:

1. Turn off lights and appliances, including electric heaters, ventilating fans, typewriters, copy machines, radios and phonographs.

2. Follow shutdown procedures and special operating schedules for laboratory equipment. This includes sterilizers, distillation units, fanhoods, exhaust fans and other large energy-consuming equipment.

3. Close windows and curtains.

#### **Rules Governing Final Exams**

- No student may be required to take more than two final examinations in any one day during the period in which final examinations are scheduled.
- 2. No instructor may hold a final examination except during the period in which final examinations are scheduled and, when necessary, during the period of postponed examinations. No final examinations may be scheduled during the last week of classes or

on reading days.

- 3. Postponed examinations may be held only during the official periods: the first week of the spring and fall semesters. Students must obtain permission from their dean's office to take a postponed exam. Instructors in all courses must be ready to offer a make-up examination to all students who were excused from the final examination.
- 4. No instructor may change the time or date of a final exam without permission from the appropriate dean or the vice-provost.
- 5. No instructor may increase the time allowed for a final exam beyond the scheduled two hours without permission from the appropriate dean or the vice-provost.
- 6. No classes (covering new material) may be scheduled during the reading period. Review sessions may be scheduled.
- 7. All students must be allowed to see their final examinations. Access to graded finals should be ensured for a period of *one semester* after the exam has been given.

We encourage professors to be as flexible as possible in accommodating students with conflicting exam schedules.

-Eliot Stellar, provost

Philip Mechanick, acting vice-provost

# Campus Bus Service Available

For those who live in West Philadelphia, the Office of Transportation and Communications provides a campus bus as a courtesy service. Buses depart from Houston Hall at the following times: (unless noted, buses operate seven days a week):

4:50 p.m. (weekdays only)	2 08 18	9:20 p.m.
5:10 p.m.		10:00 p.m.
5:50 p.m.	(weekdays only)	10:40 p.m.
6:40 p.m.		11:10 p.m.
7:20 p.m.		11:50 p.m.
8:00 p.m.		12:30 a.m.
8:40 n m		1:10 a m

Buses stop at the following locations. Stops for 33rd and Market, 30th Street Station and 32nd and Market are on request only starting at 6:40 p.m.

e u P	
3417 Spruce	44 & Walnut
Ravdin	44 & Pine
33 & Walnut	47 & Pine
33 & Market	47 & Baltimore
30th Street Station	48 & Chester
32 & Market	42 & Chester
33 & Powelton	42 & Spruce
38 & Powelton	3417 Spruce
38 & Walnut	50 50 50 <b>50 50</b> 70 50 50

Passengers wanting to return to campus after 6:30 p.m. may call the Department of Public Safety (243-7297), who will notify the bus driver that passengers will be waiting on a particular corner at an appointed time. Outbound passengers may ask the driver to take them to their nearest corner from 6:30 p.m. on.

# Reciprocal Memberships Offered

Faculty club members may obtain reciprocal membership privileges at the following colleges and universities: Cornell, Harvard, Brown, Stanford, Southern Methodist, University of Chicago, University of California at Berkeley, Mt. Holyoke and the Massachusetts Institute of Technology. Cali the Faculty Club at Ext. 4618 for further information.

# United Way Campaign Extended

The University has extended its United Way campaign through the end of November. The University's goal is \$85,000; last year it raised \$82,700. The area-wide United Way campaign ended November 16.

#### For the Record

People calling Fred Gilbert for information concerning the Cell Center of the University's Genetics Center (see *Almanac*, November 14, 1978, page 3), should dial Ext. 5183, not 5138.

# **Faculty Grievance Procedure**

New faculty grievance procedures were accepted by the Faculty Senate at its meeting November 15, 1978. Members of the Committee on the Revision of Grievance Machinery were: Robert E. Davies (animal biology); Larry Gross (communications); Irving B. Kravis (economics), convener; Philip G. Mechanick (psychiatry) and Covey Oliver (law).

#### I. Applicability

- a. This grievance procedure shall be available to any member of the University faculty, whether tenured or untenured, whether full time or part time.
- b. A grievance is a claim that action has been taken which involves the faculty member's personnel status or the terms or conditions of his/her employment and which is: (1) arbitrary and capricious; (2) discriminatory with regard to race, color, sex, age, religion, national or ethnic origin or physical handicap; or (3) not in compliance with University procedures or regulations, whether or not (1), (2) or (3) determined the outcome.

## II. Faculty Grievance Commission

- a. There shall be a Faculty Grievance Commission (the commission) composed of three members of the standing faculty with the rank of full professor. They shall be appointed by the Senate Advisory Committee for staggered three-year terms expiring September 30. These three members shall serve serially as chair-elect, chair and past-chair of the commission.
- b. The chair of the commission shall be the primary administrator of Faculty Grievance Procedure. The past-chair shall serve as presiding officer at grievance hearings. The chair-elect will observe the functions of the commission and may attend hearings. Each member of the commission may substitute for another member when necessary by virtue of a conflict of interest or otherwise.
- c. There shall be an independent legal officer to assist the commission in its operations. The legal officer's appointment and terms of employment shall be jointly determined by the chairman of the Senate and the provost. Once appointed, the legal officer's professional responsibility shall be to the Senate.

#### III. Preliminary Procedures

- a. Before filing a grievance with the commission a faculty member is encouraged to review his/her complaint with his/her department chair, dean, the chair of the commission, the University ombudsman and other University groups concerned with the protection of the rights of faculty members<sup>2</sup> in an attempt to effect an equitable resolution. Consistent with the informal nature of the discussions at this stage, neither a written statement of the complaint nor a written answer thereto need be prepared.
- b. Failing to receive satisfaction, or not willing to proceed informally, the faculty member may take steps to formalize the complaint. He/she shall inform his/her dean in writing of the nature of the complaint and of his/her intention to file a grievance with the commission. Additional discussions will normally ensue, perhaps for several weeks. However, the faculty member may, after the expiration of one week from the date of written notification, request in writing a written statement from the dean of the reasons for the actions which are the subject of the faculty member's complaint. The dean's written statement should either be approved by or accompanied by the separate statements of the department chair and the chair of any departmental or school personnel panels which have reviewed the case. The dean's and related written statements should be supplied to the faculty member within two weeks after receipt by the dean of the written request for such statements. Exceptions to these deadlines may be necessary during the summer months.
- c. If the faculty member is not satisfied with the outcome of the oral and written exchange with his/her dean, he/she may file a grievance with the commission one week after the dean's and related written statements were due or received. Written notice of the grievance and request for a hearing shall be submitted to the commission through its chair with a copy to the provost. Where a

faculty member has not filed a grievance with the commission within 90 days of the date on which the dean sent the written statements of reasons, the dean may inquire in writing whether he/she intends to file a grievance. In that event, the grievance shall be treated as abandoned unless it is filed within 30 days of such inquiry.

- d. Since grievances may be cumulative and a faculty member may be uncertain whether he or she has been aggrieved until additional observations are taken, several years may sometimes expire before the faculty member is convinced or aware that cause exists to set the grievance machinery in motion. In consideration of this, a faculty member may base his/her grievance on prior as well as current events or conditions. Since problems of assembling and assessing evidence become more severe, however, as time passes, the grievance, where feasible, should be focused on recent or continuing events or conditions.
- e. In the event it should appear to the chair of the commission that the grievance raises a matter of academic freedom, he/she shall refer the notice of grievance to the Senate Committee on Academic Freedom and Responsibility (Senate committee) which shall promptly determine whether the grievance is in fact within the jurisdiction of the appropriate school committee on academic freedom and responsibility. In the event that a determination is required as to whether the grievant presently does or does not have tenure, the chair shall refer the issue to the Senate committee for determination.
- f. The chair may determine that a grievance shall not be processed either because the claim is deemed not to be a grievance as defined in section 1:b, because the matter at issue in the grievance has been the subject of a prior grievance or because, in the opinion of this officer, the grievance is of so little consequence or merit that no panel should be created. This decision may be overruled by the chair-elect on appeal by the grievant.

#### IV. Participants

- a. Upon the formal filing of a grievance, the chair shall so inform the provost and proceed to the constitution of a hearing panel (the panel) in accordance with the procedures set forth below:
- (1) The panel will ordinarily be composed of three faculty members chosen from a hearings list. The hearings list will consist of at least 20 persons selected by the Senate Advisory Committee from members of the standing and associated faculty. The list should be broadly representative (including women and members of minority groups) but shall not include faculty members holding administrative appointments such as department chair, assistant or associate dean and vice-provost. Members shall serve for three-year terms expiring September 30 of the third year. Appointments shall be arranged so that the terms of approximately one-third of the members shall expire each year. Replacements shall be selected by the Senate Advisory Committee as needed.
- (2) The three members of the panel shall be chosen at random from the hearings list. The grievant and the respondent (see paragraph b below) may each exercise up to three peremptory challenges. The commission, on its own motion or on the motion of the grievant or the respondent, may disqualify individuals on the hearings list for service on a particular panel for reasons such as family or other potentially biasing relationships to either the grievant or others involved in the case or prior involvement in voting or other actions bearing upon the case, or membership in the same department as the grievant. The commission will devise rules for the random selection of panel members.<sup>3</sup>
- b. The chair of the commission shall ask the provost to designate the University person (the respondent) who shall act on behalf of the person or persons taking the action complained of.<sup>4</sup>
- c. The grievant may have a University colleague aid in the preparation and presentation of his or her case to the panel. Such a colleague should normally have academic qualifications in the grievant's field of study and therefore be able to provide expert assistance in the case. When the grievant has the aid of a colleague,

the corresponding opportunity will be extended to the respondent. The University colleague for the respondent shall, however, be in that category of persons eligible to serve on panels. It is not the intention of these provisions to permit either party to have such a University colleague serve as legal advocate in the presentation of the case.

d. The chair shall ascertain whether the grievant chooses to have a University colleague and, if so, whether the respondent also chooses to have a University colleague. The chair shall convey to the presiding officer the written notice of the grievance and the names of the panel, the respondent and the University colleague(s), if any.<sup>5</sup>

#### V. Procedures

- a. The decision on the merits of a grievance will be made by the panel after hearings in which the grievant and the respondent have the opportunity to present their cases. Hearings shall be chaired by the presiding officer, assisted by the legal officer. Arguments, oral and documentary evidence and witnesses will be presented first by the grievant and then by the respondent. The presiding officer shall have the power to call witnesses and to introduce documents and shall, at the request of the panel, obtain expert opinion from inside or outside the University. Each side shall have the right to address questions through the presiding officer to witnesses introduced by the other side. If panel members then have questions, they may submit them in writing to the presiding officer.<sup>6</sup>
- b. A hearing will follow an agenda prepared by the legal officer that is based on prior demonstration of relevance by the grievant or the respondent. Such determinations of the relevance of issues, oral statements or other evidence by the legal officer may be overruled by the presiding officer on appeal by a party.
- c. The legal officer and the presiding officer shall have access to all documentary evidence that is in the custody or under the control of the person or persons who took the action complained of or of the grievant and that is deemed by those officers to be relevant to the grievance. If documentary evidence is needed by the grievant or the respondent in the preparation of his or her case, or by the panel in the course of its deliberations, application for access to such evidence shall be made to the legal officer, who shall determine, subject to appeal to the presiding officer, whether the evidence requested is relevant and, under the authority of the commission, shall obtain evidence deemed relevant. All such evidence shall be available to the panel, the respondent, the University colleague(s), if any, and subject to restrictions of confidentiality, to the grievant.
- d. The commission may establish such further rules and procedures as its deems necessary to supplement those specified herein. Where procedures have not yet been adopted, the presiding officer may rule on the matter. Appeals from such rulings may be brought to the other members of the commission and, if denied, to the Senate Advisory Committee. Appeals from rules established by the commission may also be presented to the Senate Advisory Committee. Procedures adopted under this provision should be included in the annual report of the commission. (see section X.)

#### VI. Findings

a. The panel shall prepare a written report which may include a minority opinion. After making its decision but before writing its final report, the panel shall discuss with the legal officer and/or the presiding officer the most appropriate way to present its report. The report shall contain a clear statement of the elements of the grievance and the panel's decision with respect to each one. In cases in which any element of the grievant's claim is upheld, the salient findings of facts that have led the panel to each of its conclusions with respect to the injury done to the grievant shall be summarized. The panel may propose remedies. The panel shall not however have the responsibility or the authority to make a reevaluation of professional competence. In cases involving appointment, promotion or tenure it may recommend a full review and reevaluation of the case. The panel may suggest to the provost procedures that might be followed in such a reevaluation, but the choice of procedures remains with the provost. The provost shall ensure that the recommendations of the panel and its supporting documentation, if any, are included in the documents considered in the reevaluation.

- b. The presiding officer shall distribute the panel's report to the grievant, the provost and the respondent. The person or persons who took the action complained of may obtain copies of the report from the commission chair or the provost.
- c. Since the panel's report is to be succinct, the provost may wish to consult with the presiding officer to obtain more information about the case. It shall be the duty of that officer to provide the provost, upon request, with the details underlying the panel's report and to make available the full documentation.
- d. While the panel's report is to be accorded great weight, it is advisory to and not binding upon the provost. The provost's decision shall be made and communicated in writing within six weeks to the chair of the commission, the grievant and the respondent. In the event the provost declines to implement the recommendations, the written communication shall include the detailed reasons, and shall be sent also to the chairman of the Senate.
- e. When the presiding officer is satisfied that the final action on the case within the University has been taken, he/she shall recommend to the chair of the commission that the panel be dissolved.9
- f. If the grievance proceeding uncovers an administrative action or practice that seemingly violated University procedures or otherwise led to inequitable treatment, it is the responsibility of the presiding officer to bring the matter to the attention of the chairman of the Senate and the provost. The chairman of the Senate, working through the ombudsman, the Senate Committee on Academic Freedom and Responsibility or other channels, should see to it that the matter is examined. The chairman of the Senate shall report to the Senate Advisory Committee not later than the following semester whether such actions or practices have been found to exist and if so what measures have been taken to correct them.

#### VII. Confidentiality

- a. Since the work of the commission and its panels requires the highest level of sensitivity to the privacy of all concerned, members of the commission, members of panels, grievants, respondents, University colleagues and witnesses shall accept the moral obligation to maintain confidentiality with respect to oral and documentary evidence presented and deliberations occurring during the processing of individual cases (except as necessary in the preparation of a case or as otherwise noted in this document). All others are expected to respect the privacy of all concerned to the greatest extent possible.
- b. Except as otherwise provided in this document, or as authorized by the chairman of the Senate, the report of a panel shall be treated as confidential by all participants in a grievance proceeding and by all members of the University community.

### VIII. Hearing by the Senate Committee on Academic Freedom and Responsibility

- a. In cases which involve reappointment, promotion or tenure, and in which the provost has declined or failed to implement the recommendations of the panel to the satisfaction of the grievant, the grievant may obtain a hearing before the Senate Committee on Academic Freedom and Responsibility (Senate committee) on the actions of the provost. The report and recommendations of the panel and the statement of the provost shall then be made available to the committee. The committee shall also have access to all evidence presented to the panel and the records of the hearing before the panel.
- b. The Senate committee shall follow as far as possible procedures consistent with section V:a for the conduct of the hearing. The parties shall not be permitted to introduce evidence presented before the panel, and the findings of fact of the panel shall be accepted by the Senate committee if they seem to have been fairly arrived at. The Senate committee shall determine whether the

provost's action in declining or failing to implement the recommendation of the panel to the satisfaction of the grievant was reasonable in the circumstances. If the Senate committee finds that there is significant evidence that was not previously available to the party asserting its relevance, it may return the case to the presiding officer for consideration by the panel.

c. The Senate committee shall promptly report its findings and recommendations to the president with copies to the provost, the chair of the commission, the panel, the grievant and the respondent. A copy shall also be given to the editor of *Almanac*.

#### IX. Expenses

Necessary and proper expenses for processing a grievance shall be met from University resources. It shall be the responsibility of the presiding officer to determine what is necessary and proper. To the extent possible, administrative and secretarial services should be provided by the office of the Senate. Services that cannot be furnished in this way and other necessary costs should be charged to a commission budget in the office of the Senate. These charges shall be under the administration of the chair of the grievance commission.

#### X. Annual Report

An annual report should be written by the commission at the end of the academic year. It should describe the activities of the commission and give an account of the cases completed or in progress with due regard for the maintenance of confidentiality. It should be sent to *Almanac*, the chairman of the Faculty Senate, the president and the provost.

#### Notes

- The cost of compensatory release from teaching should be provided from central University funds as needed.
- 2. The chair of the commission shall invite such University groups to identify themselves.
- 3. The designation of panel members shall be made according to the random order except that no member of the hearings list who has already served on a panel shall be designated for service on further panels until all eligible members have served at least once. These panel members, where possible, shall continue to serve on the panel until the case is concluded, even if this means that they serve beyond the time they retire from normal service on the hearings list.
- 4. Such "person or persons who took the action complained of" might include the following: department chairpersons, department personnel committees, department members who decide on departmental recommendation for personnel action, the deans of the schools, the school personnel committees, the faculties of the school, the provost and the president.
- 5. This process should be completed within four weeks of the date of filing the grievance.
- 6. There must be a majority of the panel present at all times during all hearings. It is the responsibility of the grievant and the respondent to ensure the presence of their witnesses at times deemed appropriate by the legal officer. Neither the grievant nor the respondent may present evidence to the

panel unless the other is present. One and only one tape recording shall be made of hearings. These tape recordings shall be kept in the custody of the commission. The panel, the grievant, the respondent and or their University colleague(s) shall have reasonable access to these tapes during the processing of the grievance.

- 7. The presiding officer and the legal officer have the authority to obtain additional documents such as the dossiers of other members of the same department or faculty members in the same discipline in other parts of the University who recently or currently are alleged to have received more favorable treatment, provided that notice is given to those faculty members whose dossiers are to be examined. The panel may request the presiding officer to obtain expert opinion from inside or outside the University.
- 8. Since frank and candid evaluations are necessary to aid appointment and promotion procedures, special care must be taken in the examination of letters of recommendation and evaluation. Of course, both sides involved in the grievance may stipulate, with the concurrence of the legal officer, that such letters are irrelevant or the grievant may already have had access to those documents by procedures unrelated to the filing of the grievance. In such cases these questions will not arise. In cases in which the presiding officer determines that information contained in letters of recommendation and evaluation concerning the grievant or other members of the faculty is relevant, the panel, to protect confidentiality and to further the broader interests of the University, should consider, separately, the following issues:
  - a. Did the department or other parties to the decision make a reasonable effort to obtain the views of experts not biased for or against the grievant? In answering this question, the presiding officer may let the grievant examine and testify on a list of names that includes but is not limited to people who make the assessments; the panel may also compare the letters obtained at its behest, if any, with the original set.
  - b. Did the requests for the views ask for complete evaluations or did they imply that a confirmation of a preexisting judgment was desired? In answering this question, the panel may examine any written requests for the views and may inquire of the letter writers. Other methods may be used at the discretion of the presiding officer.
  - c. Are the views, weighted by the reputations of the experts, when compared with evaluations for others currently or recently promoted, affirmative enough to occasion concern that improper discrimination or other grounds for grievance may have been involved?

If the grievant is accompanied by a University colleague who will have agreed to maintain complete confidentiality with respect to all information contained therein, the colleague will be given access to the letters and may question witnesses about the contents of the letters. If the grievant does not choose to be accompanied by a University colleague, the letters shall not be disclosed; but the legal officer shall provide to the grievant, to the greatest extent feasible, an indication of the tenor of the material in the letters so that he or she may make such response as is possible under the circumstances.

9. After the receipt of the panel's final report the presiding officer shall return all borrowed documents to their owners and turn over to the chair of the commission a complete file of the case—including a complete set of documents, depositions, etc. and the tape recordings of the hearings. The presiding officer shall destroy all other materials. Except when the chair of the commission determines otherwise, the complete file shall be destroyed three years after final action on the case within the University. However, the panel report shall be kept permanently on file.

# On FAS Graduate Support

Recommendations concerning the University fellowship program, proposed by the Graduate Council of the Faculties, appeared in Almanac, November 14, 1978. The FAS Committee on Graduate Education presented a different set of recommendations to the Faculty of Arts and Sciences, which voted in favor of the resolution that appears below.

Whereas: In order to maximize the impact of our limited fellowship resources for recruitment, each graduate group must be provided with sufficient flexibility so as to be able to offer as many competitive fellowships and scholarships as possible to high quality applicants who are also applying to departments at peer institutions;

Whereas: The principles that should govern the allocation of support monies for the purpose of recruiting new students are different from those that should be used in the distribution of aid to continuing students;

Whereas: The allocation of recruitment funds among graduate groups should be based upon a careful assessment of 1) predetermined standards of quality established by each graduate group in consultation with the dean, associate dean for graduate education,

and Committee on Graduate Education; 2) the expected size of the annual applicant pool that meets these standards; 3) the estimated percentage of this group that will accept University of Pennsylvania fellowship offers; 4) the optimal number of first-year graduate students in the different graduate groups; and 5) the availability of external and/or T.A. and R.A. funds that can be used for recruitment. On the basis of this assessment, monies will be allocated to individual departments or graduate groups to use as they see fit in order to attract new students.

Whereas: Since the proportional allocation of support for continuing students should be based, at least in part, upon the success of the different graduate groups in recruiting high quality applicants, normally no less than 25 fully funded fellowships should be distributed by a specially appointed committee of representatively selected distinguished faculty which will determine the successful fellows on the basis of FAS-wide competition. These prestigious awards will include newly established dean's fellowships as well as already existing endowed fellowships open to interdepartmental competition;

Whereas: Since the availability of teaching fellowships and research

assistantships in particular departments should not determine the size of the student body in any graduate group, each department should be encouraged to advertise and assign these positions to highly qualified applicants regardless of the graduate group in which they are enrolled, and additional non-service support monies should be proportionally assigned to graduate groups according to the same principles that determine the assignment of recruitment funds:

Whereas: The availability of special departmental funds and/or endowed fellowships restricted to a specific graduate group should

not determine the allocation among graduate groups of FAS-wide support monies; all such departmental funds must be awarded to students who meet the predetermined standards of quality and particular restrictions on these funds;

Whereas: The dean will report annually on graduate support to the FAS Committee on Graduate Education;

Be it resolved that: FAS will control all its resources for graduate support (teaching fellowships and University fellowship funds and other such similar funds), and that such support will be distributed by the dean according to the principles outlined in this resolution.

# Council Committee Reports, 1977-78

Other Council committee reports appeared in Almanac on October 17, October 31 and November 14, 1978. Remaining reports will appear in future issues.

#### Committee on Research

#### 1. Monitored Workload System of Payroll Distribution

This system was developed by the Committee on Governmental Relations of the National Association of College and University Business Officers. Under this system, an agreement would be reached between the University and each faculty member as to his or her distribution of effort for the year, and funds would be distributed accordingly. If there were no significant change in the individuals' distribution of effort, no further reporting would be required until the end of the year, at which time a certification would be made as to distribution of effort. If a significant change in the distribution of effort develops during the year, the original process is repeated. Vice-Provost Langenberg discussed the relative merits of the alternative methods for establishing direct salary costs under government contracts: stipulated salary support, monthly after the fact certification, and appointment and workload distribution systems. He commented that these systems arise from the federal agencies' need to gain assurance that the salary costs which are being paid through a contract correspond to actual expenditure of faculty effort in research.

Dr. Southworth, chairman of the Monitored Workload Systems Subcommittee, presented Vice-Provost Langenberg with a reasonably representative faculty response to the proposed monitored workload system. It was noted that, in discussion with Vice-Provost Langenberg, mention had been made of the possibility of a change from the reporting of effort to an assessment of output. Vice-Provost Langenberg expressed that while measurement would provide a superior system, it has not been possible to devise a reliable measure and, even if such a measure could be developed, it is uncertain that federal agencies would accept it as a replacement for monetary accounting. After he had received the subcommittee report, Dr. Langenberg responded to the proposing body that the University would consider using the monitored workload system for a part of the institutional needs if the final version is similar to the draft which has ben reviewed.

#### 2. Patent Policy and Procedures

Last year, the committee had recommended that a contract be consummated with University Patents, Inc. (UPI). After presentations by the Research Corporation and two consultants, the committee again recommended UPI. Negotiations with UPI have been concluded and the resulting agreement has been approved and signed by President Meyerson. The implementing procedure to the patent policy has been reviewed and changes recommended in which the committee concurs. These revisions have also been approved by the president.

#### 3. Faculty Grants and Awards Subcommittee

This subcommittee has the status of a standing subcommittee of the University Council and as such is appointed by the Steering Committee of the University Council, though organizationally it is a subcommittee of the Committee on Research receiving a copy of the subcommittee's final report. The size of the subcommittee has remained relatively the same over the years while the amount of funding available to it and the number of applications which it has reviewed have varied greatly.

The vice-provost had requested the Committee on Research's advice as to the disposition of an anticipated biomedical research grant from NIH and a further possible institutional grant from NSF. The sums involved would be in addition to the unrestricted University funding of about \$50.000 which goes to the Subcommittee on Faculty Grants and Awards. He suggested that these additional allocations might best be made by this subcommittee but that its membership would have to be expanded to include a larger complement of scientists, and it would have to work during the summer as well as during the academic year. A memorandum was sent to the Steering Committee on January 3 to request that the above subcommittee either be responsible to the Committee on Research or be made an Operating Committee of the University Council. (See Appendix A.)\* The response of the Steering Committee is given in Appendix B.\*

It was the sense of the Committee on Research that the recommendation by the Steering Committee that the faculty grants and awards subcommittee be made an operating committee should be accepted.

Mr. Lorndale stated that he would request that the Committee on Committees, in nominating the membership of the new operating committee, enlarge the membership with a view to obtaining a broader representation of the disciplines.

# 4. Indirect Cost and Quality of Service (including functions of the Office of Research Administration)

During the previous two years, it was ascertained how the indirect cost rate is calculated and where and in what proportions the recovered funds are allocated. Last year the subcommittee had ascertained that about \$6 million were budgeted to general administrative costs. This year the subcommittee is identifying and meeting with representatives of the indirect costs centers that are budgeted in the \$6 million figure with a view to determining the services and quality of service which they render and the proportion of their work which can be attributed to research. (See Appendix C.\*)

Several indirect cost centers have been reviewed. These include the ORA, personnel office, payroll office and purchasing office. All of these offices have cooperated by providing information about their size, budget and functions. Payroll activities related to research comprise 26-29 percent of the total payroll of the University, while purchasing activities which are research related are 73 percent of the total. Many of the functions provided by the above offices are general ones and, while research related, are not specifically the sole result of research activity. One area which has been identified as entirely research related is the growing demand for reports and compliance with government regulations—an area which is generated by the granting of research awards. The Computer Center (UMIS), the ORA and Dr. Langenberg's office are chiefly involved in this activity and it is planned to examine this function in the next year to determine its impact on indirect costs.

<sup>\*</sup>Appendices are on file in the Almanac offices-ed.

#### 5. Research Environmental Conditions

#### in Institutions and Centers

Not much progress was made on this subject. It is suggested that the new Committee on Research look into the merits of such a study.

#### 6. Encumbrance Accounting

Mr. Schwering, chairman of the accounting committee of the Association of Business Administrators, saw encumbrance accounting as a means of avoiding the very considerable duplication of effort which was occuring because, when transactions are made, documents concerning these transactions are retyped at various levels. He indicated that, following the University's decision to install an encumbrance accounting system, a design committee of encumbrance accounting, of which he is a member, was formed. He noted that the committee has been meeting weekly and has nearly completed its final report on the first stage to be installed. He explained that, under the proposed system, transactions will be entered into the general ledgers of the University, with access to the transactions to be available to functions requiring this information. He added that the design committee's reports will be forwarded to an implementation committee.

In discussion, Mr. Schwering stated that the encumbrance accounting system will help the central administration overdrafts and will be invaluable to researchers in that they will be able to know the uncommitted balances remaining in their grants on a current basis. In answer to a question, he estimated that it should be possible to have a complete system under test in some schools of the

University within one and one-half years. He pointed out that the system should permit reductions in the clerical staff with no diminution of service. A major goal of the system will be to eliminate the departmental systems which presently trace uncommitted balances.

#### 7. University Policy on Conduct of Research Programs

The University Council Ad Hoc Committee on University Relations with Intelligence Agencies (CURIA) recommended that the Committee on Research undertake the revision of "The Integrated University Policy on Conduct of Research Programs." This subcommittee was headed by Professor Jerry Wind, and the changes were limited to those recommended by CURIA. The right of appeal to the Committee on Research was added. The committee intends to publish the proposed revision for comment in Almanac in the fall. (See Appendix D.)\* (Almanac published this report in the October 10, 1978 issue.)

#### 8. Almanac

Articles appeared in the January 18, 1977, April 12, 1977, and May 10, 1977 issues.

#### 9. Closing

As my term as chairman comes to an end, I wish to thank each and every member who served with me on this Committee on Research. With their assistance in all matters, my position as chairman was served with much enthusiasm. My best wishes go to the next chairman, Howard M. Myers, and his committee.

-Shiv Gupta, chair

# **Openings**

The following listings are condensed from the personnel office's bulletin of November 16, 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 call 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

Accountant I, Trust records admissions and withdrawals in University's pooled investment fund. College graduate, experience. \$9,275-\$13,000. Accountant II prepares external University financial reports. B.A. in business administration, experience. \$11,525-\$16,125.

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 Manager, Contract Accounting executes grants and contracts, administrative and fiscal policies and procedures. College graduate with a degree in business administration, experience. \$11,525-\$16,125.

Assistant Placement Counselor gives career counseling and assists in placement of students interested in health, education, government and social service employment. College graduate. Salary to be determined.

Assistant Program Director (11-14-78).

Benefits Counselor (11-14-78).

Business Administrator I prepares budgets and manages funds. Bookkeeping skills needed. Salary to be determined.

Controller (9-12-78).

Curriculum Coordinator assists director in in-service teacher-training, works with teachers. M.A. in applied linguistics or related field with a minimum of five years E.S.L. teaching experience. Salary to be determined. Director of Facilities Management (9-12-78).

Director of Recreation and Intercollegiate Athletics (11-14-78).

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

Group Practice Administrator (10-3-78).

Head of Laser Operations organizes labs, coordinates user experiments and maintenance of laser systems. Background in lasers related to engineering, physics or chemistry. Salary to be determined.

Insurance Manager (10-3-78).

Junior Research Specialist (four positions) (a) (10-31-78); (b) (three positions—11-14-78).

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

Librarian I (10-3-78).

Office Manager (two positions) (a) (10-31-78); (b) (11-7-78).

Placement Counselor (9-12-78).

Project Coordinator (10-17-78).

Research Specialist I (11-7-78).

Research Specialist II (9-12-78).

Research Specalist III operates and maintains lasers and related instruments, works with and advises users of the facility. College graduate, three to five years' experience in laser area. \$13,250-\$18,575.

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

Staff Writer I (9-26-78).

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

## Support Staff

Administrative Assistant I (three positions) (a) 11-14-78); (b) sends applications, handles correspondence and transcripts (typing, shorthand, adding machine, experience); (c) is responsible for budgeting, bookkeeping and purchasing, (typing, two years' college or business school, experience). \$7,150-\$9,150.

Administrative Assistant II (10-24-78).

Cashier (two positions) (a) 9-12-78); (b) 11-14-78).

Clerk IV (10-31-78).

**Data Control Coordinator** schedules and coordinates personnel and computer operations. High school graduate, some college, six months' supervisory or data control experience. \$7,150-\$9,150.

Duplicating Machine Operator II (11-7-78).

Electrician (10-24-78).

Electronic Technician II has charge of repair and maintenance of audio and video equipment. Proven ability to repair and maintain equipment, AVC experience. \$8,625-\$11,050.

Filterman (11-14-78).

Information Control Clerk (11-7-78).

Information Systems Technician runs and edits computer programs, maintains financial programs. College graduate with accounting major and course work in data systems and statistics. \$8,250-\$10.550.

Junior Accountant (9-26-78).

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

Programmer 1 (10-3-78).

Project Budget Assistant (11-7-78).

Receptionist Medical/Dental has clerical and secretarial responsibilities in large outpatient area. Typing, knowledge of medical terminology, two years' experience. \$6,225-\$7,975.

Research Bibliographer I types manuscripts and correspondence, checks references at library and arranges conferences and meetings. College

graduate, several years' experience. \$7,150-\$9,150.

Research Lab Technician I extracts, purifies and biochemically identifies collagens. Experience with protein purification methods, chromographic techniques and radioisotopes. \$6,775-\$8,675.

Research Lab Technician II makes solutions and micro-electrodes, dissects frog and mammalian hearts. Background in mathematics and physics with knowledge of biology. \$7,650-\$9,800.

Research Lab Technician III (four positions-11-14-78).

Secretary I (11-14-78).

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

Secretary III (14 positions). \$6,700-\$8,575.

Secretary III, Clinical performs secretarial duties, assists in preparing and coding research data. High school graduate with some business school or college, typing. \$7,150-\$9,150.

Secretary IV (three positions) (a) (9-26-78); (b) (10-31-78) (c) (11-14-78).

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

Senior Admissions Assistant (two positions). (a) (11-7-78); (b) (11-14-78).

Sergeant (11-7-78).

\*Stockkeeper ! (11-14-78).

Supervisor, Assistant (11-14-78).

#### Part-Time

Details on three administrative professional and 17 support staff positions are listed on campus bulletin boards.

# Things to Do

#### Lectures

The Department of Chemical and Biochemical Engineering presents Dr. Semih Erhan, senior scientist at the Franklin Institute Research Laboratories, on Research Activities at Franklin Institute, November 27, 3:30 p.m., Alumni Hall, Towne Building: and Professor Henry R. Bungay of Rensselaer Polytechnic Institute on Frontiers of Biochemical Engineering. December 4, 3:30 p.m., Drexel University. § Jean Kilbourne, author and critic, tells The Naked Truth: The Cultural Conditioning of Women via Advertising, November 27, 4 p.m. colloquium room, Annenberg School. § Ruth Wells, crime prevention specialist, delivers several Crime Prevention Training Programs on November 28. 29 and 30, and December 4, 5 and 6. For time and campus location, call the Department of Public Safety, Ext. 4480. § The Seminar on Non-Western Literatures features Professor Pierre Cachia. Columbia University, on The Composition and Transmission of Egyptian Narrative Ballads, November 28, 4 p.m., East Lounge, fourth floor, Williams Hall. § The Center for the Study of Democratic Politics sponsors Professor George Carey, Georgetown University, on Constitutionalism, Separation of Powers and Democratic Government, November 28, 3:30 p.m., E-106, Dietrich Hall. § Professor Henry Faul of the Penn geology department discusses A History of Geologic Time, November 29, 4 p.m., Room 102, Chemistry Building, in a lecture sponsored by Sigma Xi. § The Afro-American Studies program offers a discussion of Race, Politics and Unemployment with Professor Charles V. Hamilton of the Columbia University political science department, November 29, 4 p.m., Benjamin Franklin Room, Houston Hall. § Kristin Hunter reads from her new novel, The Lakestown Rebellion, November 29, 4 p.m. in the Philomathean Rooms, fourth floor of College Hall. §The Foodways Group and the Graduate Program in Folklore and Folklife present David A. Feingold of the Institute for the Study of Human Issues on Name Your Poison: Drugs as Food, November 29, 5:30 p.m., in 401 Logan Hall. This series also features Karen Kerner of the Institute of the Study of Human Issues, on Of Peacocks and Parasols: Sumptuary Laws and the Social Order, December 5, 4 p.m., 401 Logan Hall. § The Community Education Committee of YM YWHA and DES Action Group of the Penn Women's Center sponsor Lawrence Borow, M.D., Lankenau Hospital, who asks Did You or Your Mother Take DES? November 29, 7:30 p.m., YM YWHA Branch of Jewish Y's and Centers, Broad and Pine Streets. Call KI 5-4400, Ext. 27 or 28. § Shahid Javed Burki of the World Bank adresses the question Economic Growth Models, What Went Wrong? in the South Asia Seminar series, November 30, 11 a.m., University Museum. § The Operation of a Hospice is discussed by Don Wernsing, M.D., Riverside Hospice, November 30, 4:30 p.m., Colonial Penn Center Auditorium, in the National Health Care Administration colloquium. §The Department of Microbiology, School of Medicine examines Organization and Expression of Immunoglobin Genes, by Dr. Robert Perry, Institute for Cancer Research, November 30, 2:30 p.m., Wistar Auditorium. § The Institute of Contemporary Arts completes its Artists in Their Studios series with a visit to sculptor Phillips Simkin, November 30, 6:30 p.m. (Admission is by series subscription only. Call Ext. 7108.) §Dr. Susan Stewart of the Department of English, Temple University, discusses Some Paradoxes of Sense and Nonsense, December 1, 12:30 p.m., Room B-27, School of Education. Bring your lunch; beverages are provided. § Daniel O'Neal of the School of Nursing reviews

Gerontology Nursing: Research, Practice and Service for the Center for the Study of Aging, December 4, 4 to 6 p.m., Room 110, Nursing Education Building. § Virginia Greene, conservator of the University Museum, addresses the Women's Faculty Club at noon, December 5, in the Ethnic Arts Room, University Museum. § The Respiratory Physiology Seminar series features Dr. Ella Haugaard, Department of Pharmacology, on The Effects of Insulin and Thyroxin on the Synthesis of Uridine Triphosphate in Muscle. 12:30 p.m., December 5, physiology library, fourth floor, Richards Building.

#### **Films**

The University Museum's Sunday Film series offers Carnival in Flanders. November 26, and The Confessions of Winifred Wagner, December 3, 2:30 p.m., Harrison Auditorium. § Annenberg School's Exploratory Cinema Series features Georges Rouquier's Farrebrique, November 29, 7 and 9:30 p.m., Studio Theater, Annenberg Center (students, \$1; others, \$2). § Jorge Sanjines's Blood of the Condor is the Latin American Cinema Series selection November 29, 7:30 and 9:30 p.m., International House, \$1.50. §The International Cinema Series brings to campus Jean-Luc Godard's Band of Outsiders (November 30, 7:30 p.m.; December 1, 4 and 9:30 p.m.) and Mirielle Dansereau's Dream Life (November 30, 9:30 p.m.; December 1, 7:30 p.m.), International House (evening, \$1.50; matinee, \$1). § The Turning Point (December 1, 7 and 9:30 p.m., \$1), Reefer Madness (December 1, midnight, 75c) and 2001: A Space Oddyssey (December 2, 8 p.m., \$1) are the Penn Union Council offerings in Irvine Auditorium. § The University Museum has The Secret Garden, December 2, 10:30 a.m., Harrison Auditorium. §The Neighborhood Film Project's Real to Reel series presents two class labor films by Carl Marzani, December 3, Christian Association Auditorium, \$1: Deadline for Action and The Great Swindle.

#### **Exhibits**

The Women's Cultural Trust features the Raku Ceramic Sculpture of Diane Fishbein. November 27 through December 7 in the crafts gallery of the Christian Association Building (opening reception: November 27, 5 to 7 p.m.). §The Lippincott Library displays a selection of Books and Periodicals on Arts Management in the center area of the first floor of the library now through December 1.

#### Music/Theater

Pianist Minoru Nojima performs in recital November 29, 8 p.m., University Museum. Call the Performing Arts Society, DA 9-0151, for information. § The Annenberg Center features two performances by Estelle Parsons in Miss Margarida's Way. December 1 and 2, 8 p.m., in the Zellerbach Theater. Resevations: Ext. 6791. § The Devon Brass Ensemble participates in the one-day Greater Philadelphia Cultural Alliance Community Arts Services Fair, December 1 at 1 p.m., International House. Call EV 7-5125 for details. § Backstage at the Annenberg Center presents Jean Genet's Deathwatch, December 1, 2, 8 and 9, 8 p.m., in the Harold Prince Theater of Annenberg Center. Tickets are available at the box office, Ext. 6791. § The Collegium Musicum, Mary Anne Ballard director, provides a program of medieval and Renaissance music with The Feasts of Christmas, December 6, 8 p.m., University Museum. Call Ext. 6244 for ticket information.

#### Mixed Bag

The Faculty Club features a Traditional Thanksgiving Dinner, November 23, 2 to 5 p.m. Call Ext. 4618 for reservations. § Donate blood on November 28 in the Christian Association Building from 11 to 6, or December 7 in Phi Kappa Sigma from 11 to 5. (Sponsored by the Blood Donor Program.) § Alumni can join the General Alumni Society for a buffet dinner, cocktails and wine hour on November 29 after the Penn vs. Virginia basketball game. Call Ext. 8711 for reservations. § Jane Herrman explains After Dinner Gardening in a Morris Arboretum workshop, November 29, 7 to 9 p.m. Call CH 7-5777. § Minority women on campus—faculty, students, administrators and support staff-are invited to a Minority Women's Network Meeting. November 30, noon to 2 p.m., in Room 720, Franklin Building. Bring your lunch. § The Penn Balalaika Orchestra sponsors an evening of Slavic music, dance and food, December 1, 8 p.m. Tickets are available at the Houston Hall Ticket Agency. § Ways in which the new Center for Philadelphia Studies can help link University resources to community concerns is the topic of a conference December 8. Call Andi Coyle, Ext. 8742.

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