

Almanac

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IN BRIEF

Assistant Ombudsman: Dr. Gulben O'Connor is the new Assistant Ombudsman of the University, located with Ombudsman Barbara Lowery at 113 Duhring Wing (Ext. 8261/2) for assistance in resolving internal complaints of faculty, staff and students. Dr. O'Connor, whose past three years' problem-solving assignment has been as an assistant dean in the Academic Advising Office of The College (SAS), took her B.A. in political science at Bryn Mawr in 1960. Her Ph.D. is in social anthropology, Penn 1972, and her fieldwork was on a revitalization movement on Guadalcanal, in the Solomon Islands and among Gypsies in Philadelphia.

Resignation of Mr. Saxe: Fred Saxe, who joined the University as vice president for facilities management November 12, resigned on April 8. In a thank-you letter to the unit's staff he said "I have come to the realization that the requirements of my current position do not fit with my future career plans." Immediate replacement steps are being taken, Mrs. O'Bannon said, with a search firm engaged to speed the process.

The VPFM oversees planning, design, construction, renovation, maintenance and utilities management of University buildings and grounds. Mr. Saxe came from a similar post as Rensselaer Polytechnic Institute last fall.

WXPN Marathon: The 16th annual on-air fund appeal for Penn's FM station (88.9) runs through Sunday. About two-thirds of operating expenses come from listener response (\$90,000 last year) and the station can use more volunteers for the pledge phones as well as contributions: Base membership is \$25 (\$15 for students, senior citizens and other limited-income listeners), and contributions upward from \$30 offer premiums such as T-shirts, records and concert and theatre tickets. To make a pledge or to volunteer: 387-5401.

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Five Guggenheim Awards in 1985

Five University of Pennsylvania professors are among 270 American and Canadian scholars, scientists and artists who have been selected to receive fellowship awards from the John Simon Guggenheim Memorial Foundation this year, placing Penn eleventh nationally.

The fellowships are given on the basis of demonstrated accomplishment and strong promise for the future. Penn's winners:

Dr. Norman T. Adler, professor of psychology and chairman of the biological basis of behavior program at Penn, received the award for his research on the biological psychology of reproduction. This year, he has also been named the first Frank Guggenheim Fellow at the Center for Advanced Study in the Behavioral Sciences located in Stanford, California.

Dr. Deirdre Bair, associate professor of English, will use the grant to continue work on a critical biography of French author Simone de Beauvoir. Dr. Bair is also the recipient of a Rockefeller Award this year.

Dr. Amos B. Smith III, professor of chemistry, will pursue the study of chemical communication in primates.

Dr. Arnold Thackray, professor of history and sociology of science, will work on a history

of the Center for Advanced Study in the Behavioral Sciences. Dr. Thackray was also elected treasurer of the American Council on Learned Societies.

Dr. Alexander, Vucinich, professor of history and sociology of science, will study science and Soviet ideology.

To Guggenheim: Dr. Conarroe

SAS Dean Joel Conarroe will become President of the John Simon Guggenheim Memorial Foundation when its current president, Gordon N. Ray, retires in September. Dr. Conarroe, who announced last fall his intention to leave the deanship at the academic year-end, will direct an organization that distributes over \$5 million a year in grants to scholars.

Since joining Penn's English department in 1963, Dr. Conarroe has risen to professor, chaired the department, served as the University's first Ombudsman, and — after three years away as executive director of the Modern Language Association (1978-81) — returned to be Dean and Thomas S. Gates Professor of Arts and Sciences. Since 1980 he has also been a director of the National Book Critics' Circle and is currently its vice president for awards.



Dave Nocella

Social Work: This Is the Week that Is

As Philadelphia Mayor W. Wilson Goode declared this a week in SSW's honor, the School gave him in return a graphic of its 75th Anniversary motto. The proclamation he presented (to Anniversary Committee Chair Anita G. Langsfeld, Dean Louise Shoemaker and SSW Alumni President Miriam F. Mednick) in Friday's ceremony at City Hall reads: *The School of Social Work of the University of Pennsylvania for the past 75 years has provided Philadelphia with well-trained health and welfare workers. These workers are committed to a better quality of life for the young, the aged, the ill, the unemployed and the imprisoned. The School of Social Work draws students from all over the country and around the world. It is my distinct pleasure to proclaim the week of April 15 through 19 as the University of Pennsylvania School of Social Work Week, for 75 years of outstanding service. God bless you.*

SENATE From the Chair

Wine and Cheese Will Not Be Served — Your Interests Will

The meeting of the Faculty Senate on Wednesday at 3 p.m. marks the culmination of the work of more than 150 of our colleagues who served on the Senate Executive Committee and on the several standing and ad hoc committees this year. And good work it is too! Your presence to hear and approve the report of the Committee on the Faculty which appears in this *Almanac* is essential if the faculty is to assert its vital concern with the process of planning and to insist on having real influence on the content of the instruments which will have such impact on our lives. A second report by the Economic Status Committee will treat the coming opportunity to reshape fringe benefits policy. We will hear interim progress reports from the Committee on Students concerning the impact of fraternities on campus life and from the Committee on Administration which has examined and will recommend changes to the rules of the Senate. The report of the Committee on Academic Freedom and Responsibility will provide an opportunity to discuss the implications of the action of the Wharton School with respect to Mr. Dolfman. We will also receive an interim report from the Ad Hoc Committee on Behavioral Standards chaired by Professor Crockett. She will also report for the Committee on Publication Policy for the *Almanac*, which publication has again served the University, and the faculty in particular, magnificently.

Self-interest, curiosity and a sense of reciprocity of commitment should bring you to the meeting. I look forward to greeting you there.

Jacob Abel

Report of the Senate Committee on the Faculty

April 10, 1985

The Senate Committee on the Faculty was asked by the Chair of the Faculty Senate to look into the extent of faculty involvement in the development of the five-year plans of all the schools in the University. The Committee was assured that the Provost considers faculty input absolutely essential both in the development of the five-year plans and in their future revisions and updates, since these plans can potentially affect every faculty member. It was the charge of this Committee to ascertain whether or not this input did in fact occur in every school and to make such recommendations for improvement of the process as may seem advisable.

Information as to the actual operation of the planning process in the schools was sought by means of a questionnaire sent to every dean—all of whom responded, with varying degrees of completeness. The view of the Provost's Office was conveyed by Deputy Provost Richard Clelland, and the views of the faculty were solicited by an announcement in the *Almanac* of February 26, 1985 and at an open meeting of the Committee on March 14; faculty concerns were also reported by the Ombudsman and the President of the University Chapter of the AAUP.

The Committee recognizes that long-range planning is necessary for rational operation of the University, but also that successful planning depends on effective faculty participation. Although some schools have gone much further than others to assure such participation, our investigations revealed a number of procedural weaknesses in the process as it has been and is currently being carried out in most of the schools, as well as an apparently rather widespread cynicism regarding the process itself on the part of faculty and some deans. On the one hand, there is a perception that it is primarily an administrative exercise, with little relation to curriculum planning and development. Moreover, a number of faculty members see a certain inconsistency in the process: they are told that the focus is supposed to be on academic planning, not financial planning; yet they believe that financial criteria are decisive in the final analysis. While such conflicts of priorities may to some extent be inevitable in a period of no-growth, the Committee thinks that these negative perceptions can most effectively be combatted by a clearer articulation in advance by the administration on both the University and school levels of the actual criteria which will determine the acceptability of a plan.

On the other hand, an equally widespread concern appears to exist among the faculty that the planning process may be far more than an "administrative exercise" and may in fact lead to the imposition from above of an inflexible blueprint for the future of a department, program, or group of faculty that would channel development in a particular direction without the consent of those concerned. Indeed, initial attempts to implement portions of some plans have already given rise to com-

plaints of this sort. A first step toward relieving such concerns might be for both deans and faculty to acknowledge explicitly—as has been done by the Provost—that the five-year plans, together with the planned annual updates, are intended as attempts to chart a desirable course for the future—a course that may well have to be changed as conditions change—not as prescriptions that must be adhered to in every respect.

We have concluded that if the planning process is to achieve its goals, it must be a cooperative undertaking involving the faculty at all stages; yet the most serious defects in the process have been identified precisely in this crucial area of faculty involvement. Although the details vary from school to school, these procedural problems appear to be common to most of the schools:

1. Faculty input appears to become weaker the closer the plan comes to implementation. While the original information for the planning document may come from the faculty at large (rarely) or department or program chairs and/or a faculty committee (more commonly), there is no assurance that faculty advice will be taken into account in the final plan submitted by the dean to the Provost.

2. In nearly all schools the committee involved in the planning process is appointed by the dean and in several cases is composed predominantly or entirely of administrators and department or program chairs.

3. In the majority of the schools the final plan was not made available to the faculty in written form before being submitted to the Provost.

4. In only one school was the plan formally approved by the faculty prior to submission to the Provost (in one other the dean states that it will be submitted for faculty approval when completed).

The Committee therefore recommends that the following procedures for academic planning be adopted by all the schools—with possible minor variations consistent with their differences in size and organization:

1. Each school should have a faculty planning committee with a balance between members elected by the faculty and those appointed by the dean. This committee should work with the dean to coordinate long-range plans for the school and should be broadly empowered to seek input from the faculty at large as well as department and program chairs.

2. The resulting plan should be referred by the dean to the departments or programs for comment.

3. The plan should be made available to the faculty in written form well in advance of its submission to the Provost.

4. Departments, programs or other groups which believe themselves to be adversely affected by the plan may at this time express to the dean in writing their concerns with specific provisions of the plan.

5. After the faculty has had sufficient time to study the plan, it should be presented formally to the faculty, together with any written comments received by the dean, for deliberation and approval.

6. When a plan is adopted, its implementation should be monitored regularly. The school's planning committee should meet regularly with the

Election Results: Wednesday

At the close of voting Friday, the Senate Office appeared to have received between 700 and 800 returns from its mail ballot on the offices of chair-elect, secretary-elect, and four at-large seats on the Senate Executive Committee. Last year approximately 1000 of the 1800 Senate members voted, Chair Jacob Abel said.

Tabulation was scheduled for Tuesday by six tellers, with four observers, under the general coordination of Senate Aide Carolyn P. Burdon. Results are to be announced at the stated meeting Wednesday.

On April 24, SEC's last meeting of the 1984-85 year will be the "changeover" meeting with both old and new officers and members seated. It will be in the Club Room of the Faculty Club (not the Senate Office at College Hall) and a reception afterward will recognize the work of this year's officers, SEC members and members of SEC committees.

dean on its implementation, and the dean should report on it regularly to the faculty.

7. Any and all revisions to a school's plan, whether before or after approval by the Provost, should follow the same consultative process outlined above.

The Committee further recommends that the progress of the planning process be reviewed again by next year's Senate Committee on the Faculty.

Senate Committee on the Faculty

Stuart Churchill (chemical engineering)

Gary Cohen (microbiology/dental)

Madeleine Joulle (chemistry)

Albert L. Lloyd (German), Chair

Jack Nagel (political science)

George E. Ruff (psychiatry), (fall term)

Irving Shapiro (biochemistry/dental)

ex officio Senate Chair Jacob M. Abel (mechanical engineering)

Senate Chair-elect Anthony R. Tomazinis (city planning)

Dissenting Statement by Jack Nagel

April 2, 1985

I concur with all the recommendations except the provision of Recommendation 5 that would require faculty approval of each school plan. Although I believe that in the best of circumstances a school's plan should have the support of a majority of its faculty, I am concerned that in some schools (particularly the larger ones) processes through which approval is sought may be either unrepresentative or non-deliberative, or both. I also question whether faculty can or should decide major reallocations of resources among programs, especially when their primary loyalties lie with subunits rather than with a school as a whole.

Response to the Report of the Senate Committee on the Faculty

The Report of the Senate Committee on the Faculty attempts to promote a highly desirable end: participation of the faculty members in each of our twelve Schools in the planning process of their School. The Committee has found that this involvement differs among Schools and that in some it can be improved. I concur in that evaluation, and will continue to urge a considerable degree of faculty involvement in the planning processes of all Schools.

The Committee's approach to this problem seems, however, to be somewhat bureaucratic. The Schools vary greatly in size and in structure. The planning process within one School need not be the same as the planning process within all Schools in order to achieve satisfactory results. Furthermore, considering the fact that School plans need to be updated each year, the recommended procedures appear cumbersome, particularly in the larger Schools. Nevertheless, I will bring the Committee's recommendations to the attention of the Deans and ask that each School give them consideration. I hope it is clear to everyone that the Provost has no authority to impose a particular committee structure on a School.

As for our planning generally, it is neither an "academic exercise" nor an "inflexible blueprint." On the one hand, most Schools have made

considerable alterations and improvements in their programs as a result of the planning undertaken so far, and other Schools intend to make such changes in the future. On the other hand, since planning at the department and program level takes place within a School, and since plans are to be updated each year, there is a great deal of flexibility within which Schools can determine their own futures. The central administration has set certain general goals for the University. It also determines the financial parameters within which Schools operate. As long as Schools are supporting general University goals and are not exceeding their resources, planning for programs and curricula is largely in their hands.

I thank the Committee and particularly its Chair, for the time and thought given to these matters. The central administration has no hidden agenda; we are attempting to think sensibly about the future of the University and to make certain that resource allocations are based on academic priorities. We are also attempting to stimulate similar planning within the Schools and resource centers. Finally, we recognize the importance of communication, as reflected in the Committee's Report, and will try to enhance our efforts to keep the faculty up-to-date concerning planning activities.

—Thomas Ehrlich Provost

Speaking Out

Right to Believe

The Dean of the Wharton School announced on April 3 that Mr. Murray Dolfman, a lecturer in the Legal Studies Department, must attend "sensitivity and racial awareness" sessions if (it is implied) he is to have any chance of teaching at the University after next fall.

To require this reeducation is, I believe, a violation of Mr. Dolfman's right to believe what he chooses. I realize that he is said to have violated the rights of others. That fact, if it is one, does not justify doing the same thing to him. He is entitled to be the kind of person he is. No one should tinker with what goes on inside his head.

I am also concerned about precedents. If we use this kind of training today to reshape the views of an individual whose opinions we consider antisocial, will others use it tomorrow to mold the minds of all of us and produce a Hitlerian nightmare? If we use it today to produce sensitivity and awareness of the rights of others, will someone else use it tomorrow to foster, rather than eradicate, racism, sexism, or anti-Semitism?

True, our society does sometimes try to reshape attitudes. This is done in various ways with a range of people from alcoholics to wife-beaters to criminal psychopaths. But in these cases we are dealing with individuals whose beliefs and behavior clearly are harm-

ful to themselves or to others.

The situation is different, I think, in the cases of those whose attitudes are abhorrent to the majority but who are not, because of these attitudes, a danger to themselves or to others. Whatever Mr. Dolfman's views may be, no one appears to be maintaining that they are a real danger to his own or anyone else's survival. Hence there is no need for sensitivity sessions.

If his expression of his attitudes makes him an obnoxious and ineffective teacher, as some apparently do maintain, then the University should keep him away from its students. But it should keep its hands off his personality and his views.

The people who run the sensitivity sessions here are, to my certain knowledge, decent and thoughtful. But their competence, intelligence, and good will are irrelevant both to Mr. Dolfman's right to his opinions and to the dangerous precedent involved in this kind of reeducation.

—James C. Davis,
Professor, History

Response of Dean Palmer

With regard to our recent statement, I would like to make several points:

1) Professor Davis' letter states that our memorandum said that Mr. Dolfman *must* attend sensitivity and racial awareness ses-

sions. This is not correct. The Wharton School statement says that Mr. Dolfman *will* attend sensitivity and racial awareness sessions. In fact, Mr. Dolfman was asked if he was willing to attend sensitivity and racial awareness sessions. He agreed to do so.

2) Professor Davis' letter states that it is *implied* that he (Murray Dolfman) had to attend sensitivity and racial awareness sessions if he is to have any chance of teaching at the University after next fall. The statement from the Wharton School was written carefully and with much thought so that it would state completely the facts and leave nothing for implication.

3) While the remainder of Professor Davis' letter makes some very interesting observations, I do not think they are applicable in this case. They were based on the "must" and are not relevant to this situation.

4) We should not overlook the fact that the actions in this matter were "taken on the basis of the report of the Academic Freedom and Responsibility Committee, input from the Legal Studies Department and other sources, and with the concurrence of the Legal Studies Department and the Dean's Advisory Council." These procedures which involved a considerable number of faculty members, though time-consuming, were followed to ensure careful attention to the rights of all parties.

—Russell Palmer, Dean

Proposed Policy on Computer Software Developed at the University of Pennsylvania

Preface

During the past year the Council Committee on Research has attempted to formulate an acceptable policy concerning the development of computer software at this University. This has proved to be a difficult matter since there are some members of the University community who believe that software should be treated like a textbook and be governed by copyright policy, while there are others who feel that software should be governed by a policy similar to the existing patent policy for inventions. The major difference in these approaches is that under the patent model, the University would claim ownership of software with commercial potential and would be responsible for the distribution of any profits that may be realized through the enhancement and marketing of such software. Under the copyright model, ownership would reside with the creator(s) of the software who would receive any proceeds that might result from its marketing.

In the Fall of 1984, the Committee on Research published in *Almanac* (October 23, 1984) a draft of a proposed policy concerning the development of computer software and invited comments by the University community. That proposal followed the patent model described in the preceding paragraph. Considerable debate ensued which criticized the proposal on a number of grounds. First, the policy was in disagreement with a software policy that was being formulated by the Wharton School which favored the copyright model. It was felt that at the very least the University should have a consistent software policy that is applicable to all Schools and responsibility centers. Second, the proposed policy was criticized for its lack of flexibility and for failing to provide sufficient incentives to encourage faculty to create innovative software. With these responses in mind, the Council Committee on Research appointed a Subcommittee to re-examine the entire matter. This Subcommittee consisted of the following members: Dr. Trevor Penning (Assistant Professor of Pharmacology, —Chairperson); Dr. Robert Kraft (Professor of Religious Studies); Dr. David Stonehill (Vice Provost for Computing); Dr. Gerald Porter (Professor of Mathematics and Associate Dean of Computing Facilities for the School of Arts and Sciences); Dr. Dan McGill, (Professor of Insurance in The Wharton School); and Dr. David Garfinkel (Professor of Computer and Information Science in the Moore School of Electrical Engineering). The report of this Subcommittee, which recommends the adoption of the policy concerning computer software, which appears on the next page, was approved April 2, 1985, by the Council Committee on Research. In arriving at this policy the Subcommittee came to the following conclusions:

1. Although many of the University's peer institutions are in the process of developing a policy on the ownership and commercial exploitation of computer software, few have settled upon a policy as yet. Interim policies of the institutions vary widely and provide little guidance.

2. The Subcommittee felt that most computer software created by University personnel (or people at any other university) will have little commercial potential without significant enhancement and, hence, should not become entangled in bureaucratic rules and processes. Moreover, the Subcommittee believes that the University would exercise any marketing rights that it may have only in those relatively rare instances where the commercial potential is obvious and substantial and the University has a substantial investment in the creation of the software.

3. The Subcommittee felt that the major problem area is whether the person(s) who go through the intellectual and technical process of creating computer software should have exclusive ownership rights to the product and thus be entitled to the economic rewards associated with that ownership or whether the University should have full or partial ownership rights to the software and its economic benefits by virtue of having provided facilities, financial support, or released time to the creator(s). The circumstances under which software is created range from an individual working alone on his/her own equipment and on his/her own time away from University facilities to an individual or group of individuals working on University equipment, in University facilities, and with full financial support in pursuit of a specific University-related computer product. In some instances students may be involved as part of an organized effort. If a judgement is made that the economic fruits of software should be mutually

shared by the University and the creator(s), there remains the question of the basis of sharing. The University's patent policy provides such a model for sharing. (See box)

The Subcommittee has concluded that ownership of the software, in the narrow legal sense, is not the prime issue. Rather, the critical concern is delineating the rights of the various parties in a clear and unambiguous manner, so as to minimize the need for administrative interpretation and the threat of litigation. If it were decided, for instance, that the University should receive a specified share of revenue from marketing of the software product, it would be immaterial whether the University receives its share as a joint owner of the product or in accordance with a clearly articulated and accepted policy implemented, if necessary, through a binding agreement with the creator(s). The practical results would be the same whether the University were deemed the sole owner, the creator(s) the sole owner(s), or the two were joint owners. The Subcommittee has no strong preference for either arrangement but, on balance, leans towards the creator(s) as sole owner(s), if a choice has to be made among the concepts.

4. In recognition of the special relationship between the University and its faculty, students, and staff and the practical difficulty of defining the equities in the various circumstances under which software may emerge, the Subcommittee concluded that the University should have the absolute unrestricted right to use without charge, for any purpose, any software created by or through the efforts of its personnel. In addition, it is recommended that the University should have a non-exclusive right to market or license any software created by its faculty and staff (and students when participating in University sponsored or University related projects).

At first glance, it might appear illogical for both the creator of the software and the University to have parallel rights to exploit the commercial potential of the software. In fact, it is not illogical and is not likely to lead to wasteful, duplicative efforts in marketing the software. Typically, the basic software must be refined and enhanced before it can compete in the marketplace. The transformation of the unadorned software into a marketable product is the function of the developer. Two developers can take the same preliminary code and come out with drastically different software packages. Thus, as a practical matter, the University and external developers would not be marketing the same product.

Moreover, an experienced, prudent external developer is not likely to enter into a binding contract to prepare a particular software property for the marketplace when another entity, in this case, the University, has the right to exploit the same basic software item. The normal course of action would be for the external firm to require relinquishment of the University's marketing rights before it would proceed with the process of fashioning the ultimate product. In reality, the University's decision whether or not to exercise its marketing option is likely to take the form of a response to a faculty or staff member's petition for a release of the University's non-exclusive marketing right. Such a request should be submitted to the Vice Provost for Computing. In some instances the outcome of this petition might be a joint or cooperative marketing effort by the University and the external developer.

In this connection the Subcommittee urges the University to develop, through the office of the Vice Provost for Computing, a mechanism to assist University faculty and staff in exploiting the commercial potential of any software that they might create. This could take the form of a marketing capability on the part of the University or information interchange with potential external developers.

In light of all the foregoing considerations, the Subcommittee and Council Committee on Research recommend that the University adopt the policy outlined below. Members of both committees believe that the new policy is sufficiently flexible, recognizes the rights of the individual parties involved, is generous to the creator(s) of the software and is a reasonable compromise between the copyright and patent models originally considered.

Text of Proposed Policy Next Page

Text of Proposed Policy on Computer Software

March 20, 1985

I. Purpose

The policy set forth herein reflects the following goals:

- To maximize the incentive of University faculty and support staff to create and develop innovative and useful software for instruction, research, and operational purposes;
- To minimize the administrative burden involved in its implementation;
- To minimize the potential for misunderstanding, controversy, and litigation over the ownership and marketing of computer software;
- To protect the interests and rights of all parties that may be involved in the creation and development of software—faculty, support staff, students, the University, and, in some cases, outside contractors; and
- To encourage the University to develop a mechanism to facilitate interaction between creators of computer software and potential developers of software.

II. Policy Provisions

1. Under ordinary circumstances, and as a general premise, the creator (or creators) of computer software shall be deemed the *owner* of the software in the sense that the creator has the right to market the software directly or through arrangements with commercial enterprises or the University. The creator is not obligated to share any part of the revenue from the sale or licensing of the software with the University or, except for Provision 3, with any office or organization within the University. This policy is applicable even when the creator used University equipment and facilities and received financial support from the University for the specific project.

2. In recognition of the special relationship between the University and its employees (including faculty) and students and the practical difficulty of defining the equities in the various circumstances under which software may emerge, the University shall have the absolute, unrestricted right to use *without charge*, for any purpose, any software created by or through the efforts of its personnel.

3. In addition to Provision 2, the University shall have a *non-exclusive* right to market or license any software created by its faculty and staff (and students when participating in University-sponsored or University-related projects.) If the University invokes its marketing option, whether acting alone or in concert with an external developer, its *net* revenues shall be allocated in accordance with the existing *patent* policy. (See box.)

4. The creator of any item of software may petition the University to waive its non-exclusive marketing rights. The determining official for this action is the Vice Provost for Computing. Such a petition should include a description of the software sufficient to enable that official to make a tentative judgment as to whether commercial potential exists.

5. When software is developed through the efforts of two or more persons, the potential financial interests of the various parties shall be made clear in advance by a private agreement or understanding. Under such joint undertakings, faculty members have a special obligation to deal fairly with junior faculty and students. If the software is created by a research center or other recognized entity of the University, the entity may adopt a stated and consistently applied policy of vesting all rights to the software in the entity, preempting the more general rights of the University.

6. When any employees of the University, whether faculty or support staff, or any outside contractor, have been given a specific task of creating or enhancing a particular software product, with full support for the project coming from the University, the latter shall routinely require that all participants in the project waive in writing any financial interest in the product that might otherwise accrue.

7. If the work leading to creation of a specific piece of software is sponsored by a contract between the University and a government agency, business firm, foundation, or other external institution, the provisions of the contract under which the work is performed take precedence over this policy.

III. Effective Date

This policy shall become effective upon approval by the Trustees of the University. All contractual arrangements entered into by University personnel after the effective date of the policy for the purpose of exploiting the commercial potential of software created by such personnel shall be subject to the provisions of this policy. Any contracts entered into before that date shall be "grandfathered" and enforceable according to their terms.

IV. Review and Evaluation

This policy shall be formally reviewed and evaluated after it has been in operation for three years.

Excerpt from the Patent Policy

Following is the portion of Section II (Procedures for Implementing the Patent Policy of the University of Pennsylvania) that is referred to in the Proposed Policy on Computer Software Developed at the University. The full patent policy is in The Research Investigator's Handbook, available from the Office of Research Administration.

II.A.2.c. Royalties or other income received by the University from patent revenues will be distributed as follows:¹

- 1) 50% of the first \$200,000 net patent revenue will be distributed to the inventor(s);
- 2) 25% of the next \$800,000 net patent revenue will be distributed to the inventor(s);
- 3) 15% of the net patent revenue of the next \$4,000,000 will be distributed to the inventor(s);
- 4) 10% of the net patent revenue of all subsequent returns will be distributed to the inventor(s).

The University's share of returns from patents resulting from any invention or discovery from work carried out on University time will be used to support research at the University. Thirty percent (30%) of such revenues will be placed directly in the Research Foundation to be dealt with by standard procedures of the Foundation Board. Priority for the remaining seventy percent (70%) should be given to support research close to the origin of the work which generated the patent.

i) For net patent income less than \$100,000 per year: The 70% may be distributed by the Vice Provost for Research, after consultation with the home department chairman, in response to research proposals of merit from the inventor(s), from the home department of the inventor(s) and from faculty members from the home department and school of the inventor(s), with priorities in that order.

ii) For net patent income in excess of \$100,000 per year: The 70% will be distributed by the Board of the Research Foundation. Priority will be given to research proposals from the inventor(s), from home department(s) of the inventor(s) and from faculty members of the home department and school of the inventor(s), in that order. The Board of the Foundation will, however, have the responsibility of evaluating the importance and merit of these priority proposals in the context of the broader research needs within the University.

Net patent revenues are defined as revenues from patents retained by the University after payment of expenses associated with the preparation, filing, marketing, exploitation or defense of the patent.

For patents managed by a patent management organization, only the University's share of patent revenues, after payment of other significant expenses, will be considered to be net patent revenues.² All patent revenues from patents managed by a patent management organization will be subject to the terms of the agreement between the University and the patent management organization.

Distribution of patent revenues from patents arising from sponsored research will be subject to the terms of the grant or contract, as negotiated between the agency and the University.

¹This scale applies only to patent revenues accruing on patents filed after April 28, 1980.

²Questions regarding division of the foregoing revenues among inventors where there are patents to multiple inventors, patents to different or overlapping inventors, and multiple patents to a single inventor, and all other questions of interpretation of these guidelines, will be referred to the Vice Provost for Research.

Call for Nominations

The Administrative Assembly was established "to provide a forum whereby administrative opinion can be collected and expressed on problems facing the University and higher education."

A. To provide a mechanism for supplying voting representatives to sit on all major University committees affecting administrative personnel or administrative functions.

B. To provide a regularly meeting organization where communications across organizational lines can be fostered."

The Assembly has representation on University Council, *Almanac* Advisory Board and, beginning next year, the Personnel Benefits Committee. The Executive Committee of the Assembly is frequently invited to provide advice and comment on a variety of issues and policies affecting the administrative staff members of the University. To fulfill its purpose as the representative organization for the administrative staff, the Assembly must have energetic and enlightened leadership. We need your assistance in identifying those individuals

who will devote their time and talent to assuring its success.

Nominations are invited for President-elect and Secretary-elect, and for three vacancies on the Executive Committee. If you would be willing to serve the Assembly and its membership, please feel free to nominate yourself. The only criteria are that you be an A-I and be willing to spend some time furthering the goals of the organization. Please send names of individuals who you would recommend for any or all of these positions to Kristyne Nicholls, 100 Logan Hall/CN.

The election will be held on May 10, 1985 at 1 p.m. in Room 215 Steinberg-Dietrich Hall in conjunction with our Annual Spring Meeting. Our featured speakers this year will address the very timely issue of the University's relationships with federal, state and city government, and will be David Morse, director, Federal Relations; James Shada, assistant vice president, Commonwealth Relations; and Alexis A. Van Adzin, director, Commonwealth and City Relations.

—Anthony Merritt, Chair

Council: SCUE, Honor Code and By-Laws

Student issues came to the fore at the April 10 meeting of the University Council, with three items on the agenda for discussion without action.

• **By-laws.** The Undergraduate Assembly's proposal to seat *ex-officio* the heads of the United Minorities Council and the Interfraternity Council (for action May 1—see box) was intensely debated. UMC leaders did not support the proposal, but an IFC spokesman urged its passage. Several faculty members spoke against changing the balance of Council and/or changing the principle that UA be the channel for all student groups' representation. (The two organizations proposed are "umbrellas" and now have observers at Council by invitation.)

• **Honor Code.** After a 1984 UA poll turned up complaints of cheating, the assembly set up a committee of UA and non-UA members whose chair, Michael Gordon, reported four chief concerns found in their study: (1) Not enough students fear the consequences of cheating; (2) Not enough students know a Code exists; (3) Not enough faculty and students abide by the Code; and (4) Not enough cases are reported. The report recommends that even when faculty handle cases themselves, the numbers be reported to the J10 for completeness of data. Mr. Gordon and several Council members emphasized dissemination of the Code, especially to freshman, and including information on potential punishment; frequent reminders for faculty and students were also suggested.

• **Undergraduate Education:** The 1985 SCUE White Paper (summarized *Almanac* March 19) drew compliments, specific questions and suggestions on refining some components to improve chances of adoption by the Schools, and an unprecedented round of applause at the end of SCUE Chair Lou Schachter's presentation. Council speakers zeroed on such specifics as the proposed advising network, linkage of arts and science to all undergraduates' education, residential support systems, and the use of the admissions process for increased vitality. Coordination of the residential support ideas with current planning in Residential Life was recommended by

Dr. Mark Stern, and Dr. Anthony Tomazinis praised most of the ideas but said the suggestion to drop the use of the Predictive Index in admissions slate decisions was "a very serious matter to the faculty." In information reports:

President Hackney said admissions offers going out this week show Penn up in selectivity, geographical diversity and overall minority presence—but with Black applications down, he said, "We are trying very hard for a high yield this year and more recruiting next." Provost Ehrlich called the federal budget compromise "troublesome" and GAPSA's Amy Lyman endorsed the Penn Political Participation Center's coming trip to the Capitol. The Provost also said data from the sexual harassment survey are being tabulated and results expected by the end of the term.

In Q-and-A, Dr. Michael Cohen asked about Committee on Open Expression progress in examining the BSL classroom demonstration, and Steering Committee Chair Jacob Abel said COE has met four times and is expected to report shortly. Dr. Peter Gaefke mentioned an investigation of administrative handling of the Dolfman affair, and Dr. Abel said it is a SEC topic. Dr. Sorab Rabii asked if Penn could help Cheyney State College since it feeds graduate enrollment here; Dr. Hackney responded that he is meeting soon with Cheyney's board chair to see what Penn can do to support its staying open.

Clarification: Dr. James Bishop announced at Council that in the list of holidays shown at the end of the Academic Calendar for 1985-86 (*Almanac* April 9), the word "observed" in parentheses indicates that those are the dates on which, by convention, public observance takes place (as opposed to the date on which the commemorated birthdays or events actually occurred). The designation does not mean that the University observes them. The holiday observance policy of the University (*Almanac* April 17, 1984) designates the Fourth of July, Labor Day, Thanksgiving (Thursday and Friday), Christmas and New Year's Day, and Memorial Day. University policy also gives provisions for use of personal days (*Almanac* March 26) for individuals' observance of other holidays.

Synopsis of Minutes: March 13

The sole agenda item, aside from the routine reports, was discussion of "Racial and Ethnic Diversity in a Humane Society." In the absence of a quorum, straw votes were taken on a series of resolutions around which the discussion focused (*Almanac* March 19). The voting: a) endorsed continued, direct negotiations between students and the University Administration in relation to recent allegations of racial harassment on campus; b) endorsed the appointment of a committee to draft a policy on racial harassment; c) endorsed the implementation of earlier plans to increase Black Presence; d) asked for the suspension of Murray Dolfman, Wharton School lecturer, with pay.

—Robert G. Lorndale

For May 1 Council Meeting

Proposed Amendments to Council Bylaws

II.1(c) Nine undergraduate students elected as members of the Undergraduate Assembly. Five of these students shall be elected by mutually exclusive constituencies established by the Undergraduate Assembly, while four shall be elected at large (one of these four shall be the chair of the Undergraduate Assembly, *ex officio*, unless that person has been elected to one of the five constituency positions). *The chairperson of the United Minorities Council and the president of the Interfraternity Council are members of the Council by virtue of office.*

V.1.(e) *International Programs Committee.* The International Programs Committee shall study issues related to the international programs and activities of the University and shall advise the Coordinator of International Programs in such areas as services for international students, foreign fellowships and studies abroad, faculty and student exchange programs, and cooperative undertakings with foreign universities. The Committee shall consist of eight faculty members, two undergraduates, and two graduate/professional students. The Coordinator of International Programs shall be an *ex officio* member of the Committee.

Correction: The April 9 *Almanac* gave two different first names to Dr. Anderson of English in the page 1 story on the Lindback Awards. The one in the caption is correct—David Anderson—and we apologize for the erroneous "Richard" that cropped up in the story.—K.C.G.

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Report on the Work of the Faculty Council on Undergraduate Education, 1984-85

In its second year of activity, the Faculty Council on Undergraduate Education continued to pursue initiatives that seek to bring more of the University's resources to bear on undergraduate education. The Council, chaired by the Provost and comprised of twenty faculty members and three students representing all of the University's twelve schools and the *ex officio* membership of the Vice Provost for University Life and the chairs of the key school curriculum committees, draws its mandate from President Sheldon Hackney's 1983 strategic planning document for the University, *Choosing Penn's Future*. The work of the Faculty Council has been re-emphasized in the latest planning document, *Investing in Penn's Future*, that focuses on undergraduate education as a priority area for support and improvement.

During its first year, the Faculty Council spent considerable time assessing Penn's existing strengths and resources in undergraduate education, studying programs at other institutions, and considering the larger context of the undergraduate experience itself in which academic concerns are only a part, albeit the most important. Not restricting its activity to deliberation, though, the Faculty Council undertook last year several specific initiatives including:

1. Development of a University-wide, interdisciplinary course in applied ethics.
2. Plan of a series of lectures for New Student Week organized around the theme "discovery and meaning in the arts and sciences."
3. With the advice of the faculty working groups and with the aid of informal consultations with individual faculty members, identified themes and course leaders to develop outlines for a series of new courses, that, as a set, would constitute an introduction to liberal learning at Penn for first and second-year students.

These actions and other discussions set the stage for the Council's agenda this year. Regarding the first set of initiatives, the Faculty Council has:

1. *Expanded, strengthened and re-offered the Ethics course.* The Council sought to achieve greater continuity and organizational and intellectual strength for the course when it was offered again in Fall, 1984. This was achieved through the development of a customized text for the course, the involvement of a key faculty member as course coordinator to tie together the presentations of the visiting faculty (18 faculty representing 15 departments in 10 schools), and identification of a theme (ethical issues and dilemmas arising from gender-related concerns) that helped unite the weekly sessions.

2. *Conducted the first "Discovery and Meaning" Lecture Series during New Student Week, 1984.* Presenting "highlights from a community of great academic explorers," the Series introduced the Class of 1988 to five Penn faculty who shared with the students what they did, how they did it, and why. The lecturers in the initial Series were: Leo Steinberg, History of Art; Henry Gleitman, Psychology; Al Rieber, History; Dorothy Brooten, Nursing; and Eli Anderson, Sociology. The lectures attracted on the average about 1000 students per session. "Discovery and Meaning II" will be offered for New Student Week 1985 and the Council is considering ways in which the Series can be carried on through the regular academic year.

3. *Developed and implemented "The Human Experience" course set.* Guided primarily by Irving Kravis, University Professor of Economics, this set of six courses (two each in the Humanities, Natural Sciences, and Social Sciences) seeks to introduce students to the methods of inquiry and the scope of knowledge in principal fields of learning in the arts and sciences. The two Humanities courses ("Interpretation" coordinated by Wendy Steiner and "The Self and Its Portraits" offered by Frank Bowman) are underway in the present term. During 1985-86, the other four, all of which are now being developed, will be scheduled. These include: "Stellar and Organic Evolution" coordinated by William Telfer with the participation of Robert Koch, Alan Mann, Gino Segre and Daniel Janzen; "The Scientific Basis of Modern

Technology" presented by Ben Shen, Joseph Bordogna and Howard Brody; "The Organizations of Society" offered by Herbert Levine; and "Equality: An Interdisciplinary Approach" team-taught by Charles Kahn and David Hogan.

The Faculty Council recognizes the ambitious nature of this undertaking and the need to proceed cautiously. The immediate objective of the effort, namely, to design a course or two that would be offered on an experimental basis in Spring, 1985, has been achieved. The attractiveness and value of all of these courses might eventually lead to their being taken on an elective basis by a substantially larger proportion of the undergraduate population. If this is the case, the courses would be a significant step toward providing undergraduates with a common academic experience that would be shared by students across the University, no matter what their School or program.

Building on these initiatives and reflecting the range of concerns that it has addressed, the Faculty Council has also:

4. *Developed programs supporting undergraduate research.* Recognizing that research offers prime opportunities for involving faculty from throughout the University in undergraduate education in ways that build on Penn's special strengths as a research institution and noting that a research experience can make a significant contribution to a student's education, the Council seeks to encourage undergraduate research through:

- (a) the development of an *Undergraduate Research Opportunities Bulletin*.
- (b) the establishment of an *Undergraduate Research Foundation*.
- (c) the establishment of an *Undergraduate Research Award Fund*.

The latter has been accomplished through a \$100,000 gift to the University for the expressed purpose of recognizing in a tangible way the value of undergraduate research for both students and faculty. Although details on these and other recommendations are forthcoming, both the Research Foundation and the Research Award Fund will be in place for the 1985-86 academic year.

Closely related to this effort has been the role of the Faculty Council in developing a successful \$50,000 grant proposal to the Exxon Education Foundation to support academically-integrated, community-oriented, policy-directed research by undergraduates. This grant is administered through the Office of Community-Oriented Policy Studies, directed by Ira Harkavy, and will fund a program of summer internships.

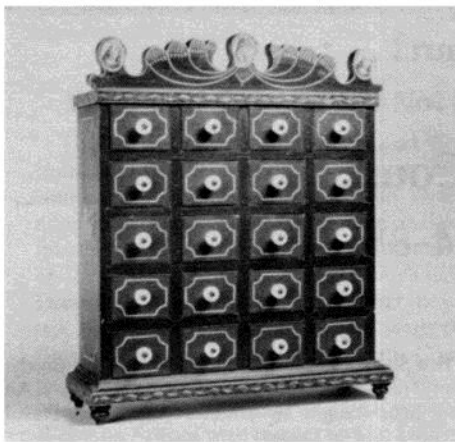
5. *Encouraged both the urban and international dimensions of the University.* The former effort seeks to promote Philadelphia as a learning resource for undergraduates and is linked to the new faculty-student planning seminar on "University-City Relations." The latter is a multi-faceted undertaking that seeks to encourage foreign language and culture study, a recognition of the international dimensions of both the formal and informal curriculum, and study abroad.

6. *Endorsed the development of a publication entitled The Academic Penn.* As a counterpart to *The Practical Penn*, this publication will essentially be a user's guide to the academic resources and opportunities of the University that are available to undergraduates. The book will be prepared over the summer and distributed to all new students in the Fall.

At other sessions this year, the Council reviewed the Writing Across the University Program, academic advising, the SCUE White Paper on undergraduate education, and proposals supporting the establishment of interdisciplinary/interschool course arrangements, tentatively called "University Concentrations," that build on Penn's special strengths in the liberal arts and professional studies.

On these and other areas, the Faculty Council invites comment from the University community and encourages all those with innovative approaches to improving the quality of Penn's undergraduate experience to share them with the group.

—Paul Zingg, Coordinator,
Faculty Council on Undergraduate Education



A Lancaster County woman harvested flower and spice seeds, kept them separate in a painted-wood seed box with decals, 18 1/4" high, by Joseph Lehn (1798-1892); from a private collection.

Neatness Counted

How Colonial and 19th-century Americans found a place for everything and put everything in its place can be reconstructed via the central loan exhibit, *Neat and Tidy*, at this year's Hospital Antiques Show starting Wednesday. Some 200 boxes, small chests and other containers — in wood, metal, ceramics, papier-mache and painted or lined cardboard — not only show workmanship both plain and fancy, but also tell a

story of changing lifestyles through the things people owned and cared for at various times.

In keeping with the theme, many of the 50 exhibitors from 13 states who have booths at the 24th annual show will feature antique boxes and containers for sale.

The show, open noon to 9 p.m. April 17 through 21 at the 103rd Engineers Armory (33rd north of Market), is organized by volunteers as a benefit for HUP. The loan exhibit is sponsored by Mellon Bank and SmithKline Beckman Corporation.

Browsing, buying and gourmet luncheons are daily offerings (admission \$5, lunch \$9 with reservations recommended). In addition:

Daily tours before the noontime opening are conducted by Philadelphia Museum of Art guides.

Supper at the Show is Friday, the 19th, with catered dinner and after-dinner refreshments plus a lecture on *Art & Artifact: Reflections of the*

Sailor's Life in the Days of Sail.

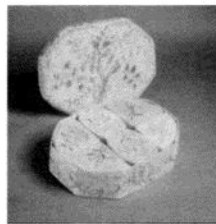
Appraisal Day is Saturday. From 9:30 a.m. to 4 p.m. experts from the William Doyle Galleries, New York, will give verbal appraisals of silver, china, paintings, books, decorative objects and furniture (from photographs if the object is too large to bring in).

Caring for Textiles and Costumes is a lecture at 11 a.m. Sunday, followed by consultation and damage evaluation by Ms. Helene Von Rosensteil from 2 to 5 p.m.

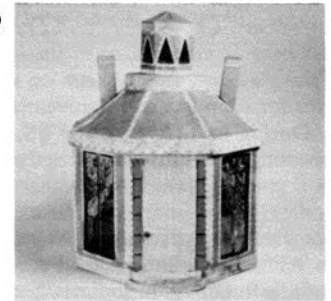
For reservations to special events, prices (where charged), or other information call 687-6441 until Wednesday, then 387-3500 once the show opens.

Proceeds this year will go to HUP's Department of Pathology and Laboratory Medicine for purchase of a high resolution scanning and elemental X-ray electron microscope (the first of its kind in Delaware Valley) to be used in patient diagnostic services.

Hatbox (the "roof" lifts off) in painted cardboard with braid, 15" x 15" x 10 1/2"; from a private collection.



For valuables, embroidered-silk-on-pasteboard box, 10" wide, has six smaller ones fitted inside. C. 1790; lent by Stenton (National Society of Colonial Dames of America).



Update

APRIL ON CAMPUS

CONFERENCES

17 *The Fifth Annual Babson Entrepreneurship Research Conference*; three days of discussions on the future role of entrepreneurship in the world economy. Steinberg Hall-Dietrich Hall and the Faculty Club. *Through April 19.* Information: Ext. 1276 or Ext. 4856.

FILMS

21 *Hearts and Minds*, 8 p.m., Asbury Methodist Church, 3311 Chestnut Street, admission free. Information: 544-1818 (Brandywine Peace Community).

Neighborhood Film Project

All films shown at International House, \$3 general admission, \$2.50 members, students, senior citizens. Information: 387-5125, Ext. 222.

17 *Last Night at the Alamo*, 7:30 p.m. Also April 19 at 4 and 7:30, April 20 at 7:30 and 9:30, and April 21 at 4, 6 and 8 p.m.

18 *Coastal Extremes*, video art from Boston and San Francisco, 7:30 p.m.

MEETINGS

18 *Kaypro User Group Meeting*; 11 a.m., Room B-3, Vance Hall. Information: 222-3006.

22 *DEC User Group Meeting*; noon, 305 Houston Hall. Information: Ext. 6576.

SPECIAL EVENTS

19 *Studio 36*; exclusive one-night party with dancing, cash bar and munchies. 9 p.m.-3 a.m. at the Faculty Club. *Faculty Club membership is not required.*

TALKS

17 *Nineteenth-Century Morocco*; Professor Mohammed Kambib and Mohamed El-Mansour; 1 p.m., 8th floor lounge, Williams Hall (Middle East Center).

Art of the Japanese Garden; Dr. William M. Klein, director, Morris Arboretum; 8 p.m., Gruber Theatre, Chestnut Hill College. Information: 247-5777.

18 *How to Study Islamic Thought Today*; Dr. Mohammed Arkoun, professor of arabic and philosophy, the Sorbonne; 11 a.m., Gates Room, Van Pelt Library (Department of Religious Studies and the Middle East Center).

Functional (Metabolic) Plasticity in Somatosensory Cortex; Dr. P. Hand, department of anatomy, Veterinary School; 4 p.m., Physiology Library, Richards Building (Department of Physiology).

19 *How to Read the Qoran Today*; Dr. Mohammad Arkoun, professor of arabic and philosophy, the Sorbonne; 11 a.m., Conference Room, Van Pelt Library (Department of Religious Studies and the Middle East Center).

Role of Cyclic AMP and Ca⁺⁺-dependent protein kinases in the regulation of catecholamine

synthesis and release; Dr. Norman Weiner, professor and chairman, department of pharmacology, University of Colorado School of Medicine; noon, Suite 100-101, Medical Laboratories Building (Department of Pharmacology).

22 *Underground Press and Censorship in Poland*; Seweryn Blumsztajn, a founding member of KOR and Solidarnosc; 7 p.m., Benjamin Franklin Room, Houston Hall (Graduate Program in Comparative Literature and Literary Theory and the Center for Soviet East European Studies).

Deadlines

The weekly update deadline for calendar entries is at noon, a week before the Tuesday of publication.

The deadline for the May pullout calendar is Tuesday, April 16 at noon. Send to *Almanac*, 3601 Locust Walk/C8 (second floor of the Christian Association Building).

Need a Ride to Work?

The University's Vanpool #1 is looking for riders who live in the Drexelbrook, Lansdowne, Yeadon area. Interested University or HUP employees may call Maria at Wharton at Ext. 4856.

Vanpool #7 is looking for a few more riders who live near the route: Phoenixville, (Route 23 to) Wayne/St. Davids, (Conestoga and Haverford Avenue to) Bryn Mawr/Haverford, (Montgomery Avenue to) Bala Cynwyd. Interested riders should call the driver, Stuart Watson, Ext. 7293.

Vanpool #11 to the Germantown/Mt. Airy Area has space available for riders. We arrive in the University area no later than 8:30 a.m. and leave around 5 p.m. Contact Rosalind Carter at Ext. 5036 for details.