Almanac

Tuesday, September 17, 1985 | Published by the University of Pennsylvania | Volume 32, Number 4

IN BRIEF

Case Withdrawn: On the decision of the complainant not to appear in a campus hearing, the University has dropped its internal disciplinary proceedings against undergraduate Benjamin Maldonado III, who was charged in February with the alleged rape of a local college student following a fraternity party. Acquitted of criminal charges July 22 in the Philadelphia Court of Common Pleas, the Wharton senior returned to classes this fall. Although internal charges may, under Penn's Student Judiciary Charter, be pursued irrespective of the outcome of criminal proceedings, the decision to drop them in view of the complainant's decision is in accordance with the Charter and was made with the advice of the Committee on Consultation (Senate's chair, past-chair and chair-elect plus the chairs of GAPSA and UA).

Parents in View: Penn's annual Parents Weekend will be held Friday and Saturday, October 11-12, this year. Some 3000 parents normally arrive for the weekend of sports, entertainment and an opportunity to visit their sons' and daughters' classrooms. For the parents, each undergraduate school holds a Dean's reception and various dorms, college houses and fraternities/sororities also entertain. And, a series of Faculty Lectures (three Friday afternoon, four Saturday morning) is also arranged especially for the parents—including this year "How to Get your Son or Daughter to Do Anything You Want," by Dr. Charles Dwyer of the Management and Behavioral Science Center.

Sexual Harassment: The ad hoc committee named last fall by Vice Provost Barry Cooperman to conduct a survey on sexual harassment will publish its report in *Almanac* September 24. The same issues will contain a reprint of University policy on sexual harassment; a new statement on Conduct and Misconduct, and the report of a SEC ad hoc committee on behavioral standards chaired by Dr. Jean Crockett.

INSIDE

Breast Cancer: Endorsing Two Therapies

Led by the new director of Penn's Cancer Center, Dr. John H. Glick, an NIH Consensus Development Panel last week announced agreement on the effectiveness of adjuvant* therapy for certain breast cancer patients—endorsing chemotherapy for some and hormonal therapy for others.

What made national headlines was the endorsement of a hormonal therapy for follow-up with older, postmenopausal patients whose cancer involved the nearby lymph nodes and seems dependent on the hormone estrogen for growth. Specifically, the panel gave the first U.S. endorsement to a hormone-blocking drug called tamoxifen, mild in side effects but reported effective in reducing the risk of death in the five-year period after diagnosis by about one-fifth (down from 30% to 24%).

For younger women who had lymph-node involvement, however, the strong evidence supported traditional cancer chemotherapy, using combinations of more toxic drugs. Recent international studies showed, in the five-year follow-up period, that such chemotherapy might reduce deaths by a fourth, from 36% to 27%.

At the conference and in statements such as the one below, Dr. Glick emphasized the importance of patients' and physicians' participation in controlled clinical trials, noting particularly that the advice from the consensus development panel is directed primarily toward those *not* in such trials. There is much more to be done, he said, in matching therapies with patients and fine-tuning the combinations and dosages, as well as developing new and better drug therapies.

At Penn Dr. Glick, who is professor of medicine, said the Cancer Center has been a pioneer in combining and integrating various forms of treatment—first as a leader in combining lumpectomy with radiation as an alternative to mastectomy, then in integrating these with chemotherapy and hormonal therapy (including tamoxifen).

Patient's View: On the 12-member Consensus Development Panel as a public-interest representative was Penn's Senior Vice President Helen O'Bannon, who has also been a breast cancer patient. She agreed with Dr. Glick on the importance of participation in clinical trials: "The progress that *has* been made has come from participation in the them; that's where you get the evidence that allows you to design a regimen.

"If there is any conflict from the patient's point of view," she said, "it could be summed up as the resources to make an informed choice. What the patient needs is access to clinical trials, encouragement from the physician, information to make a choice — and to be supported, whether one decides to participate or not, with the best regimen that is available."

* Adjuvant therapy of breast cancer involves the use of of cytotoxic drugs or endocrine therapy after definitive primary therapy (surgery, or surgery plus radiation) to eradicate occult metastatic disease that otherwise would be fatal. The goal is to significantly prolong survival, while maintaining an acceptable quality of life.

Dr. Glick on the Consensus

We have found that adjuvant chemotherapy and hormonal therapy are effective treatments for breast cancer patients. While significant advances have been made in the past five years, optimal therapy has not been defined for any subset of patients. We are still in the process of evaluating different drug regimens and trying to find out which therapies have the most benefit for what kind of patients.

Answers to these questions can only come from well-designed controlled clinical trials. For this reason, we are urging that all patients and their physicians participate in clinical trials that are now in progress.

We also understand that many patients are not treated as part of a trial. Based on what we have heard at this consensus conference, we can offer some guidelines on the use of adjuvant therapy for breast cancer.

For premenopausal women with positive axillary lymph nodes, regardless of hormone receptor status, treatment with established combination chemotherapy regimens should become standard care, since they have significantly reduced mortality and increased disease-free survival.

For postmenopausal women with positive nodes and positive hormone receptors, tamoxifen has also reduced mortality and significantly improved disease-free survival. Since tamoxifen has relatively mild side effects, this drug is the treatment of choice for these patients outside the context of a clinical trial.

For women with negative nodes, at this point we did not see enough evidence to justify the routine use of adjuvant therapy. However, there are certain high risk patients in this group for whom adjuvant therapy should be considered.

From the Chairman of the Trustees

A Statement on South Africa

by Paul F. Miller, Jr.

The present turmoil in South Africa has fixed attention on that troubled country. The Trustees of the University of Pennsylvania, who have long been committed to the concept of responsible investment, have focused in particular on American companies doing business there. As chairman of the Trustees, I am writing to inform members of the University community of the policies set by the board in regard to University ownership of stock in those firms.

It is important to recognize that while the policy I shall describe represents the view of the Trustees, in reaching their decisions individual trustees may have accorded different weights to the various factors I mention. Furthermore, my remarks are based on my belief that Penn's approach to its investments derives from the special role of educational institutions in American society. Political or economic action that may be appropriate for an individual may not be appropriate for a university.

Penn, in common with most universities and colleges, has a strong presumption against taking institutional positions on issues external to the University that are not directly related to its academic mission. The Trustees believe that if the University is to pursue effectively its educational and research objectives, then the institution must be preserved as an arena where there is maximum freedom for the open expression of ideas. Were the Trustees to adopt an institutional stand on an external matter unrelated to the University's mission, they would compromise the ability of students, faculty, staff, and alumni to speak out as individuals on that matter and give the false impression that a single, institutional viewpoint prevailed within Penn's community of scholars.

Guided by these general principles, the Trustees have consistently maintained that the University should not take an institutional position on the question of U.S. investment in South Africa that suggests it is certain about what is best for the long-term welfare of black South Africans or that there is unanimity of opinion within the University on the morality and/or value of continued American corporate involvement in the South African economy. The University's function should be to encourage debate so that the individuals both within and outside the Penn community will have an informed opinion of their own. There are legitimate differences on the issue of reducing or withdrawing U.S. investments for non-economic reasons. The Trustees have been firm and resolute in their conviction that academic integrity and freedom would be compromised if the University were to adopt a single position on an external matter such as this and then attempt to use its institutional influence to bring about an acceptance of that viewpoint by other parties.

The sole exceptions recognized by the Trustees to their policy against taking an institutional position on an external matter unrelated to the University's mission are outside issues involving behavior that is so unconscionable as to violate the most fundamental precepts of human decency. The system of apartheid in South Africa clearly falls in this category, and the Trustees have no hesitation in supporting an institutional position condemning it. That is quite different, however, from presuming that the University as an institution knows the best way to hasten an end to apartheid. For example, it would not be proper for the University to take an institutional position on the desirability of U.S. government-imposed economic sanctions against South Africa. But it should and does encourage individual members of the University community to address this issue and, indeed, to inject themselves into the political debate about our country's South African policy in whatever ways they think most effective.

Educational institutions are granted a particular set of privileges within American society. One of the more significant privileges is the exemption from taxation and the allowing of deductibility from income for tax purposes of gifts made to it by taxable donors. Neither taxpayers in general, nor donors to the University, expect the financial resources of the institution to be used to accomplish objectives not directly related to the academic mission. If, as institutions, universities were to try to persuade others to adopt positions on issues unrelated and external to universities, the special status now accorded them might properly be questioned.

With this background and firmly-held set of beliefs, the Trustees have examined the University's investments in companies with South African operations. As a shareholder, Penn has a long tradition of wanting the companies in which it holds stock to pursue high standards of conduct even if the society in which they are operating is politically organized and/or controlled in a morally repugnant way. It is only through ownership that we can urge corporations to create or maintain such standards. The Trustees have found the Rev. Leon Sullivan's principles on the rights of black South African workers employed by American companies to be appropriate standards for corporate practice for companies held in the University portfolio. If we sell our holdings for non-investment reasons, we then have no influence and no assurance that the new holder to whom we sell will be as concerned with these matters as we are.

As fiduciaries, moreover, the Trustees have a duty to earn the maximum return consistent with reasonable risk on the endowment assets entrusted to them. Achieving the highest possible earnings on endowment is a principal requirement for achieving our educational mission. To do so requires the broadest possible range of choice among investments available in the financial markets. To severely restrict the universe of securities available for investment, as would be the case if we were to shun companies with South African operations, almost certainly would serve to reduce the long-term return of the portfolio.

Furthermore, to use our institutional prestige to attempt to persuade others to endorse a particular economic strategy for facilitating the political change, which we believe is desirable and even inevitable in South Africa, would jeopardize the concept of the University as an apolitical institution. Importantly, it would set a precedent we might come to regret if in the future it were raised in relation to other external issues.

The Trustees direct the attention of the University community to the accompanying statement detailing the history of our efforts to thoughtfully and regularly examine the standards of conduct we have considered appropriate for companies operating in South Africa.

The Evolution of Penn's Selective Divestment Policy

It was in January of 1980 that the Trustees adopted a policy on the conduct of operations in South Africa of American companies in which the University has an equity investment. The policy requires such companies to adhere to responsible codes of corporate practice, exemplified by the Sullivan Principles. These principles forbid discrimination by race in the work place and require corporations to train blacks for supervisory positions, to strive to better their black employees' health and living standards, and to press for broad changes in South African society, including the repeal of all laws mandating racial separation. The Trustee Committee on University Responsibility is charged with making recommendations, which may include sale of stock in companies that fail to meet the Sullivan standard.

Penn's policy of selective divestment, which was reaffirmed and elaborated in 1982 and again in 1984, evolved over a period of years. The framework was provided by the Guidelines for Investment in Publicly Held Companies endorsed by the Trustees in October of 1972. While emphasizing that Penn "has traditionally sought to manage its endowment to achieve maximum return on a risk adjusted basis," the guidelines assert that "the University should not retain in its portfolio the securities of any company whose activities, on balance, are unconscionable."

Continued Past Insert

At no time have the Trustees viewed the mere presence of an American company in South Africa as an "unconscionable" activity within the meaning of the 1972 guidelines. There is strong agreement that the apartheid policies of the South African government are morally reprehensible. In the words of the 1982 Report of the Trustee Committee on University Responsibility, the board recognizes "the unique character of the situation in South Africa in which a white government has imposed a system of racial repression on a non-white majority"; therefore, it is willing to subject "investments related to South Africa to a much higher level of scrutiny than . . . those related to other countries."

The Rev. Leon Sullivan (H'71) formulated his principles on the rights of black South African workers employed by American companies in March of 1977, and within a year, the Trustee Committee on Corporate Responsibility endorsed them as an appropriate standard of corporate practice for companies in the University's portfolio. In 1979, the committee, reorganized as the Committee on University Responsibility, reported to the Trustees that it had implemented a mechanism for querying all companies in which the University owned stock regarding the adoption of the Sullivan Principles and had embarked on substantive exploration of issues relevant to the University's position. At the conclusion of a year of extensive study, which included campus-wide discussions, the committee recommended and the Trustees endorsed the major tenets of its policy of selective divestment. In choosing this policy, the committee and the full board specifically rejected two alternative courses of action: complete and immediate divestment and retention of all securities, regardless of company operating policies in South Africa.

The selective divestment policy calls upon:

- all companies in which the University holds equity investment, which operate in South Africa, to adopt sound principles of corporate practices, comparable in all important regards to the Sullivan Principles; and
- all financial institutions in which the University holds equity investments to develop policies consistent in general terms with the guidelines that they not make new loans, renew old loans, or extend the terms of loans to the government of South Africa or to state-owned corporations unless such loans support projects which substantially benefit non-whites and would not likely be undertaken without foreign support.

If there are companies in the University's portfolio that have not adopted sound principles of corporate practice or, in the case of financial institutions, have not developed standards on lending to South Africa as specified in Penn's policy on selective divestment, that policy commits the Trustee Committee on University Responsibility, after a program of communication over a considerable period of time, to make recommendations, which may include the sale of University holdings in these firms.

For the two years following the initial adoption of the selective divestment policy, the Committee on University Responsibility continued to study the question of the proper course for the University in relation to South Africa. It gave careful consideration to the Rockefeller Report* issued in 1981. In its own report, accepted by the Trustees in January of 1982, the committee reaffirmed the 1980 policy, adding to it the intention to cause Penn's shares in companies to be voted in support of shareholders' proposals that the companies not engage in new or expanded investment in South Africa. The 1982 report further clarified the use of the Sullivan Report ratings as a basis for divestment, and it specifically recommended against the adoption of a general institutional position concerning the conduct of the South African government. In framing for the Trustees the argument against such as an all-encompassing policy statement, the Committee on University Responsibility said:

> There are a host of important, social, economic, and political issues facing Americans as individuals, as part of a university and as citizens of the United States today. Domestic issues, such as economic policy, preservation of the environment, nuclear energy, and racial inequities—to name but a few—are important. Foreign policy issues, such as nuclear weapons and the arms race, Middle East tensions, and the needs of less developed countries—to name but a few—are important. The treatment of its citizens by the South African government is of serious concern; so also may be the conduct of other governments toward their own people—for example, in the USSR, Vietnam, El Salvador, Turkey, Brazil, Kampuchea (Cambodia) and elsewhere. If the University were to publish a policy statement about South Africa, committing certain of its resources to a particular solution in that country, there would be no justification for not publishing similar policy statements on other external domestic or international issues which now concern various groups within the University, or which will concern future groups.

In implementing the policy set by the Trustees, the University regularly corresponded with corporate management concerning adherence to principles of sound corporate practice. One company in the portfolio, which previously had not met the basic Sullivan requirements, failed to file the required report in 1982, and the committee tried unsuccessfully to persuade it to comply. In October of 1983, therefore, the Committee on University Responsibility recommended to the Investment Board that it sell 12,000 shares of Dart & Kraft and the divestiture subsequently took place. The value of the shares was approximately $817,000.

The latest elaboration of the University's policy occurred in January of 1984 when the Trustees, upon the recommendation of the University Responsibility Committee, adopted resolutions authorizing the committee to consider new entry or expanded investment and sales by companies to the South African police and military as factors among others in determining whether a company should be a candidate for divestment. Penn is a member of a consortium formed to develop more specific and comprehensive information in this regard among others, and when it comes to the attention of the committee that a company in the portfolio is contemplating moves addressed by the 1984 addendum to Penn's South Africa policy, the committee advises the company of the University's disapproval and that divestment is an option.

The board's position continues to be that the demonstration of institutional concern over apartheid is most appropriately exercised by voting proxies as an aspect of shareholder responsibility. In the limited and specific circumstances set forth in 1980, 1982, and 1984, however, the Trustees contemplate authorizing the sale of stock in companies engaged in business in South Africa for non-investment reasons. As of 30 June 1985, equity investments in firms with corporate involvement there totaled approximately $68.7 million. But none of the 10 companies in the portfolio with South African operations do more than 1.2 percent of their business in South Africa.

Penn's major holdings at the end of FY '85 and the Sullivan ratings of the companies are shown in the table on this page.

In addition, shares of 10 companies not listed in the table were held in amounts of less than $75,000. These consisted of unprocessed gifts and holdings of separately invested funds.

(continued on page 4)

* This report on U.S. Policy Toward Southern Africa was issued by a Study Commission created by the Rockefeller Foundation and headed by Franklin A. Thomas, president of the Ford Foundation.

Company	Sullivan Rating*	Shares Held	Cost	Market Value	% of Total Investments	South African Assets as % of Total Assets	South African Revenues as % of Total Revenues
CIGNA	IIA	92,553	3,673,760	5,495,334	0.68	0.10	0.37
Cummins Engine	IVC	47,820	3,613,848	3,036,570	0.37	0.00	0.00
E.I.Dupont de Nemours & Company	I	1,300	66,305	75,563	0.01	0.00	0.10
Exxon	I	277,083	7,022,627	14,927,847	1.84	0.20	0.20
Ford Motor Co.	IIA	291,200	11,978,890	13,140,400	1.62	1.00	1.20
General Motors	I	247,174	16,341,166	17,796,528	2.20	0.31	0.43
Goodyear Tire and Rubber Co.	I	5,000	148,250	147,500	0.02	NA	1.00
Int'l Business Machines	I	919	54,936	113,726	0.01	0.50	0.60
Int'l Minerals & Chemicals	IIA,IVC	82,900	2,956,863	3,378,175	0.42	NA	1.00
Tenneco, Inc.	**	246,915	7,720,183	10,463,023	1.29	0.14	0.15

*Definition of Sullivan Rating

I. Making Good Progress
II. A. Making Good Progress based on full reporting
IV. Endorsers
A. Meeting Basic Requirements
C. With Fewer than 25 Employees

**J.I. Case Corp., a subsidary of Tenneco, is a Sullivan Principles signatory.
S.A. Paper Chemicals (pty) Ltd., in which Tenneco holds a majority equity, is not a signatory.

(continued from page 3)

The University continues to monitor the performance of companies in its portfolio with South African ties in the light of the Sullivan Principles. The Trustees, in general, and members of the Committee on University Responsibility, in particular, will study an anticipated new report from the Rockefeller Commission, whose members revisited South Africa this past summer.

In preparation for a review of the University's investment policy at their January 1986 meeting, members of the committee invite written comments from faculty, students, and staff. *Members of the community should address the question of whether the presence of a U.S. corporation in South Africa constitutes per se "unconscionable" activity, as described in the 1972 guidelines, or whether the Trustees should continue to consider a company's labor practices, plans for expansion, social investment policies, and other factors in judging corporate behavior.* Statements may be sent to the Office of the Secretary, 121 College Hall/CO.

—*Mary Ann Meyers, Secretary of the University*

Speaking Out

Caring About Child Care

The Penn Children's Center, under the auspices of the Graduate School of Social Work, does share the concern (see Speaking Out, July 9, 1985) for providing quality day care to University employees. Over the past four years, the Center has had an increasing number of University-employed mothers, particularly, seeking our services. We have also witnessed the frustration of many A-3 women who want day care at our Center, located at 3905 Spruce (rear) on campus, leave an application interview frustrated because they cannot afford the service. Parents from Penn using our services or who have applied for our services recognize the benefits of having their child in a quality child-care program near where they work. They know they can join their child for lunch, take their child to the doctor's office or participate in afternoon activities and then return to their workplace on campus. They also know that in the event that their child becomes ill, they can quickly reach them and make arrangements for care.

According to *The New York Times* article on child care appearing Sunday, August 4, 1985, in 1984 the labor force participation rate for women with children under six years of age was 8.03 million and 52.1 percent were mothers with children under six. Married women with children under six are the fastest growing segment of the American labor force. Based on these statistics, we feel that the need for flex-benefits or an on-site day care facility at Penn will be a necessity. *The New York Times* article also cited the number of women in management positions who are in their 30's with solid careers before they choose the role of motherhood. The increased number of women in management again emphasizes the need for the University to implement a child-care benefit.

The need for day care is not a new issue to this campus. Nor is it exclusively a women's issue: It was after much review and vocal support of men and women in all walks of University life, that a proposal was drawn up for a day care center on campus in the 70's to address that need. Although Penn was not willing to offer day care at that time as a fringe benefit, the School of Social Work under its former dean, Dr. Louise Shoemaker, developed the Penn Children's Center. Today our Center serves 48 children, and 50 percent of those children are of professional level students, employees, administrators and faculty.

We, as day care providers, have seen the positives of serving University employees. We, as well as the employees who use us, recognize the impact that child-rearing has on a mother's career. Job performance and absenteeism is lower when working mothers and fathers have peace of mind about their child's care during the day.

As the needs for implementation of a plan for day care benefits are reviewed, the Penn Children's Center should not be forgotten as the forerunner in addressing day care on the work-site. As the only existing center on campus that is University-connected, we have tried not only to provide care to University employee's children but have also provided other supportive services as well. We have an existing program format on campus which with appropriate site and facility development could serve more families who may want the comfort of having their children on campus.

—*Pamela F. Johnson, M.S.W. Director, the Penn Children's Center*

Appetite for Information

A significantly growing element on the University campus is the group of elderly known as the Senior Associates. This group is affiliated with the University's Center for the Study of Aging for purposes of management and administration. Currently the greater part of their activity has been as auditors of courses available at the University. This has been under sponsorship of the College of General Studies (CGS).

All of the Senior Associates would like to be kept appraised of the many academic, cultural, civic and social activities on campus available to the University at large. Accordingly, it would be much appreciated if the Senior Associates were included in the distribution of all annoucements and schedules of lectures, colloquia, symposiums, conferences, concerts, performances, and programs available to the University community. The material should be sent to:

Senior Associates
c/o Information Desk
Houston Hall/CM

Thank you.

—*Norton Shapiro and Reba Richardson Co-chairs, Senior Associates*

Update
September on Campus

Correction: *Looking for Oil: A Subsurface Radar Experiment at Valley Forge Research Center;* by William Whistler, research specialist, Valley Forge Research Ctr., has been changed to *noon-1 p.m.*

FILMS

PUC Movies
All films shown in Irvine Auditorium, $1.75.

20 *This is Spinal Tap*, 8, 10 and 12 p.m.

21 *Debbie Does Dallas*, 8, 10 and 12 p.m.

FITNESS/LEARNING

18 *Biomedical Library* demonstrations with hands-on experience of BRS/Saunders Colleague online data base system. Demonstrations at 9 and 11 a.m., 1 and 3 p.m. Hands-on experience 9 a.m-5 p.m. Johnson Pavilion. Information: Ext. 84112 or 86978. *Through September 19.*

MUSIC

20 *Heartbeats*, the Wharton School's fall semester opening concert; 3-4 p.m., outside of Steinberg-Dietrich Hall or Atrium in case of rain.

TALKS

17 *Control of Carotid Body Chemoreceptor Activity by Sympathetic Nervous System*, S. Matsumoto, department of physiology; Physiology Library, Richards Building, 12:30 p.m. (Respiratory Physiology Group; Dept. of Anesthesiology).

18 *The Artist in Sanskrit Sources*, Ludo Rocher, professor of Sanskrit, Oriental Studies, part of *Making Things in South Asia: The Role of Artist and Craftsman;* 11 a.m., Classroom 2, University Museum (South East Asia Regional Studies).

24 *Isolation, Culture and Physiology of Tracheal Gland Cells;* David Culp, department of medicine, University of Rochester; 12:30 p.m. Richards Building, Physiology Library (Respiratory Physiology Group and Department of Anesthesiology).

Deadlines
The weekly update deadline for calendar entries is Monday, a week before publication.

Corrections: In last week's front page story on Nursing: the correct time of the Convocation is *10 a.m.* September 19, not 9 a.m.; the U.S. Senator's name should have read Arlen Specter and one of the honorary degree recipients is Lillian *S. Brunner*.

Almanac
3601 Locust Walk/C8
Philadelphia, Pa. 19104
(215) 898-5274 or 5275.

The University of Pennsylvania's journal of record and opinion is published Tuesdays during the academic year and as needed during summer and holiday breaks. Guidelines for readers and contributors are available on request.