

Almanac

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Pullout: Public Safety's Annual Report
(Re State/Federal Requirements)

PennTransit Plans

If a SEPTA Strike...

A strike against SEPTA's Philadelphia transit division beginning at 12:01 a.m., Wednesday, March 15, 1995, now appears possible. Such a strike may pose transportation problems for many faculty, staff and students of the University. To assure full continuation of University operations and services, we recommend that each department provide bulletin board space or other suitable means for facilitating car pools. To assist in this process, we have created a voice mail Rideshare service. All members of the University are urged to make transportation plans in advance of the strike emergency.

Administrators are encouraged to be as flexible as possible in adjusting hours for staff personnel to meet the needs of individuals and the operating requirements of their departments. If possible, arrival and departure times should be at other than peak load periods for commuters. Where they can, individuals are encouraged to walk to work or take alternative rail transportation rather than drive to campus. All individuals who commute are advised to allow sufficient time for the delays they are likely to encounter.

University business will continue as usual. Except for individuals taking bona fide sick time, personal days or vacation, absence from work will be charged as lost time. Administrators are, however, encouraged to use discretion in making reasonable allowances for lateness attributable to transportation conditions. Any questions concerning these guidelines may be directed to the Office of Staff Relations at 898-6093.

On the back page of this issue is information related to special parking, campus bus service plans, and the Rideshare service for use during the SEPTA strike. It was prepared by the Department of Transportation and Parking. Additional information may be obtained by calling Transportation and Parking at 898-8667, or by consulting a pre-recorded message at 898-6358.

This information is also on PennInfo.

—Steven D. Murray,

Vice President for Business Services

—John Wells Gould

Acting Vice President for Human Resources

Death of a Student Death of a Staff Member

An undergraduate was killed in a collision near Miami during Spring Break, and a staff member died by violence in West Oak Lane earlier. Please see page 2.



To Past Chair: Dr. Lowery



To Chair 1995-96: Dr. Kissick



To Chair-elect: Dr. Kuriloff

SENATE

From the Senate Office

Faculty Senate Officers Elected for 1995-96

No additional nominations were received by the deadline and therefore the Senate Nominating Committee's slate of nominees is hereby declared elected. Effective May 3 the Faculty Senate Officers for the coming year will be:

Chair: William L. Kissick (medicine)

Past Chair: Barbara J. Lowery (nursing)

Chair-elect: Peter J. Kuriloff (education)

Secretary: Robert C. Hornik (communication)

Past Secretary: Donald H. Berry (chemistry)

Secretary-elect: David B. Hackney (radiology/medicine)

Newly elected as at-large members of the Senate Executive Committee for 3-year terms:

Helen C. Davies (microbiology/medicine)

Jean Henri Gallier (computer & information science)

John G. Haddad (medicine)

Paul R. Kleindorfer (operations & information management)

Newly elected as assistant professor members of the Senate Executive Committee for 2-year terms:

Sarah H. Kagan (nursing)

Mary Susan Lindee (history & sociology of science)

Newly elected to the Senate Committee on Academic Freedom and Responsibility for 3-year terms:

Larry Gross (communication)

John Keene (city planning)

Susan Watkins (sociology)

Newly elected to the Senate Committee on Conduct for 2-year terms:

F. Gerard Adams (economics)

Elijah Anderson (sociology)

Arnold J. Rosoff (legal studies)

Newly elected to the Senate Committee on the Economic Status of the Faculty for 3-year terms:

Roger M. Allen (Asian & Middle Eastern studies)

Elizabeth E. Bailey (public policy & management)

The terms of the new Faculty Senate Officers and the newly elected members of the Senate Executive Committee begin with the taking up of new business at the Senate Executive Committee meeting scheduled for May 3, 1995. The terms of the newly elected members of the Committees on Academic Freedom and Responsibility, Conduct, and Economic Status of the Faculty begin on May 1. Full committee memberships will be published this fall in *Almanac*, or please contact Faculty Senate Executive Assistant Carolyn Burdon, 15 College Hall/6303; tel: 898-6943; e-mail: burdon@pobox.upenn.edu.

One Penn student was killed and another injured over Spring Break in a head-on collision in the Florida Keys on March 5, in which two others also died—a friend of the Penn students from Miami Beach, and the driver of the speeding vehicle that struck them.

The speeding driver was a woman from Bucks County who reportedly had been eluding police in Florida for over 100 miles before the accident.

Justin Koppel, C'96, was a 20-year-old native of Westlake Village, California, who had written sports stories for *The Daily Pennsylvanian* last spring, and had interned at NBC News in Burbank.

He is survived by his parents, Mr. and Mrs. Richard Koppel, his sister, Julie, his grandmother, Regina Koppel, and his girlfriend, Carol Schneiderman. The family requests that contributions be made to Agoura High School Track, 28545 West Driver Avenue, Agoura Hills, CA 91301.

His passenger and brother in Sigma Alpha Epsilon, **Scott Weisblum**, W'96, suffered injuries to the head and arm. Mr. Weisblum has been recuperating at his home in Miami Beach and is expected to return to finish the semester.

Michael Zablotsky, 20, of Miami Beach, a childhood friend of Scott Weisblum, also died in the collision.

* * *

Rochelle Webster, administrative assistant in the Policy Research, Evaluation and Measurement Division of the Psychology in Education department of the Graduate School of Education, was killed on March 1 at the age of 27.

A man against whom a Protection from Abuse Order was issued in October confessed to stabbing her at his home in West Oak Lane; he later jumped from the Benjamin Franklin Bridge and was presumed dead by the Philadelphia Police.

Ms. Webster, who joined the University in 1987 as secretary to the chair of Psychology in Education, had earlier worked for the Pennsylvania Manufacturers' Association Insurance Co., Gaston Financial Services of the New England Mutual Life Insurance Co., and the Nuclear Regulatory Commission.

She had majored in business administration at St. Augustine College in Raleigh, North Carolina, and in 1989 she graduated from the Thompson Institute of Philadelphia, National Education Center, where she concentrated on medical office management, receiving honors in four of her six modules.

Ms. Webster is survived by her mother, Beverly Webster; her father, Harry Dunn; son, Brandon Anthony Webster Davis, 3; stepfather, William Webster, Sr.; sister, Antoinette Webster; brothers, William, Jr. and Charles Anthony Webster. A memorial service was held on March 7 at the First Timothy Baptist Church in West Oak Lane, where she had been an active member. Messages of sympathy can be sent to Mrs. Beverly Webster, 129 U Street NW, Washington, D.C. 20001.

Tuition at Trustees: March 17

Tuition and fees for the coming year are on the agenda of the stated meeting of the Trustees Executive Committee Friday, March 17, at 2 p.m. in the Faculty Club Tea Room. Those wishing to attend as observers may register an interest with the Office of the Secretary, 898-7005.

From the Senate Office

The following statement is published in accordance with the Senate Rules. Among other purposes, the publication of SEC actions is intended to stimulate discussion between the constituencies and their representatives. Please communicate your comments to Senate Chair Barbara J. Lowery or Executive Assistant Carolyn Burdon, 15 College Hall/6303, 898-6943 or e-mail burdon@pobox.upenn.edu.

Actions Taken by the Senate Executive Committee Wednesday, March 1, 1995

1. Academic Planning and Budget. Past Chair Gerald Porter reported that the committee met once since the last SEC meeting and discussed the five-year plan of the School of Veterinary Medicine. Capital Council has not met since the last SEC meeting.

2. Trial Almanac/Compass merger. Martin Pring, Chair, Senate Committee on Publication Policy for Almanac, announced that the trial merger would be delayed one month until the beginning of April due to personnel changes and the need for further preparation.

3. Nominees from the Senate Committee on Committees for 1995-96 vacancies. SEC members were given one week to submit additional nominations. A mail ballot will be circulated to all SEC members.

4. Proposed revision of the just cause procedure. SEC received amendments to the procedure reflecting the views expressed at the last meeting. These revisions were:

- current members of the Senate Committee on Academic Freedom and Responsibility are disqualified from serving on a University-wide panel;
- the President is required to consult with the Chair, Past Chair and Chair-elect of the Faculty Senate if the President proposes to reduce the sanction recommended by the Hearing Board and must obtain unanimous consent of the three Senate Chairs if the President proposes to increase or make a lateral change in the sanction;
- an appeal of the President's action can be made to SCAFR rather than to the Trustees.

It was moved and seconded that "The Senate Executive Committee

- accepts the procedure as revised,
- calls for publication of the revised procedure in *Almanac* after spring recess (pp. 5-9, this issue),
- places discussion of the procedure on the agenda of the annual Faculty Senate meeting April 19, and
- sends the revised procedure to the Faculty Senate membership after the April 19 meeting for a mail ballot with a simple majority required for approval."

Discussion focused on the following two issues of the revised procedure:

- the need to allow an appeal of a procedural error to an independent body before the Hearing Panel's decision is transmitted to the President;
- the President's ability to raise the sanction.

It was moved and seconded that the procedure be amended as follows: "The President may not increase or make a lateral change in the sanction decided by the Hearing Panel." The motion was approved by an overwhelming majority.

It was moved and seconded that the procedure be amended as follows: "Where the respondent alleges to the President that there has been a significant procedural error and the President does not find a significant procedural defect the respondent can then appeal to the Senate Committee on Academic Freedom and Responsibility."

A substitute motion was moved and seconded that "The defendant shall have the right to appeal on procedural grounds to the Senate Committee on Academic Freedom and Responsibility before it goes to the President. If SCAFR finds a procedural error it remands to the Hearing Panel." The substitute motion failed.

The amendment was approved by an overwhelming majority.

The original motion "That SEC accepts the procedure....," as amended, was approved by an overwhelming majority.

The just cause subcommittee of the Committee on the Faculty was charged with incorporating the revisions into the procedure.

5. Policy on Consensual Sexual Relations. (See text, *opposite page*.) The revision is proposed as replacement of the first three full paragraphs on p. 96 of the *Handbook for Faculty and Academic Administrators*. Members of the committee that drafted the proposed policy stated that it is intended to clarify ambiguities in the existing policy and to protect the faculty. SEC members opposed to the policy stated it was a reaction to the times, was an attempt to legislate on moral issues, and that the University should "stay out of the bedroom." Those supporting the policy stated that the policy recognizes that consensual sexual relations can interfere with the academic goals of the University. The proposed policy makes a clear statement that in those cases where there is the potential for a conflict between personal and academic responsibilities, consensual sexual relations are unethical and unacceptable in the University community.

An amendment was moved and seconded that the word "discourage" in the phrase "discourage consensual sexual relations with undergraduates" be replaced with the word "prohibit." The amendment was defeated.

It was agreed that "or remedial measures" be inserted in the third paragraph of the proposed policy with the intention that actions could be taken by a Dean or Department Chair to alter the academic relationship between a faculty member and student whose actions are in violation of the proposed policy. The proposed policy as amended was adopted by an overwhelming majority.

(SEC Actions continued next page)

SENATE

SEC Actions Continued

6. Discussion with the President and Provost on Proposed Procedure for Removal of a Dean.

- (See text, *below*.) The issues raised during the discussion of the proposed policy were:
- this procedure should be parallel to that for the hiring of a dean;
 - the Advisory Committee have a minimum of 3 faculty from the concerned school elected by the school faculty, one of whom should hold the minority view;
 - that the Advisory Committee have more than 5 faculty with a majority from the concerned school;
 - there be provision for faculty follow-up action;
 - an unbiased Advisory Committee is required and no faculty from the concerned school should serve;
 - the procedure may be too easily triggered;
 - political reality will control its use; and
 - the Advisory Committee should be elected by SEC and appointed by the Provost.

The Provost expressed interest in having a procedure. The President noted that the administration must have its own set of procedures that will make it unnecessary to use this procedure for removal of a dean.

The proposed procedure was approved by an overwhelming majority.

7. Next SEC. Discussion on the proposed procedures on interim suspension of faculty and procedures on department closings was deferred to the next meeting.

Proposed Policy on Consensual Sexual Relations Between Faculty and Students

Proposed by the Senate Committee on the Faculty February 1, 1995

Adopted by the Senate Executive Committee March 1, 1995

(Proposed for insertion in the Handbook for Faculty and Academic Administrators

III.F.II.B. p. 96, replacing first three full paragraphs.)

The relationship between teacher and student is central to the academic mission of the University. No non-academic or personal ties should be allowed to interfere with the integrity of the teacher-student relationship. Consensual sexual relations between teacher and student can adversely affect the academic enterprise, distorting judgments or appearing to do so in the minds of others, and providing incentives or disincentives for student-faculty contact that are equally inappropriate.

For these reasons, any sexual relations between a teacher and a student during the period of the teacher/student relationship are prohibited. The prohibition extends to sexual relations between a graduate or professional student and an undergraduate when the graduate or professional student has some supervisory academic responsibility for the undergraduate, to sexual relations between department chairs and students in that department, and to sexual relations between graduate group chairs and students in that graduate group. In addition, it includes sexual relations between academic advisors, program directors, and all others who have supervisory academic responsibility for a student, and that student. Teachers and academic supervisors who are sexually involved with students must decline to participate in any evaluative or supervisory academic activity with respect to those students.

The Provost, Deans, Department Chairs and other administrators should respond to reports of prohibited sexual relations that are brought to them by inquiring further and, if such reports appear to be accurate, initiating appropriate disciplinary action or remedial measures against the teacher or supervisor involved.

This policy supplements the University's policy on Sexual Harassment. In addition, although this policy prohibits consensual sexual relations only between a teacher/supervisor and that individual's student, the University strongly discourages any sexual relations between members of the faculty (or administration) and undergraduates.

Proposed Procedure for Removal of a Dean

Proposed by Senate Committee on Administration February 7, 1995

Adopted by the Senate Executive Committee March 1, 1995

(Proposed for insertion in the Handbook for Faculty and Academic Administrators Section I.E.2.)

On page 8: Change heading "Consultation for Deans, Associate Deans, and Vice Deans" to "Appointment of Deans, Associate Deans, and Vice Deans" and begin paragraph with preamble:

The Statutes of the Corporation (9.4) state that a Dean shall be appointed or removed by the Trustees, upon recommendation by the President and the Provost, and according to policies and procedures promulgated by the President and the Provost.

On page 9, before heading "Appointments of Acting Administrators" add a new heading:

"Removal of a Dean"

The procedure for the removal of a Dean prior to the expiration of his or her term may be initiated by the President and the Provost. It may also be initiated by a faculty vote of no confidence taken at a meeting in accordance with the bylaws of the school. The vote of no confidence must be confirmed by a majority of the standing faculty in a subsequent mail ballot.

In either case, the Provost shall appoint, in consultation with the Senate Committee on Consultation, an Advisory Committee of at least five faculty members, a majority of whom shall be from outside of the school. The Committee shall be charged by the Provost and the President to gather information relevant to the issues specified in the charge, including interviews with the faculty and the Dean. The Committee shall forward its recommendations, with supporting documents, to the Provost, the President, and the Dean, within four weeks of its appointment.

The Committee shall report its recommendations to the faculty of the school.

Annual Meeting of the Faculty Senate

Wednesday, April 19, 1995

3 p.m. to 5 p.m., Room B-26 Stiteler Hall

The agenda will include the report of the Senate Committee on the Economic Status of the Faculty (to be published), and discussion of the proposed revision of the just cause procedure (pages 4-8 of this issue).— *From the Faculty Senate Office*

Agenda of the University Council Meeting

Wednesday, March 15, 1995

4 to 6 p.m.

McClelland Lounge, The Quadrangle

I. Approval of the minutes of February 8, 1995 meeting.

II. Reports of the Chairs (Steering Committee, Graduate and Professional Student Assembly, Undergraduate Assembly, Penn Professional Staff Assembly, and A-3 Assembly)

Time limit for reports and clarifications: 20 minutes

III. Extended report by the provost on budget and plans for the next academic year.

Time limit: 20 minutes presentation, 20 minutes discussion.

IV. Report on graduate education by the vice provost for graduate studies, associate dean and director of graduate studies, and assistant vice president for policy planning and federal relations. *Time limit: 40 minutes.*

V. Resolution from Council Committee on Communications. *Time limit: 5 minutes*

"The University Council Committee on Communications would like to establish a general principle that access to communication and information services be provided to all members of the University community. As the first step towards this goal, the Committee urges the expeditious completion of the ResNet project."

VI. Update on judicial reform.

Time limit: 5 minutes.

VII. Adjournment by 6 p.m.

Correction: Council Bylaws

On February 28 *Almanac* published "Of Record" a version of the revised University Council Bylaws that had been only partially updated. A major error of substance is that it did not reflect a change voted by Council on November 9, 1994, which amends the description of the Library Committee (p. 9) to read:

"...The Committee shall consist of eight faculty members, one A-1 staff member, one A-3 staff member, two graduate/professional students, and two undergraduate students. The director of the Biddle Law Library and the director of libraries shall be nonvoting ex officio members of the Committee."

The Bylaws will be republished in full at a future date. In the meantime, readers are urged to correct the relevant paragraph in any copies of the February 28 edition they use or circulate.

We sincerely regret the error.—K.C.G.

Speaking Out

Managing the President's House

I write on the first day after break to welcome everyone back to campus and springtime at Penn. Ahead of us lie warm days, clear skies, challenging courses, the NCAA playoffs, the Penn Relays and many other riches. I wish everyone in the Penn community a bright and spirited spring.

I also write, with both amusement and distress, to clear up a misunderstanding caused by an employment ad for a manager of the president's house that was posted early last week on PennInfo and ran in a supplement to *The Compass* on Thursday, March 9.

The ad correctly publicized that we are looking to hire someone for the job, which is now vacant. As it was performed in earlier administrations, and as the first lines of the ad made clear, the job involves organizing and supervising the large number of University events that take place at the house, purchasing supplies, keeping financial records, supervising house maintenance, coordinating the house event calendar with the president's office calendar and similar duties. The president's house is a large operation where a series of University events takes place each month, and being house manager is a big and tiring job.

What the job most certainly does not involve—and this is where the last lines of the ad went humorously haywire—is caring for our overgrown dog, disciplining our two teenage sons (that one made me laugh out loud!) or helping with homework (either mine or the boys').

What's behind the mistakes in the ad is a miscommunication among me, one of my staff and the ad writer. I stressed to my staff that job applicants would need to be told that two active boys and a big dog share the president's house with me and my husband. The point was to convey important information, because while some people would enjoy working in a home with two boys and a dog, others would not.

Instead, what somehow got communicated between the staff member and the ad writer—who now feel quite embarrassed—was a requirement that the house manager tutor the boys and perform animal husbandry. This is just not the case.

I write because I feel it is important to correct this misunderstanding. Penn has embarked on a critical course of administrative restructuring designed to streamline and improve our administrative functions and, we hope in the end, to save money that can be directed to vital academic programs. This is much in my mind these days, and the last thing I would do—the last thing any of us should do—is frivolously spend University resources.

Indeed, total projected expenditures for the president's house for this fiscal year and

next will be lower than expenditures in fiscal year 1994, the year before I came to Penn. If you were to adjust for inflation, projected expenditures in real terms would be lower still. Similarly, only two people will be on the house payroll—the house manager and a household assistant. Before I came to Penn there were three.

I intend for this administration—including the president's office, the president's house and all other units—to be efficient, effective and lean. This is one of my top priorities at Penn.

— Judith Rodin, President

'True to Form...'

I recently had an opportunity to read [in] the January 24 *Speaking Out* the letter submitted by Dr. Clark protesting an article entitled "One Man's Vision of Haiti" published in the University-supported *Red and Blue*.

Yet again I am reminded of the prevailing racist attitude which propagates through the campus environment. Dr. Rodin has inherited a hefty task—that of attempting to extinguish the overwhelming ignorance that beshadows our esteemed institution while attempting to preserve each individual's freedom of speech. After all, aren't these the virtues upon which our great country was founded? I am not a historian; however, I would surmise that the same principles that precipitated the establishment of the United States of America were preserved in the establishment of the University of Pennsylvania. One need not be a historian to realize that neither was established with the interests of peoples of African descent in mind. One needs only to review the treatment of these peoples throughout the entire existence of said institutions to observe how the values of an entire culture is regarded.

Is it therefore any wonder that so-called minorities are so underrepresented at "Homecoming" and other alumni activities? Why students and alumni of African descent show half-hearted interest in activities that revere the Good Ol' *Red and Blue*?

I maintain my connection with the University because I highly regard what Penn has to offer. The quality of the education is stellar, its faculty unparalleled. As a scientist, a doctoral candidate, and most recently an educator, I recognize the responsibility that accompanies education, achievement and access. But *every single day* of my undergraduate experience: ranging from the day a tenured science professor explained to me how "black people are ignorant and incapable of being engineers" (who subsequently gave me an "F" to support his thesis) to the inaugural Du Bois College House "Bomb Threats" (marked by a recent 10-year commemoration, I understand) that caused many students to experience psychological disorders with no academic relief for the bal-

ance of the school year, reminded me that my presence was conditional. The original bomb threats, I should mention, were in response to our housing an invited guest to freely voice his views in a University forum.

Nevertheless, a child named Jeremy, preparing to embark on a career in finance, can manage to insult an entire culture, bastardize statistics, denigrate a people's religious beliefs and espouse a host of inherently racist and ignorant "thoughts" as a *man* with what he terms a "decent amount of respect over this whole affair." Jeremy *feels* that he must respond to this "furor" (an interesting choice of terms) with yet another inspiring essay of "an intellectually higher caliber" and *perhaps* "some ...revisions of thought."

I study (and teach*) a discipline which is almost exclusively white-male dominated at a University that worships its football coach and immortalizes lions in every possible medium. I empathize with "Hask" and "Cora" and most recently Rev. Burnley (whom I haven't met) for accepting the responsibility of "bridging the gap." I sincerely applaud the efforts of Drs. Swain-Cade, Moneta and Clark (whom I also haven't met) for attempting to neutralize the ignorance that permeates my alma mater. This condition *is not* a well-kept secret. Just ask the many alumni of African descent who occasionally read a campus publication or tune into CNN just before receiving a letter from the "Penn Fund."

I serve on numerous alumni boards and committees in an attempt to serve as a "vehicle for hope and change." I find it difficult and am no longer compelled to rationalize some of the things I read about Penn. The "passive response" to these occurrences is probably why I still don't know all the words to *Our School Song*.

I am confident that I express the prevailing sentiment of my peers who attended Penn in my day and have established careers in every possible field. I rue the day that I will be forced to confront Jeremy and his "peers" as they attempt to influence the educational, financial and otherwise influential institutions of the future. (And you can rest assured should I have the opportunity to teach or otherwise influence Jeremy's children or peers it will be unbiased, professional and of the highest intellectual caliber.) But as Penn taught me long ago, that is part of my charge.

So here I sit, in the mountains, unabashedly, teaching students how to manage and how to build, learning how to teach and how to build—preparing myself to fulfill my charge and to confront the effects of the ignorance that permeates my existence.

— Deanna Corbett, MEAM (SEAS) '84

* The author is a doctoral candidate and instructor in Civil and Environmental Engineering at Penn State.

Speaking Out welcomes reader contributions. Short, timely letters on University issues can be accepted Thursday noon for the following Tuesday's issue, subject to right-of-reply guidelines. Advance notice of intention to submit is appreciated.—Ed.

SENATE

Proposed Procedure

The Senate Executive Committee at its meeting on March 1, 1995 approved the new Proposed Procedures Governing Sanctions Taken Against Members of the Faculty (see below). The Faculty will vote on this proposal after discussion at the annual meeting of the Senate, April 19, 1995. Approval will require a majority of the votes cast. The current proposal incorporates the following changes from the previous proposal:

- The respondent may choose to have his or her case heard by either the Committee on Academic Freedom and Responsibility [CAFR] of his or her school or by a University Tribunal.
- An appeal may be filed to the Senate Committee on Academic Freedom and Responsibility [SCAFR] if the respondent believes that the procedure was defective and the President does not remand the decision. If SCAFR finds the procedure faulty, it can remand the case to the Hearing Board.
- The President no longer has the right to increase a sanction. The "President may depart from the Hearing Board's recommendations only in exceptional circumstances and only after consulting the Chair, Past Chair and Chair-elect of the Faculty Senate."

The only departures permissible are (a) to discontinue the proceedings for failure of proof or (b) to impose a minor instead of a major sanction.

—From the Faculty Senate Office

Proposed Procedure Governing Sanctions Taken Against Members of the Faculty

March 1, 1995

I. Introduction and Definitions

A. Introduction

The imposition of a sanction on a faculty member of the University of Pennsylvania is a rare event. However, when situations that might lead to such an action arise, they must be handled fairly and expeditiously. It is essential to have a process that both protects the rights of faculty members and addresses the legitimate concerns of the University. This policy replaces the previously existing "Suspension or Termination of Faculty for Just Cause" and "Procedures Regarding Misconduct in Research" (*Handbook for Faculty and Academic Administrators* 1989, as revised 1991, pages 47-51 and 117-121 respectively) and also modifies the "Procedures of the Senate Committee on Conduct" (*Almanac* October 31, 1989).

Any cases initiated after this policy is in force, even if the alleged actions preceded its adoption, will be governed by the procedures prescribed here. This document simplifies the previous processes and relates them to a Dean's procedures for imposing minor sanctions. The result is a more coherent and less cumbersome process. These procedures do not change the scope or powers of any Academic Freedom and Responsibility Committee as defined in Article 10 of the Statutes of the Trustees (1983).

B. Definitions

1. "Charging party"—the Provost, a Dean, a Provost's or Dean's designee who shall be a faculty member of the University, or a Group for Complaint [Definition No. 6].

2. "Complainant"—individual bringing to the attention of a Dean or the Provost a situation that may call for a sanction [Definition No. 14] against a faculty member [Definition No. 5]. The complainant may be a student or faculty or staff member of the University, or any individual outside the University who believes that a major infraction [Definition No. 8] or minor infraction [Definition No. 10] of University behavioral standards by a faculty member has occurred.

3. "Counsel"—an advisor, who may be an attorney.

4. "Dean"—the Dean of one of the University's schools.

5. "Faculty member"—a member of the standing faculty, standing faculty clinician-educator, research faculty, the academic support staff (not including students), or a post-doctoral fellow.

6. "Group for Complaint"—a charging party elected by the standing faculty of a school, by a secret ballot, from its own tenured professors which by the fact of its election shall be empowered to take action that may result in the imposition of a major sanction [Definition No. 9] pursuant to these procedures. The size of the Group for Complaint shall be determined by the faculty but shall not be less than three.

7. "Hearing Board"—either the University Tribunal or the School Committee on Academic Freedom and Responsibility [CAFR]. The respondent shall determine whether the Hearing Board will be the University Tribunal [Definition No. 18] or the School CAFR.

8. "Major infraction of University behavioral standards"—an action involving flagrant disregard of the rules of the University or of the customs of scholarly communities, including, but not limited to, serious cases of the following: plagiarism; misuse of University funds; misconduct in research [Definition No. 12]; repeated failure to meet classes or carry out major assigned duties; extortion of sexual relations within the University community, improperly providing controlled substances to, or physical assault upon, a member of the University community; the bringing of charges of major or minor infractions of University standards against a member of the University community, knowing these charges to be false or recklessly indifferent to their truth or falsity; violation of the University's conflict of interest policy or commission of serious crimes such as, but not limited to, murder or rape.

9. "Major sanction"—serious penalties that include, but are not limited to, termination; suspension [Definition No. 15]; reduction in base salary; reduction in total salary; zero salary increases stipulated in advance for a period of four or more years; removal of the right to submit specific research proposals internally or externally or the right to carry on specific external activities for compensation; denial of the use of University research or library facilities.

10. "Minor infraction of University behavioral standards"—an action involving disregard of the University's rules or of the customs of scholarly communities that is less serious than a major infraction.

11. "Minor sanction"—penalties less serious than a major sanction that may include, but are not limited to, a private letter of reprimand; a public letter of reprimand; special monitoring of specific future research, teaching, supervision of students, or other activities; zero salary increases for a period not to exceed three years; and assignment of special duties within the faculty member's capability.

12. "Misconduct in research"—fabrication, falsification, plagiarism, or deception in proposing, carrying out or reporting results of research; or deliberate deviations from accepted practice in carrying out research that create a risk of death or injury. It does not include honest error or honest differences in interpretation or judgment in evaluating research methods or results. It does include failure to follow agreed upon protocol if this failure results in unreasonable risk of harm to humans or other vertebrates.

13. "Respondent"—the faculty member complained against.

14. "Sanction"—penalties imposed by the Trustees, the President, the

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Provost, or a Dean on a faculty member.

15. "Suspension"—temporary removal of all or a substantial portion of a faculty member's University activities with or without compensation.

16. "Termination"—cancellation of a faculty member's appointment and compensation, as of a certain date.

17. "University Just Cause Panel"—a University-wide Panel from which University Tribunals are chosen. This Panel shall be composed of tenured professors: twelve from the School of Arts and Sciences; twelve from the School of Medicine; six each from the School of Engineering and Applied Sciences, the School of Veterinary Medicine, and the Wharton School; and three from each of the remaining schools of the University. They shall be appointed, for staggered three-year terms except where an appointment is to complete the term of a person who leaves the panel early. Terms start on July 1. Appointments may be renewed.

The Chair of the Faculty Senate, after consultation with the Past Chair and Chair-elect, has the responsibility for designating the members of the Panel from current or past members of the various School Committees on Academic Freedom and Responsibility and/or past members of the Senate Committee on Academic Freedom and Responsibility (SCAFR).

This shall be done in consultation with the current or past chairs of the various Committees on Academic Freedom and Responsibility, and with due regard for the need for appropriate diversity on University Tribunals. It is also the responsibility of the Chair of the Faculty Senate to inform the prospective members of the Panel about their responsibilities as members of a Tribunal.

18. "University Tribunal"—a body of six tenured professors selected from the Just Cause Panel to hear evidence in a particular case. No more than two members of a Tribunal shall hold primary appointments in the same school. Not less than one of the members shall be from the school of the respondent. The Tribunal shall be created by the process described in Section V(A). That process shall continue until a Tribunal of six that includes at least one member of the faculty of the school of the respondent can be designated. Once the members of the Tribunal have been designated, they will then elect a chair. Members of the Tribunal shall serve until the case is completed regardless of the termination date of their appointment to the University Just Cause Panel. The Chair of the Tribunal shall conduct the Tribunal's business and preside at hearings but not cast votes except to break ties. Once having served as members of a Tribunal, faculty members are excused from further membership on the University Just Cause Panel for the remainder of their terms. The Chair of the Faculty Senate shall designate a faculty member from the same school to serve the remainder of the term in accordance with the process described in Definition No. 17.

19. "Working days"—shall mean Mondays through Fridays except when the University is officially closed.

II. Preliminary Procedures

A. Types of Charges

Three types of charges, governed by three separate but related processes, are covered by these procedures: misconduct in research, other major infractions of University behavioral standards, and minor infractions of University behavioral standards. In each situation, appropriate action shall be initiated promptly by a member of the University administration who shall normally be the Dean of the school in which the faculty member's primary appointment lies but who may, in unusual circumstances, be another Dean or the Provost. The Dean or Provost may act personally or through a delegate.

B. Preliminary Investigation

When a Dean or the Provost has been made aware of a situation which may involve the types of charges mentioned above, the Dean and the Provost shall consult with each other and determine whether to initiate a preliminary investigation. If they decide to initiate a preliminary investigation, the chair of the department, if any, will be consulted and the faculty member will be notified. This investigation will usually be carried out by a committee consisting of two tenured faculty members whose primary appointments are not in the same department (for schools organized in departments) or school (for schools not organized in departments). In the case of misconduct in research, the faculty members must be appropriately knowledgeable in the relevant field. However, in special circumstances, the preliminary investigation may be carried out by other individuals or agencies. In all cases, the Dean and the Provost shall consult with each

other and with at least three members of the tenured faculty concerning the format of the investigation and the personnel who should carry it out.

The Preliminary Investigating Committee shall interview those concerned, engage in fact finding and summarize its work in a report sent to the Dean and Provost. During these proceedings, all parties shall make every effort to protect the identity of the individuals involved.

C. Further Action by Dean or Provost

Having received the report of the Preliminary Investigating Committee, the Dean or Provost shall normally interview the faculty member in the presence of any department chair concerned and afford opportunity for informal adjustment of the matter. If the matter is adjusted informally to the satisfaction of the Dean or Provost and the faculty member, no further proceedings shall be invoked by them. If the matter is not adjusted informally, the Dean or Provost shall consult with several tenured members of the University faculty who are not currently members of the University Just Cause Panel. Relying on these consultations and on the report of the Preliminary Investigating Committee, the Dean or Provost shall decide whether to proceed to the formal investigation stage in a case involving misconduct in research, to invoke the just cause procedures in a case involving other major infractions of University behavioral standards, to impose minor sanctions directly in a case involving minor infractions of University behavioral standards, or to drop the matter. If the decision is to drop the matter, the Dean or Provost shall notify the respondent and any complainant in writing. In cases of alleged misconduct in research, a record of the preliminary investigation and the final decision shall be maintained in the Office of the General Counsel for the period required by the federal government.

D. Formation of a Group for Complaint

If the Dean or Provost decides to drop the matter, no further proceedings shall be initiated with the single exception of the faculty's prerogative to form a Group for Complaint. If a faculty has by resolution requested its Dean to examine a situation possibly involving imposition of a major sanction and within fifteen working days following the date such resolution was adopted, neither the Dean, another Dean, nor the Provost has either initiated proceedings for imposition of a major sanction or provided reasons for not initiating such proceedings that are deemed satisfactory by the faculty, then, within thirty working days, the faculty may elect from its own members a Group for Complaint. Members of the University Just Cause Panel and the School CAFR shall withdraw from faculty meetings when these matters are considered and shall not be eligible for membership on the Group for Complaint. The secretary of the faculty shall record the minutes of this meeting and attach as appendices any written information upon which the faculty's vote to elect the Group was based. If formed, the Group shall receive this material and promptly conduct an investigation and may initiate proceedings for imposition of a major sanction if it determines that there is substantial reason to believe that just cause exists therefor. A determination by the Group not to initiate further proceedings shall be reported to the faculty, the Dean, the Provost, the respondent and any complainant, with the Group's reasons for making such determination, and no further action shall be taken by the faculty. However, the Group for Complaint may recommend that the Dean or Provost, where appropriate, impose a minor sanction. If a Dean, Provost or Group for Complaint decides to pursue the case against the faculty member, that individual or group shall initiate other proceedings as described in the remaining sections of this policy.

III. Minor Sanction

A. Imposition by Dean or Provost

If, having received the report of the Preliminary Investigating Committee and consulted with the tenured faculty members, the Dean or Provost concludes that the situation involves only a minor infraction of University behavioral standards, the Dean or Provost shall impose a minor sanction on the respondent. He or she shall notify the respondent and any complainant of this decision and take the steps necessary to put the sanction into effect after a two-week time period for the possible initiation of the mechanisms needed to create a Group for Complaint.

B. Appeal to Faculty Grievance Commission

The respondent may apply to the Faculty Grievance Commission for relief from any sanction imposed by the Dean or Provost, except for a

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sanction recommended by a Hearing Board under Section V(G). However, subsequent formation of a Group for Complaint requires that the Grievance Commission cease all activity regarding such relief until a final decision has been reached concerning a major sanction.

IV. Misconduct in Research

A. Initiation of Formal Investigation

If the Dean or Provost, relying upon the report of the Preliminary Investigating Committee and the consultations with tenured faculty members, or if a Group for Complaint believes that misconduct in research has occurred, there shall be a formal investigation. The charging party shall inform the respondent of the nature of the charges, identify any complainant to the respondent and notify both parties and, if required by law or regulation, any external organization funding the research, that a formal investigation is being initiated.

B. Formation of Formal Investigating Committee

The Dean or Provost shall then promptly appoint a Formal Investigating Committee consisting of at least three persons, none of whom is a member of the same department (or the same school if the school is not organized in departments) as, or a collaborator with, the respondent. The membership of a formal investigating committee shall be selected with the advice of the Chair, Past Chair and Chair-elect of the Faculty Senate. The committee members should be unbiased and have appropriate backgrounds for judging the issues raised. At least one of them must be a member of the faculty of the University. During the committee's proceedings, all parties shall make every effort to protect the identities of the respondent and any complainant.

C. Duties of Formal Investigating Committee

The Formal Investigating Committee shall undertake a thorough investigation of the charges including a review of all relevant research data, proposals, reports, financial records, publications, correspondence, memoranda of telephone calls, etc. and the report of the Preliminary Investigating Committee. Whenever possible, interviews shall be conducted with the charging party, the respondent and any complainant as well as with others having information of relevance. Summaries of these interviews shall be prepared, provided to the interviewed party for comment or revision and included as part of the investigation file. During its proceedings, the Committee shall be advised by legal counsel. When appearing before the Committee, the charging party and the respondent may each be accompanied by independent counsel. Counsel may advise the party in question but shall not participate otherwise in the proceedings. The Committee shall not conduct trial-type hearings. The charging party and the respondent cannot be required to appear before the Committee at the same time.

D. Report of Formal Investigating Committee

The Formal Investigating Committee shall normally complete the investigation within ten weeks of appointment. After its investigation is finished, the Formal Investigating Committee shall promptly submit a written report to the charging party with copies to the respondent by certified mail and to the Dean and Provost. The report shall describe the proceedings in detail and provide full documentation of the Committee's findings and conclusions. The respondent may send a written statement of objections to the report to the Provost within twenty working days following the date the report was sent by the Committee. The Provost shall promptly send the report of the Formal Investigating Committee, along with any statement of objection from the respondent, to the charging party, the Chair of the Faculty Senate and, if required by law or regulation, to any external organizations funding the research in question. The formal investigation process shall be completed within four months from the date of the appointment of the Committee.

E. Temporary Safeguards and Actions by Administration

During the formal investigation, the Provost and the Dean shall take appropriate administrative action to protect the funds supporting sponsored research and to ensure the fulfillment of the purposes of any external funding. The Provost may apprise external funding organizations of any development during the formal investigation that may affect current or proposed funding of the respondent's research. If the formal investigation is terminated before completion, e.g., as a result of the resignation or death of the respondent, the Provost shall give written notification of this termination and the reasons therefor to any external funding organization.

F. Further Action by the Dean or Provost

Having received the report of the Formal Investigating Committee, the Dean or Provost, relying primarily upon that document, but also noting the report of the Preliminary Investigating Committee and any statement of objections from the respondent, shall determine whether it appears that the charges are unfounded, or that a major or minor infraction of University behavioral standards has occurred.

G. Actions for Unfounded Charges

If the charging party agrees that the charges are unfounded, the matter shall be dropped and the respondent, any complainant, and the Dean and Provost shall be notified.

H. Actions for Minor Sanction

If the Dean or Provost believes that the respondent has committed a minor infraction of University behavioral standards, he or she shall impose a minor sanction on the respondent. The respondent may apply to the Faculty Grievance Commission for relief. However, if a Group for Complaint is subsequently formed, the Commission shall cease all activity regarding such relief until a final decision has been reached concerning a major sanction.

I. Charging Party Initiates Appointment of Hearing Board

If the charging party believes that the respondent has committed misconduct in research, the charging party shall proceed as indicated in Section V.

J. Involvement of Other University Committees

Some forms of misconduct in research, such as failure to adhere to requirements for the protection of human subjects or to ensure the welfare of laboratory animals, are governed by specific federal regulations and are subject to the oversight of established University committees. However, violations involving failure to meet these requirements may also be covered by the procedures discussed here or by other duly established University rules and regulations.

V. Major Sanction

A. Charging Party Requests Formation of Hearing Board—Respondent's Options

If the charging party believes that a major infraction of University behavioral standards has occurred, the charging party shall promptly request that the Chair of the Faculty Senate determine, within three working days, whether the respondent wishes to be heard by a University Tribunal or the school CAFR. If the respondent chooses the University Tribunal, the Chair of the Faculty Senate shall provide a list of ten faculty members from the University Just Cause Panel who will constitute the potential members of the University Tribunal.

The ten potential members are to be drawn from a randomly ordered list of members of the University Just Cause Panel that is stratified to insure that at least two shall hold primary appointments from the school of the respondent and no more than three shall hold primary appointments from a single school. Only the Chair of the Faculty Senate and the Executive Assistant to the Faculty Senate Chair shall know the order of the names on this list. The Chair of the Faculty Senate shall provide them with copies of these procedures.

B. Charging Party and Respondent Informed of Potential Members of Hearing Tribunal

If the respondent chooses to be heard by a University Tribunal, the Chair of the Faculty Senate shall, within five working days following the respondent's choice, provide to the charging party and the respondent an alphabetic listing of the potential members of the Tribunal.

C. Disqualification of Potential Members of Hearing Board

1. The charging party and the respondent shall be entitled to move to disqualify for prejudice any potential member of the Hearing Board. Such motion shall set forth, in writing, the reasons therefor and shall be delivered—to the Chair of the Faculty Senate if the hearing is to be conducted by a University Tribunal or the chair of the School CAFR if the Hearing is to be conducted by that body—not later than 15 working days prior to the date set for the hearing.

2. Motions to disqualify members of the school CAFR shall be decided by the remaining members of the committee. If the remaining members decide that disqualification is proper, an alternate member, if any is available, shall serve as a substitute for the disqualified member. If an alternate member is

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not available, the remaining members shall select a substitute.

3. If the respondent has chosen to be heard by a University Tribunal, the Chair of the Faculty Senate shall convene the potential members of the Tribunal after the deadline for motions to disqualify has passed, but no later than twenty-five working days after the potential members have been named. The potential members shall immediately elect a pro tem chair from those members who are not named in a motion to disqualify. These members shall decide, by majority vote, whether to disqualify the members named in the motions. The pro tem chair shall provide the list of potential members who have not been disqualified to the Chair of the Faculty Senate. The Chair of the Faculty Senate will designate the six of the remaining eligible members who rank highest on the randomized list as the University Tribunal for this case.

D. Members of University Tribunal Named

If more than four members of the group or all members of the faculty of the school of the respondent are disqualified, the Chair of the Faculty Senate shall, without identifying those who were not excused, provide an additional list of four more than the number excused, in the manner provided in V(A).

E. Hearing Board Determines Whether to Proceed

Once the composition of the Hearing Board is determined, the charging party shall promptly send to the Chair of the Hearing Board, the respondent and the Dean and Provost the report of the Preliminary Investigating Committee and a succinct written statement, based on the earlier investigations, which summarizes the grounds for the complaint and for the recommendation of a major sanction. In the case of misconduct in research, the report of the Formal Investigating Committee shall be included. The notice to the respondent shall be by certified mail. To determine whether formal hearings shall take place, the Hearing Board shall immediately consider the statement from the charging party, consult the relevant documents including the records of previous Hearing Boards, and afford the charging party opportunity to present oral and written argument, but shall not hold a hearing to receive evidence. If the Hearing Board concludes that the grounds stated, if true, would clearly not constitute just cause for imposition of a major sanction, it shall issue a report to that effect, sending copies to the charging party, the President, any complainant, and the respondent. The substance of the complaint shall not be the basis of any further proceedings with respect to major sanctions. However, the Hearing Board may remand the case to the Dean or Provost for further proceedings or actions in accordance with paragraph III(A) that relates to a minor sanction. If the Hearing Board concludes that the grounds stated, if true, might constitute just cause for the imposition of a major sanction, and it believes that there is probable cause that in further proceedings the grounds stated will be found to be true, it shall conduct such proceedings as hereinafter provided. The Hearing Board shall normally issue its determination within fifteen working days of receiving the complaint. If the Hearing Board fails to issue a determination within thirty working days, the substance of the complaint shall not be the basis of any further proceedings with respect to major sanctions.

F. Notification of Right to Submit Evidence

If further proceedings are conducted, the Chair of the Hearing Board shall send to the respondent, by certified mail, written notice that the respondent may preserve the right to submit evidence by notifying the Hearing Board's Chair, in writing, within fifteen working days following the respondent's receipt of such notice. The Hearing Board may at its discretion and in exceptional circumstances, grant a short extension of this time period at the respondent's request and upon a showing of good cause. A summary statement of the evidence to be presented by the charging party, including a list of witnesses, copies of relevant extracts from the statutes and standing resolutions of the Trustees of the University of Pennsylvania, a copy of this document and copies of any other University documents that are relevant to the respondent's procedural rights in this matter shall be included with the notice. These documents shall have been supplied to the Chair of the Hearing Board by the Dean or Provost.

G. Hearing Board Procedure in the Absence of Participation by Respondent

If the respondent does not ask to submit evidence before the Hearing Board, the charging party shall nevertheless present evidence to the Hearing Board. The Hearing Board shall then make a written report of its findings, conclusions and recommendations and send a copy of its report

and a transcript of the testimony prepared as in Paragraph V(I) below to the charging party and the respondent within twenty working days following the receipt of the charging party's evidence. If the Hearing Board concludes that the charging party has not shown clear and convincing evidence of just cause for the imposition of a major sanction, no major sanction may be imposed, and the substance of the complaint shall not be the basis for any further proceedings with respect to major sanctions. However, based on clear and convincing evidence of a minor infraction, the Hearing Board may recommend that the Dean or Provost impose a minor sanction and he or she will normally implement that recommendation. If the Hearing Board concludes that the charging party has shown clear and convincing evidence of just cause for the imposition of a major sanction, the Hearing Board shall promptly send to the President a copy of its report recommending the major sanction and a transcript of the testimony.

H. Hearing Board Procedure when Respondent Participates

If the respondent asks to submit evidence before the Hearing Board, the Chair of the Hearing Board shall notify the charging party and the respondent in writing of the date and place of the hearing, within five working days following the receipt of the respondent's request. The hearing shall be held at the earliest date that is agreeable to the respondent, charging party and Hearing Board, and ordinarily no more than three months from the notification date. Delay of the hearing beyond three months from the notification date shall require a written request to the Hearing Board from the charging party or respondent, and be granted only if the Hearing Board deems that more time is required. Not less than fifteen working days prior to the date of the hearing, the respondent shall provide to the Chair of the Hearing Board a written answer to the charging party's statement of the grounds for the complaint and for the recommendation of a major sanction.

I. Procedures During a Hearing

Hearings shall be private with two exceptions. The respondent shall have the right to invite as observers representatives of national professional academic associations concerned with matters of academic freedom and tenure. Other observers may be invited to attend if the charging party, the respondent and the Chair of the Hearing Board consent. A transcript of the hearing shall be taken by a stenographer furnished by the University. The charging party has the burden of proving by clear and convincing evidence that there is just cause for imposition of a major sanction against the respondent. Both the respondent and the charging party may appear personally throughout the hearing; both may have the assistance of counsel. The Hearing Board shall afford the respondent and the charging party the opportunity to present oral and written argument. The respondent and the charging party shall have the right to confront the witnesses and to question them personally or through counsel. They may call witnesses and shall receive the cooperation of the University administration in securing the attendance of such witnesses and the production of such documents as may be relevant. The extent of document production shall be determined by the Hearing Board. The Hearing Board may permit telephone conference calls in lieu of the appearance of witnesses.

J. Report of Hearing Board and Objections of Respondent

Upon concluding the hearings, the Hearing Board shall deliberate privately. It shall determine solely upon the basis of information presented at the hearings whether or not the charging party has established by clear and convincing evidence that a major infraction has occurred. If so, the Hearing Board shall recommend what the major sanction should be. Decisions shall require a majority of the members participating. If the Hearing Board determines that just cause for the imposition of a major sanction has not been established, no major sanction may be recommended. In that event, the Hearing Board may recommend a minor sanction if it determines that a minor infraction has occurred. The Hearing Board shall conclude its deliberations promptly and send to the President a written report in which it shall set forth its findings, conclusions, recommendations, a transcript of the hearings. Copies of these documents shall also be sent to the respondent by certified mail, and to the charging party, and the Dean and/or Provost. The respondent may, within thirty working days following the receipt of the documents, send to the President any objections to the findings, conclusions or recommendations of the Hearing Board.

(document continued next page)

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K. President's Actions

1. The President, relying only upon the materials forwarded by the Hearing Board and objections submitted by the respondent, shall normally accept the Hearing Board's recommendations.

2. The President may depart from the Hearing Board's recommendations only in exceptional circumstances and only after consulting the individuals then serving as the Chair, Past Chair and Chair-elect of the Faculty Senate ("the three Chairs"). Permissible departures are limited to (a) discontinuance of the proceedings for failure of proof and (b) the imposition of a minor instead of a major sanction. When a departure is proposed, the President shall send to the three Chairs all of the documents received from the Hearing Board and the respondent and shall secure their views before taking action. Should any of the three Chairs be unable to serve, the other two Chairs shall select a replacement from the available former Chairs of the Faculty Senate.

3. If the proceedings are discontinued, the substance of the complaint shall not be the basis for any further proceedings with respect to major sanctions.

4. The President may remand the matter to the Hearing Board because there has been a significant defect in procedure. If the matter is remanded to the Hearing Board, the President shall send to the Hearing Board the respondent's objections, if any. The Hearing Board shall reconvene, take steps to repair any procedural defects, and hold an additional hearing, if needed, granting to the parties those procedural rights provided in paragraph V(I). The Hearing Board shall then send a second report to the President, along with the transcript of any second hearing, with copies to the respondent by certified mail, and to the charging party and the Dean and/or Provost.

5. Within two weeks of the receipt of the materials forwarded by the Hearing Board, the President shall send to all interested parties a letter stating his or her decision and the reasons. The President's decision, except a decision to remand or a decision that is the subject of an appeal under V(L), is final within the University.

L. Appeal of President's Decision

If the respondent objects that there has been a significant defect in procedure but the President declines to remand the matter to the Hearing Board under V(K)(4), the respondent may appeal on that ground in writing to SCAFR. The President shall promptly forward to SCAFR all of the documents upon which the decision was made. SCAFR shall review the documents forwarded by the President and the respondent's written statement of appeal and shall decide the appeal within thirty working days of the receipt of the documents. If SCAFR finds that there has been a significant defect in procedure, it shall remand the matter to the Hearing Board for further proceedings in accordance with V(K)(3). Otherwise, the President's decision shall be final.

M. Termination

If the Hearing Board recommends that the respondent's appointment be terminated, it shall also recommend a date of termination, which cannot be more than one year beyond the date of the President's final action. If the President accepts the Hearing Board's recommendation to terminate the respondent's appointment, he or she must also accept the termination date recommended by the Hearing Board. Salary and benefits shall cease on that date.

Fulbright's 50th: Dr. Kuklick, March 22

Starting the celebration of this year's Golden Anniversary of the Fulbright program of international scholarly exchanges, the Office of the Vice Provost for Research will host a workshop for Penn members interested in winning Fulbright awards. Dr. Bruce Kuklick, a Penn historian who has been an Fulbright Scholar, is a guest speaker in the workshop conducted by Ralph Blessing, program officer for Latin America at the Council for International Exchange of Scholars.

Mr. Blessing will give an overview of opportunities available, and of strategies for selecting a suitable award and preparing a competitive application. Peer review and selection processes will also be discussed.

The two-hour workshop begins at 10 a.m. in the Club Room of Faculty Club on Wednesday, March 22. Reservations should be made with Miriam Stevenson, 898-7236.

N. Hearing Board Records

On the completion of the case the Hearing Board shall transfer all of its records to the office of the Faculty Senate. These records shall be stored in a locked file. The Chair, Past Chair and Chair-elect of the Faculty Senate, are responsible for obtaining and maintaining these records.

VI. Interim Suspension

A faculty member shall not be suspended prior to the conclusion of proceedings under this policy unless continuance poses a threat of immediate harm to the faculty member or others. Any such suspension shall be with salary. A Dean's decision to suspend a faculty member shall be accompanied by a concise statement of the factual assumptions on which it is based and the grounds for concluding that the faculty member's continuance threatens immediate harm. Such a decision should be made only after consultation with the school CAFR, which should, whenever possible, afford the faculty member an opportunity to be heard, and to present evidence why interim suspension should not be imposed.

VII. General Matters

A. No Public Statements When Proceedings Are in Progress

To preserve the integrity of the process, members of the University community should avoid public statements about charges and proceedings that involve minor or major sanctions until the proceedings have been completed.

B. Actions When Charges Are Unfounded

If final action under Section V completely exonerates the respondent, the University shall reimburse that individual for the reasonable costs and expenses, including attorney fees, incurred in his or her defense. In that event the administration should also attempt to repair any damage wrongly done to the reputation of the respondent or of any complainant, provided that the complainant acted in good faith. If it appears that the complainant did not act in good faith, the administration shall investigate and take appropriate action.

C. Statements Following a Minor Sanction

If the respondent has been subjected to a minor sanction, the Dean or Provost, after consultation with the President and discussion with the Chair of the Faculty Senate, may publicize this fact.

D. Statements Following a Major Sanction

If the respondent has been subjected to a major sanction, the President, after informal discussion with the Chair, Past Chair and Chair-elect of the Faculty Senate, shall publish in *Almanac* a statement describing the case and its disposition in appropriate detail.

Aide Memoir: Initialization of Panels

The following statement shall be sent to the Chair of the Faculty Senate on approval of this policy:

Initially, one-third of the members of the University Just Cause Panel chosen from each school shall serve for one year, one-third for two years and one-third for three years. Thereafter, all appointments shall be for three-year terms, except where appointments are made to complete the terms of persons who leave the panel before the end of their terms.

On Academic Careers for Grad Students, Postdocs

The Vice Provost for Graduate Education and Career Planning and Placement will host three programs (*below*) on Tuesday, March 21 in the Ben Franklin Room of Houston Hall.

Registration can be made by phone to 898-7530 or e-mail to vick@a1.relay.upenn.edu.

Tenure and Beyond; Janice Madden, Vice Provost for Graduate Education; 4 p.m.

Making the Most of Your First Job; Susan Davidson, computer and information science; Thomas Safley, history; 4:45 p.m.

Interdisciplinary Options: When Your Ph.D. is in One Field and You Want a Job in Another; Paul Kleindorfer, operations and information management; 5:45 p.m.

Basketball: Third Perfect Ivy League Season

Coming back from the season's only non-winning half-time score, a 28-28 tie, Penn Men's Basketball beat Princeton (69-57) on March 8 to complete its third undefeated Ivy League season (14-0 Ivy, 22-5 overall) and to win its 43rd straight Ivy League game. Headed to their 16th NCAA Tournament—their third, consecutive, under Fran Dunphy, head coach since 1989—the Quakers played a season of basketball which included rankings in the Associated Press Top 25 and a win over Michigan (62-60). Penn meets fifth-seeded Alabama on Thursday in the first round of the tournament at Baltimore, starting at 7:40 p.m.

Guard Matt Maloney (C '95), who transferred from Vanderbilt as a sophomore and played three years of undefeated Ivy basketball with the Quakers, was named Ivy League Player of the Year. Mr. Maloney's season shooting percentage, 46 percent; his three-point shooting percentage, 44.9 percent; and his 117 assists were his highest ever. Penn's leading scorer for the last two seasons, he scored nearly 15 points per game this year.

Philadelphian Jerome Allen (W '95), the guard named Ivy player or co-player of the year in the last two seasons, and Matt Maloney were named to the Ivy League first team; center Eric Moore (W '95), forward Shawn Trice (C '95), who scored a personal high of 26 points in the Princeton game, and forward Ira Bowman (W '96) to the second team; guard Scott Kegler (C '95) received an honorable mention.

Drugs, Alcohol and Caring at Penn

Dear University of Pennsylvania Student:

In accordance with the Drug-Free Schools and Communities Act, the University of Pennsylvania seeks to encourage and sustain an academic environment that promotes the health, safety and welfare of the whole community and which sets forth exemplary conduct and behavioral expectations for students as members of this community. A recent first-ever national survey on undergraduate student drinking conducted by Harvard's School of Public Health shows that, "while there has been an overall decline in drinking in American society as a whole...[there is] no similar decline among college students."

You, as a Penn student, should know that the University adheres to local, state and national laws as incorporated in the University of Pennsylvania Drug and Alcohol Policy. I advise students to be aware of applicable penalties imposed by the state of Pennsylvania which apply to all Penn students, including those students who live outside the state. Copies of applicable policies are available, as you know, in the *PennBook*, on PennInfo, and in school offices.

As an academic institution, the University's primary commitment is to providing a healthy educational environment and you should be aware of the resources you might find useful. Through Student Health, and the University Counseling Service, the University provides short-term services for students in need, longer-term referrals, and information on the health risks and social and behavioral effects of alcohol consumption and drug use. These services are available to undergraduate, graduate, and professional students. In addition, programming around drug and alcohol issues is held throughout the year in the residences, for athletic team members, for clubs and organizations, and through open community forums. I encourage you to use these resources.

Students have been active and caring participants in organizing and staffing such programs. I urge you to contact the Office of Health Education if you are interested in volunteering for one of the peer educator programs.

Sincerely,

— *Dr. Valarie Swain-Cade McCoullum*
Associate Vice President and
Acting Vice Provost for University Life



Donna Smith, above left, with Mary Jo Pauxtis, who nominated her as Employee of the Month. The banner is one they made for Susan Thomson, Ms. Smith's supervisor, when she was in the hospital.

How to Nominate for A-3 Award

The A-3 Assembly is still accepting nominations of A-3 employees who fit the following description: dependable, results-oriented, team player, excellent worker, and a high achiever.

Those who fit the above description, should be brought to the attention of the A-3 Assembly Employee Recognition Committee by submitting a form and the following information.

1. How does the nominee show dedication to his or her position in his or her department?
2. How does the nominee demonstrate team work skills?
3. How does the nominee demonstrate a high level of communication skills?
4. How does the nominee show dedication at work or in his or her personal life?
5. How does the nominee contribute to helping others outside work?
6. Write one to two paragraphs stating why you feel this individual should be honored.

The form and necessary information must be returned to Betty Thomas, A-3 Employee Recognition Committee Chair, 212 Franklin Building/6270. To obtain a form or for more information, call Betty at Ext. 8-7233.

A-3 Assembly's Employee of the Month: Donna Smith of Dermatology/Medicine

Donna Smith, office administrative assistant in the Department of Dermatology, has been selected as the February Employee of the Month by the A-3 Employee Recognition Committee. Ms. Smith joined the department in January 1991 and was promoted in December 1992. Before coming to Penn, Ms. Smith worked as a purchasing assistant at the Franklin Institute Science Museum. She completed a data processing training course at Pace Data Systems in 1983 and had also

attended Community College of Philadelphia. Dr. John Stanley, chair of the department, said that "Donna is helpful, cheerful and always willing to assist." Susan Thomson, clinical department administrator, said "Donna motivates others to complete tasks, she demonstrates on a daily basis a high level of productivity." "Donna goes out of her way to help, always takes the time to answer questions," said Dr. Norman Schechter, research associate professor of dermatology. She

was described as one of the "unsung assets in the department of dermatology, she's effective, pleasant and always willing to give assistance," said Dr. Albert Kligman, professor emeritus of dermatology. "Donna finds solutions to problems, rarely complains about her workload and is not afraid to take on tasks however large or small. She has consistently proved to be a real asset to the department," said Mary Jo Pauxtis, research administrator.

Update

MARCH AT PENN

CHANGES/CORRECTIONS

Conversation Hours; Arabic, Tuesdays, 3:30 p.m., and Persian, Fridays, 11 a.m., moved to Room 844, Williams Hall; Turkish moved to Room 307, Williams, call 898-6335 for time and date (Middle East Center).

16 *Kinases Involved in Transcription Initiation by RNA Polymerase II*; Richard Young, MIT; noon; Grossman Auditorium, Wistar Institute (Wistar). *Changed from 4 p.m., March 15.*

18 *My People, My People*; graduate student conference on the politics of black everyday life; 9 a.m.-6 p.m.; Steinberg Hall-Dietrich Hall; info: 898-4965 (Afro-American Studies). *Correction from March 19.*

EXHIBIT

MFA Thesis Exhibition; paintings and sculpture by eight graduating Master of Fine Arts students; Mon-Fri 10 a.m. to 5 p.m.; opening reception March 15, 6-8 p.m.; Meyerson Hall Galleries. *Through March 24.* (Fine Arts)

FILM

16 *Sects and Violence: Fragmentation Within Religions*; examination of sectarian differences among Jews, Christians and Muslims; 7 p.m.; Room 305, Houston Hall (Arab Student Association); Hillel; Middle East Center).

FITNESS/LEARNING

15 *Getting Fit With Cognitive Therapy and a Non-Diet Program*; Mary Anne Layden, cognitive therapy; includes information about 16-week Weight Management Program; noon; Conference Room E, 3600 Market (F/SAP).

Women's Award for Juniors in The College

The School of Arts and Sciences is pleased to invite nominations for the Association of Alumnae Scholarship Award. The award, created by the University's Association of Alumnae, will be given annually to a female member or members of the junior class in the College in recognition of academic achievement and demonstrated service to country, community or family. Awards will be made with the hope that the recipient will use the funds for an expense related to her education, including—but not limited to—tuition, books, equipment, research or travel. Students may be nominated by a member of the University community or may submit their own names for consideration. Please forward nominating letters which address the award's criteria to Dr. Robert A. Rescorla, College Office, Mezzanine, 133 South 36th Street/3246, by March 24, 1995.

Crime Reports: Yielding This Week to Strike Information

Almanac normally holds its pages open to the last minute on Mondays to incorporate the latest incident reports from Penn's Department of Public Safety. This week we went to press slightly early to ensure timely circulation of Penn Transit's contingency plans for extra parking, bus services, Rideshare matching and other services if the threat of a SEPTA strike is not averted by midnight tonight.

The Public Safety reports for February 27 through March 12 will be made available via PennInfo prior to their distribution in print next week.

For those who do not have PennInfo at their desks, there is a list of campus kiosks on the back page of this issue along with the strike contingency plans. For those who access PennInfo by modem from home or other remote locations: see below.—*Ed.*

Until the Modem Pool is Expanded in April:

Interim Advice on Remote Access to PennNet

Due to continued growth in demand for remote access to PennNet and the Internet, Data Communications and Computing Services (DCCS) has recently placed an order for 100 additional modems and phone lines, to be installed in early April. This will expand the inbound modem pool (898-0834) from 300 to 400 modems operating at 14,400 bits per second (bps).

In the interim, modem users are requested to follow these guidelines:

- Whenever possible, shift access from peak times: Sunday-Thursday evenings (8 p.m.-1 a.m.) and weekday afternoons (4-6 p.m.).
- Refrain from personal or recreational use during peak times.
- Set dial-in scripts to redial; on average a modem becomes available every 5 seconds.
- Do not "camp" while doing non-PennNet work; hang up and dial-in later.
- Consider using a commercial Internet provider, especially if a toll call is required for accessing PennNet (898-0834). Some providers offer free/low-cost trial accounts or a generous monthly connect time for a fixed fee. A list of providers serving area codes 215, 310, 609, and 610 is available in PennInfo (keyword: access), from the Penn home page, or by calling the PennNet Help Desk, 898-8171.

During the summer, DCCS will establish a second modem pool, dedicated to higher speed (28,800 bps, or "v.34") and lower contention (i.e., a higher ratio of modems to users). Access to this pool will require a fee, currently anticipated to be \$200/year. Users considering a modem purchase or use of a commercial provider should take into consideration the availability and price of this new modem pool.

— Daniel A. Updegrave, Associate Vice Provost
Information Systems and Computing
Executive Director, DCCS

Steinberg Symposium: Norman Mailer, March 20-23

The School of Arts and Sciences presents Norman Mailer as the final speaker of the 1994-1995 Steinberg Symposium, funded by Gayfryd and Saul Steinberg. All events are free and open to the public. For more information, call 898-5262.

20 *Toward a Concept of Spiritual Ecology*; Mr. Mailer and Robert Lucid, English; 4 p.m.; Room B-1, Meyerson Hall.

22 *Oswald's Tale: An American Mystery*; Mr. Mailer reads from his forthcoming book; 4 p.m.; booksigning follows; Harrison Auditorium, University Museum.

23 *Advertising in America*; moderator: Annenberg School's Dean Kathleen Hall Jamieson; participants: Mr. Mailer; Carolyn Marvin and Joseph Turow of the Annenberg School; 3 p.m.; reception follows; Room B-1, Meyerson Hall.

TALKS

15 *Identity, Legitimacy, and Democracy: Critical Assessment of the New Conservative Politics in Turkey*; Levent Koker, Princeton; 4:30 p.m.; Anspach Lounge, Stiteler Hall (Political Science); Turkish Student Ass'n; Middle East Center).

16 *Market Mechanisms for Environmental and Risk Management*; Paul Kleindorfer and Howard Kunreuther, operations and information management; 4:15 p.m.; Room 2034, Steinberg Hall-Dietrich Hall (Public Policy and Management).

Graduate Student Colloquium; Horst Daemrich, German; Antonia Grunenberg, political science; 4:15 p.m.; Kade Center (German).

20 *The Rebellion in Chiapas: Background and Prospects*; George Collier, Stanford; 4 p.m.; Ben Franklin Room, Houston Hall (Latin American Cultures Program).

Douglas, DuBois and the Issue of Black Manhood; Arnold Rampersad, Princeton; Richard Wright lecture; 4:30 p.m.; Room 109, Annenberg School (Center for the Study of Black Literature and Culture).

21 *Forest, Settlements and the Archaeology of Memory in Israeli Literature*; Yael Zerubavel, Asian and Middle Eastern Studies; 4:30 p.m.; Room 421, Williams Hall (Middle East Center).

Hurston, Hughes, Wright, and the Quest for Identity; Arnold Rampersad, Princeton; Wright lecture; 4:30 p.m.; Room 105, Lauder-Fischer Hall (Black Literature and Culture).



Almanac

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Transit Strike Contingency Plans

Penn Transportation Plans

Parking (Suggested locations):

Surface Lots: 36th and Walnut Streets, 40th & Walnut Streets, Palestra Lot, Murphy Field (University Avenue exit off Schuylkill Expressway)

Garages: 34th and Chestnut Streets, 38th and Walnut Streets, Penn Tower, Sheraton Hotel, Philadelphia Civic Center

Bus Services:

University shuttle buses/vans will operate between the center of campus (Houston Hall) and 30th Street Station, 16th and Locust (PATCO station) and the 69th Street Terminal. These shuttle services are free and available to all faculty, staff and students showing a PENNcard. A pre-recorded message on 898-6358 will identify any changes to the following schedules.

Note: Due to abnormal traffic conditions that are usually prevalent during SEPTA strikes, the time schedules below should be used as *guidelines only*.

The plaza in front of Houston Hall will serve as the *outbound* terminal for all University of Pennsylvania and Drexel University buses.

30th Street Station

(31st Street above Market St. SEPTA Bus Stop)

<i>Inbound</i>	7:30 a.m.	<i>Outbound</i>	4:30 p.m.
	8:00 a.m.		5:00 p.m.
	8:30 a.m.		5:30 p.m.
	9:00 a.m.		6:00 p.m.

16th and Locust (PATCO Station)

<i>Inbound</i>	7:00 a.m.*	<i>Outbound</i>	4:45 p.m.
	7:30 a.m.		5:15 p.m.*
	8:00 a.m.*		5:45 p.m.
	8:30 a.m.		9:45 p.m.*
	9:00 a.m.		

69th Street Terminal

(Picks up passengers if space is available at 52nd and Market Streets)

<i>Inbound</i>	7:30 a.m.	<i>Outbound</i>	5:15 p.m.
	8:00 a.m.*		6:15 p.m.
	8:30 a.m.		9:45 p.m.*

* Buses marked (*) are operated by Drexel University between the identified location and 33rd Street between Market and Chestnut Streets. University of Pennsylvania faculty, staff and students may use these buses provided they show their PENNcards.

For Breaking Information: PennInfo Kiosks on Campus

Benjamin Franklin Scholars Office
The Bookstore
College of General Studies Office
The College Office
Computing Resource Center*
Data Communications & Computing Services*
SEAS Undergraduate Education Office*
Faculty Club*
Greenfield Intercultural Center Library
Houston Hall Lobby
Office of International Programs
Office of Off-Campus Living
PennCard Center
Pennrex Office
Student Employment Office
Student Financial Information Center
Student Health Lobby

* Kiosk uses point-and-click software.



During the emergency, Penn Transit will post any new information daily in three ways: By Voice Mail, via Hotline (898-MELT) and on PennInfo. If you do not have access to PennInfo at your desk, please use the nearest kiosk (left) to find out if there have been changes in the strike situation or in the transit services shown on this page. If you access PennInfo by modem, please see new guidelines for peak-time use (page 11).



Rideshare Plan for Two Counties

Rideshare voice mailboxes have been set up to provide a means of communication between Penn employees who *need*, and those who can *provide*, a ride during the SEPTA strike. The mailboxes have been set up by zip code covering two areas—Philadelphia County and Delaware County—and the instructions have been separated into two categories noted below.

Individuals who can provide a ride should leave their name along with their University extension in the mailbox. Subsequently, individuals needing a ride should call the mailbox corresponding to their zip code¹ to hear if anyone is providing rides in their area. (Please note that because of the shortness of time, individuals needing a ride can only receive a listing of others in their area, if any, who can provide a ride.)

Please note also: the Transportation Department cannot provide the match. Individuals are responsible for arranging their own transportation.

Due to the shortness of time, we were not able to customize the prompts in the voice mail system. Please follow these instructions to utilize the Rideshare mailboxes.

Impending SEPTA Strike Voluntary Rideshare Contingency Plans

I. Callers who are able to provide a ride

Add your name to the list of people in your zip code who are able to offer a ride.

A. How to add your name to the Rideshare list if you *have* your own mailbox:

1. Enter your own mailbox as normally done
2. At the main menu, press 2 to send a message
3. At the tone, record your name and office call back number.

When you have finished recording, press pound (#)

4. Enter your five-digit zip code when prompted for the destination mailbox number.

5. To send your message now, press pound (#)

Press star (*) to exit. Hang up.

B. How to post your name to the Rideshare list if you *do not have* your own mailbox:

1. From any campus extension, dial VOICE (off campus, dial 89-VOICE)
2. Press either the star (*) or the pound (#) when prompted
3. Enter the Rideshare mailbox number, SEPTA (73782)
4. Enter the password, CARPOOL (2277665)
5. At the main menu, press 2 to send a message
6. Record your name and your office call back number. When you have finished recording, press pound (#)
7. Enter your five-digit zip code when prompted for the destination mailbox number
8. To send your message now, press pound (#)

Press star (*) to exit. Hang up.

II. Callers who are looking for a ride

1. Call Dial-by-Name at (89)8-9999
2. Enter your five-digit zip code when prompted to enter a first and last name
3. You will be prompted to verify your selection. Press 1 if correct. You will then be automatically routed to the mailbox which lists the people in your zip code who are able to provide a ride.

III. How to delete your name from the list

Call the Voice Mail office at (89)8-3535 to request a deletion from the list.

¹Ed. Note: It has been suggested that those unable to find a match in their own zip code may try adjacent ones. A zip-code map can be found on page 23 of the Penn Phone Book. There is a map for Philadelphia County on PennInfo, with lists for Delaware County communities (a map is to come); search under "zip."