I UNIVERSITY of PENNSYLVANIA MACHINE MINISTER OF PENNSYLVANIA

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Lindback Awards 2001....

...in the Non-Health Schools







David Brownlee



Sheldon Hackney



Charles McMahon

...in the Health Schools



Lawrence Brass



Malcolm Cox



Patricia Sertich



Diane Spatz

Provost's Awards



Yvette Bordeaux



Annemarie Weber

Lindback Reception: April 26

All members of the
University community are invited
to a reception Thursday, April 26,
from 4:30 to 6 p.m.
when Provost Robert Barchi will
present this year's eight
Lindback Awards and the two
Provost's Awards.
The party will be held in
Bodek Lounge of Houston Hall.

See pages 2-3 for some brief comments and insights that convey what makes these ten faculty members "distinguished teachers."

For a list of the previous Lindback and Provost's Award winners, from 1961-2000, see the Archives & Records Center's website, www.archives.upenn.edu/men/awards/lindback.html.

S. Samuel Arsht Chair In Corporate Law

The Penn Law School is bolstering its expanding corporate law program with the creation of the S. Samuel Arsht Professorship. The endowed chair in corporate law was created through a gift of \$2 million from retired Delaware Judge Roxana



Roxana Cannon Arsht

Cannon Arsht in memory of her husband.

S. Samuel Arsht, who died in 1999, was a 1931 Wharton School graduate and a 1934 graduate of the Law School. He was a partner of Morris, Nichols, Arsht & Tunnell in Wilmington, Delaware. He joined the firm in 1934. He was well known in corporate law circles as one of the architects of modern Delaware General Corporation law. In 1949, he served as chairman and editor-in-chief of the three-man Revised Code Commission charged with overhauling and updating the entire body of Delaware statutory law. Facing a 1935 Delaware Code rooted in the outmoded Code of 1915, the end result of the commission's three-year effort was the benchmark Delaware Code of 1953.

Later in his career, Mr. Arsht was an influential member of the drafting task force of the Corporation Law Revision Committee that resulted in a massive overhaul of Delaware's General Corporation Law in 1967.

Judge Roxana Cannon Arsht is a graduate of Penn Law School's Class of 1939. She is retired from the Family Court bench of the State of Delaware and holds the distinction of being Delaware's first female judge.

In 1992, Judge Arsht and Mr. Arsht jointly received the Penn's Law Alumni Society's Alumni Award of Merit in recognition of their "inspiring dedication to professionalism and excellence."

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 "A Community of Learners" by Art Casciato

Salary Guidelines for 2001-2002

The principle guiding our salary planning for fiscal year 2002 is to pay faculty and staff competitively, in relationship to the markets for their positions and prevailing economic conditions. Salary increases should acknowledge the valuable contributions of faculty and staff to the University, and should help Penn remain a strong and financially viable institution. With this in mind, the following guidelines are recommended.

Faculty Increase Guidelines

Although individual faculty guidelines are made at the school level, with Deans issuing to Department Chairs their own guidelines regarding available resources, certain standards have been established to which we ask all Deans to adhere:

The minimum academic salary for new assistant professors will be \$45,500. Salary increases to continuing faculty are to be based on general merit, including recognition of outstanding teaching, scholarship, research, and service. As in previous years, there will be no minimum base increment for continuing faculty.

The pool for merit increases for faculty shall not exceed 3.5 percent. In cases where schools wish to make faculty members' salaries more competitive to meet market standards, Deans may supplement the pool, but this supplement must not exceed 0.5 percent without prior approval of the Provost. Salary increases for merit should range from 1.0 to 6.0 percent. Recommendations to provide an increase lower than 1.0 percent for non-meritorious performance or more than 6.0 percent for extraordinary performance should be made in consultation with the Provost. We also ask that Deans pay particular attention to any faculty who meet standards of merit, but whose salaries for various reasons may have lagged over the years.

• The Provost will review the Deans' faculty salary recommendations prior to their release to insure that raises on average reflect market conditions in each discipline.

Staff Increase Guidelines

Penn's salary structure and the information technology (IT) broadband salary structure have been adjusted to reflect market competitiveness, effective April 1, 2001. All staff salaries must be at or above the minimum of their respective grades, effective April 1, 2001.

The following are guidelines for the July 1, 2001 merit salary increase program:

Monthly, weekly, and hourly paid staff members (excluding bargaining units) are eligible for a merit increase if they are in a full-time or part-time regular status, are not student workers, and were employed by the University on or before February 28, 2001. Schools and Responsibility Centers may find it necessary to generate funds for staff salary increases through administrative restructuring, managing staff vacancies and other cost-saving initiatives. Success in these initiatives will enhance a School or Center's flexibility in awarding competitive salary increases for high performance.

Performance is the primary basis for all staff salary increases. The performance appraisal process should substantiate the level of merit increase awarded. Other factors, including budget constraints, organizational impact and market competitiveness also need consideration in determining salary increases. Salary increases for performance which meets expectations may vary, but should generally range up to 3.5 percent. Salary increases above 3.5 percent may be given for performance which exceeds established goals and expectations; where performance consistently exceeds established goals and expectations, salary increases may be awarded up to 6.0 percent. If performance does not meet expectations, no increase will be awarded.

Salary decisions are among the most important decisions that we make. We believe this year's salary guidelines will reward staff for their contributions to the overall accomplishment of the University's mission while helping it remain a strong and financially viable institution.

Judith Rodin President

Robert L. Barchi Provost

John A. Fry Executive Vice President

COUNCIL Agenda

University Council Meeting Wednesday, April 18, 2001, 4 to 6 p.m.

Bodek Lounge, Houston Hall

- Approval of the minutes of March 28, 2001. Time allocation: 1 minute.
- Follow-up comments or questions on Status Reports (reports distributed via email with agenda). 5 minutes.
- Report of the Task Force on Privacy of Personal Information. Presentation 10 minutes, discussion 20 minutes.
- 2000-2001 Year-End Reports of Council Committees. Presentation 5 minutes, discussion 10 minutes each.
 - A. Communications
 - B. Bookstores
 - C. Personnel Benefits (interim report)
 - D. Safety and Security (interim report)
- Adjournment by 6 p.m.

Open Enrollment: Now through April 27

Open Enrollment for the 2001-2002 plan year runs from April 16 through April 27. You must make any changes to your benefits elections via the Open Enrollment website (www.hr.upenn.edu/ openenroll) or the Penn Benefits Center at 1-888-PENN-BEN (1-888-736-6236) by April 27, 2001.

For more information about your plans, stop by one of the Open Enrollment Fairs which will be held at Houston Hall (April 19 and April 26, 10 a.m.-2:30 p.m.) or New Bolton Center (April 24, 10 a.m.- 2 p.m.). The fair on April 19 will be a combined Open Enrollment and Health Fair, where you can ask questions about benefit plans, and take advantage of free health screenings, such as vision and blood pressure.

-Division of Human Resources

In the Non-Health Schools

H. Franklin Allen, Nippon Life Professor of Finance, and professor of economics, came to Penn in 1980 after earning a D.Phil. from Oxford. He has twice won the Anvil Award, and the Class of 1984 Award for the person with the highest teaching evaluations in the MBA Program, and he has won the MBA Excellence in Teaching Award seven times. A former Lindback winner writes: "If I had to choose one professor at Wharton to win a Lindback Award, Franklin Allen would unquestionably be my choice." Another writes: "I have known Franklin both as his student and his colleague. I do not know another person at Penn who is more qualified for this award." Students spoke of his dedication, his skill in fostering a learning environment at Wharton and at the University, and his quick responses to e-mail even on Sunday evenings. A student notes: "When I graduate from the Wharton School, I will no doubt reflect upon my interactions with Professor Allen as the highlight of my experience at the University." Another writes: "When I was visiting grad students at NYU and mentioned that I was a teaching assistant for Franklin Allen, they asked 'you mean the Franklin Allen!' He is an intellectual leader in his field, widely published and often cited and he is able to convey this knowledge to students in an extraordinary way.

David Brownlee, professor of history of art, joined the History of Art faculty in 1980 after receiving his Ph.D. from Harvard. Dr. Brownlee received the Outstanding Teaching Award from the College Alumni Association in 1997. Colleagues particularly noted how frequently he involves his students in research projects or major exhibitions. He has organized shows in which graduate students have participated often resulting in the publication of their first essays. Several mentioned that he has placed his graduate students in some of the best positions in the country in both teaching and curatorial work. Admiring students spoke of his kindness and brilliance and one describes him as the "perfect graduate chair." He has extended his teaching beyond the classroom with his work as Faculty Master and Director of College Houses. In this role he has transformed the circumstances in which learning goes on-redefining residential spaces as truly educational venues. His teaching contributions carry over to the entire campus and city. One of his TAs reports: "I am learning from Dr. Brownlee, by his example, a thorough, intelligent and highly crafted approach to teaching.' A student writes: "I can say honestly that the basic ideas of his course have remained with me unlike any other lecture courses I have experienced at Penn. I can only hope to emulate him.'

Sheldon Hackney, professor of history, received his Ph.D. from Yale and came to Penn as professor of History and President in 1981. During his tenure as President, he taught a History seminar each year and there was always a waiting list to get into the course. Students in the course were unanimous in their praise for Dr. Hackney and for how much they had learned in his seminar. He is now working in the new pilot curriculum as a member of the Committee on Undergraduate Education in the College. Students praise his respect for their ideas and his ability to foster their creativity and independent

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(continued from page 2)

thought and his skill in fostering open discussions in and out of class. A student writes: "I can honestly say that through my work with Dr. Hackney, I left Penn a better writer, student of history, and creative thinker," while another notes: "I frequently advise current Penn students that, whether or not they are History majors, they must take one of Dr. Hackney's classes before they graduate." Both students and colleagues noted his love for American history, his respect for his students and his challenging approach to historical questions. By his deep commitment to knowledge and to his students, he embodies the ideals of the Lindback Award.

Charles McMahon, professor of materials science and engineering, joined the Engineering faculty in 1964 after receiving degrees from Penn and MIT. He has received the S. Reid Warren, Jr. Award for Distinguished Teaching from SEAS. Students commented on how creative Dr. McMahon is in the classroom and colleagues noted his inventive teaching methods through the use of electronic media. He pioneered in the use of videotape and CD/web based teaching. His innovative course on the Bicycle and Walkman is widely recognized and is described as the most challenging introductory materials science course in the country. He received a grant from the NSF to create a series of CDs to be used in teaching. Students review the CD before class so that classroom time can be devoted to coaching, tutoring and discussion. He has co-authored the widely regarded textbook used in class and although he has been teaching for over 30 years he is still actively working on development of new course materials. Students mentioned his unique role as an advisor and mentor and many wrote about the impact his classes have had on their lives and careers. Dr. McMahon is a distinguished scientist and a member of the National Academy of Engineering and an extraordinary teacher whose contributions are worthy of recognition.

In the Health Schools

Lawrence (Skip) Brass, professor of medicine, pathology and laboratory medicine and professor of pharmacology, received an A.B. degree from Harvard and a M.D. from Case Western University. He joined the Penn Med faculty in 1979. He is a three-time recipient of the Excellence in Teaching Award at the Medical School. Dr. Brass has served as Director of the Combined Degree Program, which has become the largest in the country. His ability to teach at an especially sophisticated level in part derives from his extraordinary talents as both a basic scientist and a clinician. One student notes: "Dr. Brass' lecture notes are the quality of a textbook and his ability to use technology to teach is unparalleled," while another comments: "He even makes 8 a.m. classes an inspiration rather than a chore." In his role as Director, Dr. Brass created the M.D./Ph.D. grand rounds to allow students to fuse their knowledge in the clinical and basic sciences. Topics are discussed from both the clinical and the basic science perspective. A colleague notes: "In Skip, the combined degree students have an extremely effective and selfless advocate on their behalf with the School of Medicine." He has involved himself with every aspect of education from effective lecturing, to course direct, to direction

of training grants, and finally, the day to day administration of the entire combined Degree Program.

Malcolm Cox, professor of medicine and associate dean of medicine academic programs, and Director of Network and Primary Care Education, came to Penn as a resident in internal medicine in 1970 after graduating from Harvard Medical School. While at Penn he has received numerous teaching prizes including the The Class of 1992 Excellence in Teaching Award, the Donald B. Martin Teaching Service Award, the Donna K. McCurdy Award for Outstanding Teaching and the Class of 2001 Distinguished Teacher Award. Letters from students repeatedly spoke of the quality of both his teaching and his interactions with students in superlative terms, "He uses the Socratic method to perfection, the highest compliment that can be paid to a teacher is that he positively affected the lives of his students. Many of us in academic medicine count Malcolm as our mentor and would not be in our present positions without his guidance. We still try to emulate him." Students frequently refer to him as inspiring while others describe him as the quintessential educator. One student writes: "His teaching abilities, empowering support, and educational vision have left a lasting impression on numerous medical students. I am hard pressed to think of anyone as deserving of the Lindback Award as Dr. Cox." Colleagues also described Dr. Cox as outstanding, noting that his dedication to teaching is unparalleled.

Patricia Sertich, associate professor of animal reproduction in clinical studies, received her V.M.D. from Penn in 1983 and joined the Veterinary School faculty in 1992. She has won the Student Government Teaching Award in 1998 and twice received the Carl J. Norden Distinguished Teaching award. Her teaching evaluations are consistently outstanding with over ninety percent of the students rating her as excellent. The comments ranged from "Dr. Sertich is everyone's favorite teacher" to "the best professor I have had at the Vet School" to a "god." Students commented frequently on her sense of humor and actually having fun in the classroom. She achieves an instant rapport with students. In addition, a number of letters from former students attest to the lasting impact Dr. Sertich has had on those in her classes: "I found myself quoting from her lectures just a couple of days ago" one former student writes, while another comments: "The lessons and the feeling of having been exposed to a great teacher have not faded; I have relied quite heavily on her lecture notes since graduation." "I attribute my choice of career specialty and my clinical skills to Dr. Sertich." Dr. Sertich loves to teach and certainly deserves recognition for her service to students. The Lindback affords that recognition.

Diane Spatz, assistant professor of health care of women and childbearing nursing, joined the Nursing faculty in 1995 as a Clinician Educator. She received her BS, MS, and Ph.D. from Penn's School of Nursing. She serves as a Faculty Fellow in Stouffer College House and is the Faculty Advisor to the Phi Sigma Sigma sorority. Dr. Spatz won the Helen Berkowitz Faculty Teaching Award in 1997 and 1998 and has achieved national recognition as an outstanding teacher and lecturer by the Sigma Theta Tau

International Nursing Honor Society as well as the undergraduate advisor award from the School of Nursing. "In short, she is everything a great professor should be: intelligent, passionate about her subject, and committed to her students." "She doesn't treat her students as mere undergraduates but as future practitioners and future researchers. This sets the tone for the class and raises the bar for the students." A colleague notes: "Dr. Spatz involves her undergraduate students in the research experience, something that few faculty are willing to take the time to do. This point is made most clear by the number of students that have secured Nassau Funds for undergraduate research projects under her mentorship." She is an excellent mentor, leader, and teacher and is certainly deserving of the Lindback Award.

Provost's Awards

Yvette Bordeaux, instructor in earth and environmental science, took her Ph.D. from Penn in 2000. She also serves as as the department's Associate Director for Undergraduate Programs. She volunteered to teach a non- credit course in computer skills for graduate students and has since become the one students and faculty members come to for advice on setting up programs and selecting software. One student reported that in visiting colleges as a senior in high school Yvette met with her and it was this encounter that led her to choose to come to Penn. Another student reports that Yvette's Introduction to Environmental Studies persuaded her to major in environmental studies. Other students praise her lively and thought provoking lectures, her assigned projects and her ability to make clear connections between the concepts covered in class and the real repercussions to the environment that effect lives. Some describe her ability to make her students feel like scientists. Her colleagues were equally enthusiastic in their praise: They appreciated her dedication to students and her willingness to help whenever needed. One colleague concludes: "Dr. Bordeaux represents all that is golden in the art and science of pedagogy.'

Annemarie Weber, emeritus professor of biochemistry & biophysics, took her M.D. degree at University of Tubingen, Germany and joined Penn's faculty in 1972. A faculty member writes, "We owe Dr. Weber the highest honors. She stands as an example of what we should all do but rarely ever achieve: to teach with full, intelligent, informed commitment. As someone who aspires to be an outstanding teacher and mentor, I am in awe of her 'teaching style' which is both entertaining and educational—a difficult feat to pull off successfully." Students repeatedly remarked on her sense of humor, her lively lectures and consistently described her as a truly exceptional teacher. "She is extraordinarily successful at clarifying difficult concepts, integrating clinical correlations, and providing a big picture of biochemistry that facilitates active learning. I can think of few teachers who have encouraged questioning what is taught as much as she had. I am also hard pressed to remember any teachers who force you to think on your own to the degree that she did. As a teacher and mentor she stands head and shoulders above the crowd." A colleague concludes: "She is more than just a teacher in this medical school—she is an institution '

Report of the Task Force on Privacy of Personal Information

April 9, 2001

Summary

A series of national public opinion polls conducted by Louis Harris & Associates documents a rising level of public concern about privacy, growing from 64 percent in 1978 to 82 percent in 1995. Over 80 percent of persons surveyed in 1999 agreed with the statement that they had "lost all control over their personal information." A Wall Street Journal/ABC poll on September 16, 1999, asked Americans what concerned them most in the coming century. "Loss of personal privacy" was the first or second concern of 29 percent of respondents. All other issues, such as terrorism, world war, and global warming had scores of 23 percent or less.

Standards for Privacy of Individually Identifiable Health Information, DHHS

The term "identity theft" is used to refer to the fraudulent use of personal information without the the person's knowledge to obtain credit cards or otherwise obtain goods and services. Identity theft may lead to significant monetary loss, loss of credit and difficulty in obtaining employment or housing. The Privacy Rights Clearinghouse estimates that between 500,000 and 700,000 Americans were victims of identity theft last year.

Since social security numbers play an important role in facilitating identity theft, the use of social security numbers as student and staff identifiers by the University puts each member of the University community at risk. The University took an important step toward reducing this risk by removing the social security number from the Penn Card and replacing it with a Penn ID number. Nevertheless social security numbers are still used as personal identifiers in myriad student and staff data bases. In some of these applications the use of social security numbers is mandated by law. In many more they are not. Under the Family Educational Rights and Privacy Act of 1974 a student's social security number generally may not be disclosed without the student's consent.

Social security numbers are available electronically in the Data Warehouse to authorized users, even when those users do not need to know the social security number for the application for which the user has been authorized. Social security numbers appear on many printed and electronic forms although their use can be replaced by the Penn ID. Social security numbers are used as the personal identifier by one of the University's major health benefit providers and by the student health insurance provider.

The Task Force on Privacy of Personal Information believes that it is vitally important for the University to cease use of social security numbers as a personal identifier except where mandated by law. Specific recommendations toward this goal are given in the Task Force report.

The privacy regulations proposed under the Health Insurance Portability and Accountability Act afford individuals within the University an appropriate level of privacy of protected health information. It is not our intention here to comment on the role of the University of Pennsylvania Health System in ensuring this privacy. However, it is the role of the University to ensure that the benefit providers with which the University deals are in compliance with these regulations. Even if the final governmental regulations are scaled back, the University should ensure that protected health information should not be disseminated unless the individual has originally consented to such dissemination (or use) and that when use or dissemination is permitted, only the minimum necessary information is disseminated.

Privacy of personal information is an important component of individual freedom. That privacy is compromised when the University uses personal information for activities that are not directly related to the mission of the University. Individuals should be informed of all such use and be given the opportunity to "opt out" of such use. Telephone solicitations are particularly onerous.

Penn students regularly receive mail solicitations based upon their status as students. Most of these are harmless but solicitations for credit cards provide an opportunity for fraud. The Task Force could find no evidence that such solicitations were sanctioned by the University. Most likely they were made possible by information published in printed and on-line directories. The Task Force recommends that the University take actions to prevent the inappropriate use of directory information.

Finally, the University of Pennsylvania is a large decentralized orga-

¹ See Harris Equifax, Health Information Privacy Study (1993) www.epic.org/ privacy/medical/polls.html

nization. Responsibility for maintaining privacy of personal information is piecemeal, unfocused and uncoordinated. The Task Force recommends that a Chief Privacy Officer be appointed with responsibility and authority to carry out the recommendations of this report.

The Task Force on Privacy of Personal Information was created in the Fall of 2000 by the Chair of the University Council Steering Committee in response to concerns about increasing threats to personal privacy. The Task Force, with representation from the Council Committee on Communications and the Council Committee on Personnel Benefits, was charged with exploring the current procedures for ensuring the privacy of the personal information relating to students, faculty, and staff of which the University is custodian and making recommendations that would enhance the security afforded this information. The six members of the task force include a graduate and undergraduate student, two staff members and two faculty members.

Among the issues that the Task Force was asked to consider were the following:

- 1. privacy of medical records,
- security of University computer files containing personal information,
- use of University Directory Information (e.g., the MBNA solicitation),
- protection of information that could lead to identity theft and more generally to fraud.

The Task Force met with representatives of the following University Departments:

- 1. Office of the General Counsel,
- Office of Information Systems and Computing,
- University Information Security Office (a division of ISC),
- Business Services,
- Office of the Registrar.

In addition, telephone conversations were held between the chair of the Task Force and representatives of the following departments:

- 1. Division of Human Resources,
- Office of the Comptroller,
- Office of the Vice Provost for University Life,
- SAS Computing,
 Office of Audit and Compliance,
- Wharton Information Technology.

The Task Force is pleased to report that, without exception, it received full cooperation from each of the individuals that it contacted and, in general, these individuals were fully forthcoming in providing information and advice to the Task Force. We believe that there is general agreement that protection of personal information is an important function of the University.

Privacy of personal information is not a new concern either within the University or in the broader society. This information is already the subject of various laws and internal University policies.

The Family Educational Rights and Privacy Act of 1974² (FERPA) also known as the Buckley amendment, provides privacy rights for student records. University guidelines, however, confer greater privacy rights in certain areas than does federal law, and these guidelines contain more than the federally mandated information with respect to such policy

Specific University policy sets standards for (A) informing individuals in attendance of their rights under FERPA, the implementing regulation, and University guidelines, (B) permitting students to inspect and review their records, (C) not disclosing personally identifiable information from the records of a student or an applicant for admission without his or her prior written consent, (D) maintaining a record of disclosures of personally identifiable information from the records of a student and permitting a student to inspect that record, and (E) providing a student with an opportunity to seek the correction of his or her records through a request to amend his or her records or a hearing.

Section V.A. of the Handbook for Faculty and Academic Administrators sets forth the University's Policy on Confidentiality of Employee Records. It begins with³

Every person entrusted with University files should keep in mind that the contents of individual personnel files are confidential. Under no circumstances should confidential personnel files be opened to any unauthorized person or group.

See www.upenn.edu/assoc-provost/handbook/v_a.html

The full University policy is available at www.upenn.edu/osl/confiden.html

The Health Insurance Portability and Accountability Act 4.5 (HIPAA) provides a general framework for the types of permissions required for the use and disclosure of protected health information (PHI). Under these rules PHI may not be disseminated, even for purposes of treatment, payment or health care operations, unless the individual has originally consented to the dissemination (or use). When use or dissemination is permitted, only the minimum necessary information may be disseminated. In addition, protected health information may not be used for purposes other than treatment, payment or health care operations unless the patient has expressly authorized the use or dissemination, or the use or dissemination is specifically permitted by the rule or covered entity's privacy notice.

Privacy of U.S. Mail and of telephone communication is regulated by federal statutes while other University policies deal with privacy of electronic information, University mail and voice mail.

Discussion

"Privacy is to the information age what environment is to the industrial age: something that needs to be attended to on the front end."

—Deirdre Mulligan as quoted in Philadelphia Inquirer, February 15, 2001

"...the believer in personal freedom is saying to the compilers of dossiers: ask me first. Before following my movements and recording my habits, get my approval — my informed, written, advance consent. I have the right to decide how much information about me to reveal to you for your profitable use or sale. It is up to me to decide whether to consent to trading that information of value to you in return for whatever benefit you have to offer me."

-William Safire, New York Times, March 12, 2001

These are not theoretical issues. As the following two recent incidents show, the University community is not immune from fraud and illegality.

True Identity Fraud Alert

"Attention—Students and Staff: an unknown person has been phoning parents of students and former students claiming he is a Philadelphia Police Detective that works out of Southwest Detective Division. He has used the name Detective Michael Williams and Lt. Phil Rheil. The 'Officer' claims that he has arrested a person who was using your name, social security number and date of birth. He then asks if you will verify who you are by supplying him with the same information. Once he has your vital information, he claims that the individual he has under arrest has also opened credit card accounts from Visa, Master Card and American Express in your name and then asks for your credit card numbers to compare with the cards he has "confiscated". The male then takes your information and places orders for laptop computers and other high end items that he can quickly sell."

—e-mail alert, March 15, 2001

"A University employee was arrested last week for using students' social security numbers—obtained from Penn computer systems—to open credit card accounts." —Daily Pennsylvanian, *March* 27, 2001

In general at Penn, we believe that personal information including student records are well protected from disclosure to parties outside of the University; although, we have heard reports of records being disposed of in a manner that would compromise the security of the information they contain. Compliance with FERPA requires protection of the information contained in student records. The Office of Information Systems and Computing is vigilant in protecting the University's electronic records from access by hackers and others outside the University. Compliance with the proposed HIPAA regulations will require that electronic files containing protected health information be encrypted when sent outside the University, ISC has established procedures for this encryption and many files are already encrypted for transmission. The major weakness of the University's data administration program is the lack of safeguards within the University. The fraud case reported in the Daily Pennsylvanian of March 27, 2001 involved a University employee and this was not the first case in which a University employee, with access to personal information, misused that information.

"Social security numbers were not designed to be a universal identifier of American citizens. Yet over time that is what they have become. In 1943, President Roosevelt issued an executive order that required federal agencies to use the Social Security number for identifying people rather than

having each agency waste money developing its own numbering system."6

Over the years the role of the social security number has increased to the extent that all of an individual's financial records (bank accounts, credit histories, credit cards, etc.) are tied to his or her social security number. Theft of social security numbers has led to the rapidly growing crime of identity theft. By applying for credit cards using another person's name and social security number it has become possible to destroy that individual's credit worthiness. The theft is much easier than the steps necessary to repair the reputation of the victim. This is particularly important since credit checks may affect an individual's employment and housing as well as finances.

Within the University, social security numbers are needed to report earnings to the state, federal, and Philadelphia governments. They are needed to process financial aid applications and they are needed to secure test results from the Educational Testing Service. Beyond these and similar uses mandated by law, social security numbers should not be used as a Penn identifier. The theft of a wallet containing a card with social security number, birth date and home address provides the opportunity for much more serious crime. Misuse of a computer database containing this information is no less serious.

The University took a major step away from social security numbers in 1997 by removing them from the Penn Card. In its place each student and employee was issued a Penn ID number that appears on the Penn Card. Despite this action, social security numbers still appear on grade sheets, benefit information forms, pay stubs and many other places. Social security numbers are a field in the University's Data Warehouse and, as such, are available to anyone who has access to the Data Warehouse.

The Task Force has neither the time nor the expertise to track down each use of the social security number as a personal identifier. We are told, however, that the social security number is used as the personal identifier in most of the student and employee data bases (e.g., student records) within the University. Social security numbers are routinely used on class rosters and grade sheets. Students on the committee report that these materials are frequently posted in hallways to report grades, circulated for sign-in attendance at classes, and disclosed to students in other manners. Such use, without student consent, is a violation of FERPA⁷. The use of social security numbers as personal identifiers poses a serious risk to the individual. It should not be surprising that most of our recommendations center on this issue.

Directory information is, in general, not protected by the laws and policies cited above except to the extent that individuals have the opportunity to request that their address and telephone information not be listed. We refer to this as the "opt out option." While we have not been able to find any specific protocols under which the University will provide addresses of students and/or employees to internal or external organizations, the guardians of this information have uniformly stated to the Task Force that such information is provided only in cases when needed for "legitimate University purposes." Nevertheless, our students are barraged by a virtual blizzard of junk mail that comes to them because they are Penn students. Almost certainly the source of these mailings lists are the student directories. Under normal circumstances, solicitations for pizzas, class rings, subscriptions and such are part of every day life and are at worst a minor irritant. Pre-approved credit card solicitations, on the other hand, provide an opportunity for fraud and other criminal activity when the applications are improperly discarded or when the mail is delivered in an insecure location.

Telephone solicitations are intrusive, usually unwanted and, for many, a major irritant. Such solicitations may come to the employee's workplace and affect his or her productivity. The University's association with solicitations unrelated to the primary purpose of the University diminishes the stature of the University in the eyes of students and employees and may create a feeling of hostility and alienation toward the University. Each student and employee should have the right to opt out of such solicitations.

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ALMANAC April 17, 2001

⁴ These comments are based upon the rules published in the Federal Register (65 Fed. Reg. 82462). It is our understanding that the Bush administration is reviewing these rules and may substantially amend them.

⁵ For a full text of these regulations see http://aspe.os.dhhs.gov/admnsimp.

⁶ An interesting book on privacy is *Database Nation* by Simpson Garfinkel (O'Reilly 2000) from which this quote is taken.

⁷ In Krebs v. Ruígers (797 F. Supp. 1246; 1992 U.S. Dist. LEXIS 11543) the federal district court of New Jersey enjoined Rutgers from printing social security numbers on class rosters and grade sheets when these materials were circulated. The court noted: "This practice allows any student to decode another student's grades, obtain a credit report, etc.

(continued from page 5)

Recommendations⁸

1. Student and employee data bases should be rewritten so that Penn ID (and not social security number) is used as a personal identifier. In those cases where social security number is mandated by law, the social security number should not appear in printed or electronic form except as required by law.

2. The previous recommendation requires that a Penn ID be assigned when a student accepts the University's offer of admission rather than when

the student appears on campus.

- 3. Educational information about campus safety should include information about identity theft and the need to maintain privacy of social security numbers, birth dates, and other personal identifiers. Particular emphasis should be given to the proper disposal of credit card solicitations and the use of social security numbers and credit card numbers over the internet.
- 4. University employees should provide their social security numbers directly to the payroll department and not to departmental administrators unless this is physically impossible (e.g., the new employee is out of the country).
- 5. Social security numbers should not be required on any form unless mandated by law. In addition, current forms should be reviewed for inappropriate use of social security numbers.
- 6. Protocols must be set for the proper disposal of forms, paper records and computer storage media (e.g., disks, tapes, and hard drives) containing personal information that are no longer required. At a minimum, the paper forms should be shredded and the electronic media should be reformatted.
- 7. Social security numbers should not be used on health benefit cards issued by Penn benefit providers9.
- 8. Faculty and staff should be reminded on a regular basis of policies and procedures concerning privacy of personal information.
- 9. University employees with access to databases, electronic and paper, containing personal information should be asked to acknowledge, in writing, that they are aware of the policies and procedures protecting this information.
- 10. Social security numbers should not be used on grade sheets, course lists, or change of grade forms and, in general should not be made available to faculty members or academic departments.
- 11. When access is given to an individual's data (either electronic or paper), that access should be given only to the minimum information required for the specific use. In particular, access to social security numbers should be provided only for those applications where their use is mandated by law.
- 12. The (tentative) HIPAA regulations concerning protected health information afford individuals within the University an appropriate level of privacy. It is the role of the University to ensure that the benefit providers with which the University deals are in compliance with these regulations. It is possible and even likely that the Bush administration will take steps to weaken these protections; nevertheless, the University should ensure that protected health
- 8 Some of these recommendations have already been implemented by some departments in the University.
- ⁹ Social Security numbers are no longer used as identifiers for Plan 100, PennCare, Blue Cross/Blue Shield 65 Special and Caremark (prescriptions) ID cards. The major providers who continue to use social security numbers are Keystone Health Plan East and Chickering (student health insurance).

information should not be disseminated unless the individual has originally consented to such dissemination (or use) and that when use or dissemination is permitted, only the minimum necessary information is disseminated.

- 13. Protocols should be developed for use of directory information both within the University and by outside vendors (e.g., solicitations for class rings).
- 14. University directory information should contain a statement that the information is provided only for legitimate University use. Use of the data should be monitored through the creation of fictive entries and the University should take action to ensure that the information is not used inappropriately. In particular, solicitations for credit cards should be closely monitored.
- 15. Inform each student and employee¹⁰, on an annual basis with an individualized mailing, of the ways that his or her personal information may be shared with organizations outside of the University and provide the individual with a card that can be returned to opt out of such sharing. This is particularly important when such information is used for telephone solicitations.
- 16. The University of Pennsylvania is a very decentralized organization. Data bases are maintained by a large number of departments and units. In this environment the approach to privacy is piecemeal, unfocused and uncoordinated. To focus on the issues involving privacy, the task force recommends that the University appoint a Chief Privacy Officer (CPO). It seems to us that the CPO should be a member of the Office of Audit and Compliance although we are open to other suggestions.
- 17. Among the responsibilities of the CPO should be the following: The CPO should be responsible, on a University wide basis, for ensuring compliance with FERPA and, on the University level (not UPHS) with HIPAA. Much of the work of the CPO would be educational, providing guidance to the University community on the appropriate use of personal information. The CPO would be responsible for monitoring the use of directory information as well as ensuring that students and employees are made aware of their right to opt out of having their information listed. The CPO would work closely with ISC in the design of a new student record system.

The University has made extraordinary progress in improving the physical safety of its students and staff during the past few years. Extensive resources have been allocated to this endeavor. It is now time to extend that effort to procedures that protect the University community from identity theft and other fraudulent activities. The recommendations articulated above provide an outline for initial activities toward that goal. Task force members:

Jesse A. Cohn, Undergraduate Student, Wharton Gene N. Haldeman, Undergraduate Admissions Daniel Orr, Graduate Student, Annenberg Gerald J. Porter, Professor, Mathematics, *Chair* Susan Russoniello, Career Services David S. Smith, Associate Professor, Anesthesia

Report of the Communications Committee, 2000-2001

April 12, 2001

Activity

The Committee met seven times by itself during the academic year. The Task Force on Privacy of Personal Information, a small group made up of members of the Communications and the Personnel Benefits Committees, met five times and two members of the committee met four times as committee representatives to the Network Planning Task Force. The major topics that have been addressed, our conclusions and, in some cases, recommendations are summarized in separate sections below. The first four sections cover the specific charges given to the committee by the Council Steering Committee this year while the next six report on additional issues that were brought to our attention.

Electronic Privacy Policy

Background: The development of an Electronic Privacy Policy for the University has been a multi-year project that began with a subcommittee appointed in 1994-95. Under the guidance of Professor Martin Pring (past chair, Communications Committee) this policy has finally been approved. The final version was published in Almanac (September 19, 2000). Professor Pring provided an accompanying article on "Electronic Privacy in Practice" which interpreted aspects of the policy.

Methods: During the current academic year the Chair of the Communications Committee and at times the entire committee was consulted by

Mr. David Millar (University Electronic Security Officer) for advice in interpreting aspects of the policy.

Findings: The committee chair has had significant involvement with the evolving interpretation of this policy. The committee has had some involvement. It appears that this policy is being applied reasonably, fairly and conservatively.

Conclusions: The Electronic Privacy Policy has been in effect since mid-September 2000. At present its implementation is being accomplished with minimal notice by most end users.

Recommendations: The "of record" publication of this policy called for evaluation at the end of a one-year trial period. The committee suggests that this evaluation occur during October 2001 and that this evaluation becomes one of the specific charges of the communications committee for the academic year 2001-2002.

Remote Access

Background: The committee was asked to monitor the new Remote Access policy, the University's arrangements with outside Internet service providers and to assess the financial impact of such changes on students, faculty, and staff. The changes in remote access were instituted after an extended, multi-year, deliberative process that produced the decision to phase out the "no charge" University modem pool, a service that had

¹⁰ The Task Force believes that the procedures recommended in the report should apply equally to alumni records, where appropriate. We have excluded alumni records from our report since some members of the committee did not believe that alumni records were included in the charge to the committee.

provided remote access to PennNet at no direct charge to the end user. The reasons for the decision to terminate "no charge" remote access involved the increasing cost of maintaining the system, the lack of capital for needed upgrades despite increasing demand and the fact that the pool was lagging technologically with respect to speed and band width. Arrangements were made with several local Internet service providers (ISPs) for Internet and PennNet access at preferred rates. It was hoped that these arrangements would allow a greater variety of services including 56 kbps modem speeds, cable modems and DSL. In addition, the University planned to maintain, for a limited time, the existing 33.6 kbps modem pool for those willing to pay a \$13 per month fee. Finally the express modem pool, a limited service option (15 minute session limits), would continue to be available at no direct charge. These changes were implemented on August 1, 2000. At the time of this report there has been six-month experience with the new remote access model.

Methods: The committee initially met with Mr. Mike Palladino (Associate Vice President for Information Systems and Computing (ISC) and Chair of the Network Planning Task Force) for discussion of these issues. There was continued communication with Mr. Palladino as well as with Ms. Robin Beck, Deputy Vice President for ISC and an ex officio member of the Communications Committee. As a result, ISC placed notices in both the Daily Pennsylvanian and Almanac in an attempt to identify groups adversely affected by the changes in Remote Access. The super users group and local service provider help groups were also contacted in an attempt to further identify adversely effected users.

Findings: The committee spent considerable time attempting to identify individuals adversely affected by the change in remote access. There were anecdotal reports of inadequate service, including the experience of three committee members, but overall the committee was unable to identify a large group of disenfranchised users. Two advertisements, placed by ISC in the Daily Pennsylvanian, failed to solicit any response. There was a similar lack of response to notices placed in *Almanac*. Two PENN "news" groups established to discuss remote access had few participants. The ISC help lines had few calls about remote access issues. There were few requests for Remote Access "help" to the local service providers or the super users group. The use of the new PENN "for fee" Remote Access modem pool was considerably less than predicted (250 users signed up for the "for fee" service (post-August 1) compared to 14,000 users of the "no charge" modem pool (pre-August 1)) suggesting that many potential users for the paid service had found other solutions. Together these findings suggested that either there were not a large number of disenfranchised users or that, if there were, the committee together with the ISC could not identify them.

There was a range of transition problems brought to the committee's attention (though as noted earlier the numbers appear small). These included difficulty with connection to the selected ISP, unreliable ISP service, inability to send e-mail, and inability to access services that required authentication. There were a number of complaints about some "free" ISP providers and some reported difficulty with DCANet. Of interest, three of the committee members reported difficulty with remote access using commercial ISPs. Finally, it should be noted that the University modem pool appears to be very robust and easy to configure. Individuals having difficulty with commercial ISP often reported little difficulty with the University modem pool.

Vice Provost and Director of Libraries Paul Mosher and Director of Information Systems for the Library Roy Heinz reported problems related to access of certain electronic resources from outside the PENN domain. The process of proxy authentication was reviewed, as were plans to simplify this process. There occurred a marked increase in proxy server use (about 200–400%; about 3 million page requests each month) with transition to the new system for remote access. This further supports the idea that most users found commercial sources for remote access and were accessing library services from outside the PENN domain.

In exploring the issues related to the transition in remote access, the committee found that remote access information on the Penn Web was difficult to find and not complete enough (particularly with respect to configuring SMTP and authentication PROXYs). At the Committee's suggestion ISC has already begun to make this information more accessible and to upgrade the contents of these pages to include pictures (screen shots) of the appropriate configurations within various programs. ISC also has established an e-mail address for those with remote access problems—remote-access@isc.upenn.edu—and the two NEWS groups continue to function. The remote access Web site is www.upenn.edu/computing/remote/.

Conclusions:

1. The University has changed its model of remote access from a University provided modem pool without direct end user charges to one in

which the use of commercial ISPs is encouraged.

Usage of the for fee University sponsored remote access modem pool was considerably less than predicted and it is being phased out.

The Communications Committee was unable to identify a large group of individuals who had failed to make the transition to commercial ISPs,

though a variety of problems have been encountered by some.

- 4. The Communications Committee was not able to assess the financial impact of this change on end users with the information available to it. However, a range of options, between \$12.00 to 25.00 per month are available with \$13.00 as the most common price point for 56 kbps service. For users with very limited needs who are living near the University a zero direct cost option still exists (the express modem pool) and this 90 line service has been budgeted through FY 2002.
- 5. A number of individuals have had difficulty reaching certain University systems and databases from commercial ISPs. The extent of that problem could not be determined.
- 6. The Committee identified some defects in the University provided Remote Access "help". ISC is working to resolve many of these problems.
- 7. The movement toward remote access outside of the PENN domain created authentication challenges for users of the Library's electronic data bases. These are being resolved and their implementation simplified.
- 8. Base on limited information, it appears that many have opted for a relatively low level of Internet access. This may not prove adequate as instruction increasingly moves onto the Internet.

 Recommendations:
- 1. Outsourced remote access is still evolving and thus should continue to be monitored by the Communications Committee.
- 2. ISC should institute an ongoing educational effort so that each new cohort of students receives appropriate information and guidance concerning available options as they begin to consider moving off campus.

3. The Library should continue its progress toward easier to use authentication procedures.

4. Techniques should be developed to more closely determine the types of remote access being chosen and to assure that these choices are consistent with University plans to develop PennWeb as an important instructional venue.

Undergraduate Admissions Web Site

Background: The growing importance of the Web in the recruiting of students being recognized by the upper level administration led to the formation of a group to update and reorganize the Undergraduate Admissions Web site to bring it more in line with the growing expectations of an increasing computer and Web literate high school student body. A task force was formed and an outside Web design group hired. The key focus was on the Undergraduate Admissions Web site with a time-related challenge to avoid bureaucratic distraction. The task force began meeting during the summer and the new web site went live in September. At the time of this report the Web site had been live for about 8 months—www.upenn.edu/admissions/undergrad. Others are applying similar efforts to the Graduate Web site.

Methods: Meetings and discussions were held with some of the key participants in this web design project including ISC Director of Data Administration Jeanne Curtis and Director of Undergraduate Admissions Technology Margaret Porigow. The committee "toured" the new Web site. Some members of the committee explored the admissions Web sites of other universities to compare them to the new Penn Web site.

Findings: The committee was impressed with the new version of the Penn Web site. It loaded quickly with both a cable modem and an ethernet connection. We were told that its load time using 56 Kbps was also reasonably fast and that fast loading was one of the design parameters. The design of the Web site was dignified and appeared to emphasize the academic nature of the institution. The Web site was reasonably easy to navigate, and information about admissions criteria, finances, majors, etc. was easy to find. Audio and video clips on the web site sounded and looked good and should appeal to a generation used to "surfing" the web and to watching television. A virtual tour of the Penn Campus was implemented after the committee's discussions, however, the committee chair has taken this virtual tour and found it very satisfactory.

At present the Web site is primarily informational. It does provides an on-line application utility. It does not, for example, allow tracking of a submitted application. To date there has been minimal user feedback. Director Porigow feels that the site is too new to have generated enough users for accurate feedback. She also notes that feedback will most likely occur when the Undergraduate Admissions Office does its yearly poll of admitted students. She also noted that the old Web site had many complementary comments despite its deficiencies. The committee made a number of suggestions about the new Web site during its discussion. These were summarized and later sent to both Ms. Curtis and Ms. Porigow.

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COUNCIL Reports on the April 18 Agenda

(continued from page 7)

Conclusions:

- A new Undergraduate Admissions Web site went live in September 2000.
- 2. The basic design of this Web site is attractive and the $\hat{W}eb$ site itself appears very functional.
- 3. At present it is primarily information, but some interactive features are planned.

Recommendations:

- 1. The ongoing revision and develop of the Penn Web should continue to be a major item on the Committee's agenda.
- 2. The Undergraduate Admissions Web site should consider identifying and developing appropriate interactive features such as line application tracking.
- 3. This Web site could become a model for other admissions Web sites within the University such as graduate studies, law and medicine.
- 4. The organization of the multi-departmental group that was organized to revise this Web site appears to be relatively novel compared to prior task forces and could become a model for more effective Penn Web development.

University Publications

Telephone Directory: During the 1999-2000 academic year, the publication of the telephone directory was significantly delayed. In contrast, the telephone directory was published "on time" this current academic year. Leroy Nunery, Vice President for Business Services and an ex officio member of the committee noted the institution of several major changes, including the use of a publisher specializing in college/university directories and the institution of an "on-line" system for adding and changing directory information. The changes appear to have resolved the problem of timely publication and this need not be an issue requiring the committee's ongoing attention.

Online Almanac: The Editor of Almanac, Marguerite F. Miller and the Associate Editor, Margaret Ann Morris, updated the committee on both the hard copy and the on-line versions of Almanac. Almanac is a weekly publication of record and has been published weekly since 1971. The Web edition began in 1995 and is available in HTML and PDF versions. The newest addition, the "Express Almanac" was launched January 2000. It is an e-mail edition with about 500 subscribers. It contains links to the Web version of Almanac as well as evolving news. The Almanac Web site gets about 9,000 hits per day with about half of the users coming from within the PENN community. The Web version is not a duplicate of the print version but contains color as well as sound bites. The Web version of Almanac and Express Almanac are dynamic implementations of electronic technology that have significant potential for improving communication within the University community and for moving that communication into new areas such a streaming audio and/or video of important campus events.

Network Planning Task Force (NPFT)

In prior years the Communications Committee had been invited to the annual "State of the Union" meeting for this task force. This current academic year the Communications Committee was invited to send a representative to NPTF meetings. Together Committee Chair, David Smith and Committee Member, Martin Pring were able to represent the Communications Committee at most the NPTF meetings. The two Communications Committee representatives were among the few nontechnical people attending these meetings and perhaps were able to provide some perspective from the user viewpoint. Both Professors Smith and Pring felt that NPTF attendance was a valuable experience and hope that the NPTF will continue to seek members from the Communications Committee.

Background: A number of committee members, as well as the leadership of the University Council Steering Committee, noted increasing concern about the role of social security numbers (a major University identifier) as a key element in the rising national problem of identity theft. There was also considerable concern expressed about the privacy of personal information collected by the University and the use of that information for commercial solicitation. With the completion and approval of the Electronic Privacy Policy, committee members raised the question of whether or not there should be a general policy on information privacy within the University.

Methods: A Task Force on Privacy of Personal Information consisting of members of the Communications Committee (David S. Smith and Gene N. Haldemen) and the Personnel Benefits Committee (Gerald J. Porter, chair, and Susan Russoniello) along with two students (Jesse A. Cohn and Daniel Orr) was appointed to explore these issues

Findings: The task force met throughout the fall and winter to investigate these issues. The task force has completed the investigatory phase of its work and has prepared a report concerning the use of Social Security numbers as identifiers, information privacy and solicitation. The task force has obtained input from the respective committees that made up the task force, and will submit the report directly to University Council.

University Communications

The committee met with the newly appointed Director of University Communications Lori Doyle. Ms. Doyle provided a broad overview of her conception of this position including issues of improved media coverage, "branding" and expanding beyond the traditional functions of this office to video and the Web.

Penn Web Governance

Background: The committee investigations into the new Undergraduate Admission's Web site led to concerns about Penn Web governance. Of particular concern was the ad hoc nature of the group that organized itself to revise the Undergraduate Admission's Web site. The group was pulled together from a variety of departments, funds were apparently scavenged from other projects and there appears to be no clear provision for the ongoing evaluation and updating of this resource. The efforts to produce this revision seemed similar to those used to build or revise other portions of the Penn Web; a group organizes for a specific project and then disperses with little or no provision for ongoing development or maintenance. At present it is hard to identify those responsible for the Penn Web, yet this resource will be seen and used by as many or more people than will use the physical campus. With the appointment of Ms. Lori Doyle as Director of the Office of University Communications, that group has accepted the challenge of Web content oversight.

Conclusions: It would seem that this critical entrance into the University should have a person or group with the specific mission to develop and maintain the Web site at its multiple levels, to make sure that it continues to reflect the goals of the University, and to assure its technical currency and utility as a University resource. Recently the Office of University Communications has accepted that responsibility. That office has been given some resources to help fulfill these new responsibilities though it is too soon to determine if these resources are sufficient. Commercial Web sites are undergoing rapid evolution with respect to services, speed and usability. Many of these techniques are being adopted by the University's academic competitors. Failure to maintain a "state of the art" Web site may eventually place the University at a competitive disadvantage.

Recommendations:

- 1. The Communications Committee should continue to monitor the evolution of Penn Web governance and Penn Web development.
- 2. The Penn Web should be the beneficiary of the same type of strategic planning that is used for other major University projects.
- 3. The University should consider developing a multi-year plan for the Penn Web with respect to its role in the University mission so that the Web has the resources and infrastructure to provide the services demanded of it.
- Consideration should be given to developing a more stable funding model than exists currently so that long-term plans can be developed and realized.
- 5. Greater coordination of the central Web pages with local sites should be developed so that there is, where appropriate, greater consistency in "look and feel", that outdated links are corrected in a timely manner, that old or obsolete information is removed or updated in a timely fashion and that movement between levels or pages is consistent and user friendly.
- 6. A hybrid governance model with a permanent strategic planning group that includes technical as well as content-oriented individuals together with periodic ad hoc groups to solve specific issues might be a way to combine a more nimble entrepreneurial element with a more traditional governance structure.

Computer Disconnect Appeal Board

This group continues to exist but was not needed during the current academic year. The chair of the Communications Committee is one of the members of this body.

Vice President for Campus Services Larry Moneta updated the committee on the further transition in PennCard services. Briefly, the newly revised PennCard will be a debit card and use a campus-wide system for real time transactions instead of the Cash Chip. The transition is proceeding smoothly.

Acknowledgments

The committee thanks Ms. Tram Nguyen of the Office of the Secretary for her helpful and efficient staffing. The committee also notes and appreciates our lovely meeting space in the beautifully renovated Houston Hall.

The committee also thanks the many talented University personnel who took significant time from their over filled schedules to meet with the committee and share their observations and expertise with us. We continued to enjoy and appreciate an excellent working relationship with the members of the ISC.

—David S. Smith. Chair

Committee member listing is available on-line at www.upenn.edu/almanac/ v47/n30/Communications.html.

Report of the Bookstores Committee, 2000-2001

April 11, 2001

Contents

The Committee report this year covers three topics: the provision of textbooks by internet firms, aspects of operations in the University bookstore itself, and the state of health of the two independent bookstores. Several operations-related issues we originally expected to work on this year did not, for one reason or another, ultimately prove ripe for investigation. We have made arrangements for them to appear on the charge for next year's committee.

Provision of Textbooks from Independent Internet Firms

The Provost asked us specifically to investigate the pros and cons of students obtaining their textbooks from online sources rather than from the bookstore. The question has teeth because the two sources have different cost structures and so might offer different prices.

In general, bricks-and-mortar supply is costlier because of the need to maintain physical inventory on site. It may also seem less convenient to the students because of the way demand peaks in the week or so around the beginning of term. (We do note that the University Bookstore's management of this problem has improved greatly. Whoever is chair of the committee for next year should arrange to keep an eye on this situation in September). In both of these respects, internet provision may seem a superior mode.

One major disadvantage of large-scale reliance on independent internet firms is that they do not in general offer to buy used textbooks back at the end of term and then resell them at a discount to the retail prices in subsequent semesters when the editions in question are re-used. The University Bookstore does provide this service and there can be no serious doubt that the service is a good thing for our students. (The Bookstore's management's perennial complaint regarding this remains true: there would be more of this good thing if the University faculty would announce their text selections earlier).

The other main potential disadvantage of using independent internet firms is proving to be equally real: one might reasonably have some concern as to whether the firms will stay in business and would perform reliably for us over an extended time period. There has been some operational instability and a great deal of financial instability among the well-known firms over the course of the past year or so.

On the basis of these considerations, it seems to us that the University should in no way interfere with individual students procuring their texts through whatever means they wish but that the University should basically be supportive of having textbooks sold on campus as they generally currently are i.e. by an established bricks-and-mortar vendor.

Merchandising in the University Bookstore

The one operational topic we pursued this year was that of how to help the Bookstore and Barnes & Noble staff be aware of relatively academic titles the community might like to see on the shelves. We concluded that the best incremental step would be to encourage the Barnes & Noble buyers to have regular (annual) contact with the Van Pelt subject bibliographers. It seems to us that this could be set up in a way that would not be too onerous for either side. The best first step appears to be that the principle subject matter in their meetings should be the Barnes & Noble profile for each subject, that is, the list of publishers whose catalogues should as a matter of routine be scanned and the categories of books on the lists that result that should be given further attention or automatic orders. (Specific titles could also be discussed, of course). If this seems a reasonable way of proceeding, next year's committee should see to its implementation.

For reasons described below, such a service might be of less interest to the owners of the local independent bookstores. We do feel that the independents should also be offered the opportunity to have such meetings if they so desire.

Local Independent Bookstores

The University is committed to maintaining independent bookstores in the area as well as the University Bookstore and is in fact the landlord of the two principle independent stores. We sent committee members to interview the owners to see how they were making out several years into the lifetime of the new facility and the Barnes & Noble contract.

The owner of the Penn Book Center is Achilles Nickles. He had difficult and protracted negotiations a few years ago with the University real estate office for the space he now occupies at 34th and Sansom Streets. Those negotiations, thanks to the intervention of Tom Lussenhop, ended happily; and Mr. Nickles described himself to us well satisfied with the outcome and with the current condition of his lease. The space is indeed attractive and the large windows on 34th and on Sansom allow for eyecatching displays that bring in a fair amount of foot traffic. Although his business is dependent upon textbook sales (and several departments,

notably English, History, and Philosophy, seem generally to use the Penn Book Center as their preferred provider for their course books), he is also fairly pleased with the trade in non-textbook business, which he is pursuing aggressively. One example he gave is that when academic conferences are held at Penn, he displays in his windows books that might be of interest to the conference-goers. He reports that such conferences have brought in substantial trade. The proximity of the store to departments like English and History (virtually his neighbors) insure a good deal of ad hoc book buying by students and faculty members in those departments. In short, Mr Nickles reported in a complaints about his current situation, and he was also, he reported in a subsequent e-mail, very pleased with the implicit concern about the welfare of his business.

The owners of the House of Our Own bookstore are Debbie Sanford and Greg Schirm. The dominant tone of that interview was less positive. Ms. Sanford and Mr. Schirm have just emerged from their own difficult lease negotiation and felt there was a contradiction between the University's stated intentions and its behavior. The University claimed to value House of Our Own as part of its plan to develop University City into a diverse and culturally rich neighborhood, but the owners felt Penn's actions had in fact hindered the operation of their bookstore.

Their complaints centered on the difficulty they had in renewing their lease. In August 1999, they learned that Penn would not renew their lease because the University wanted to relocate them on 40th Street as part of the University's development strategy. They were shown various properties on 40th Street, but all seemed to them inappropriate for a bookstore. It became clear to them that in fact Penn had no appropriate space on 40th Street. They were kept in a state of uncertainty for one year before the lease on their present location was finally renegotiated. The new terms are less favorable for them than the old ones: the lease went from 10-year to 5-year, and the rent increased sharply (albeit from quite a low level). The period of renegotiation was demoralizing and anxiety-provoking; and throughout it the owners felt that the University's motives and intentions remained ambiguous. They felt that the University's development and real estate offices showed little sensitivity to the special nature and needs of an independent bookstore, treating them as if they were just another retailer in the neighborhood of Penn.

We had Mr. Lussenhop in attendance for the discussion of this report. Committee member Lee Nunery, Vice President for Business Services, was also present. They gave explanations but were also open and responsive to expressed concerns. We ended that part of the meeting feeling that whatever else was true, there had been a significant failure of communication between the University and the House of Our Own owners. Mr. Lussenhop undertook personally to clear the air in the near future and we presume that he will do so.

A number of positive suggestions for ways in which the University might work more effectively with House of Our Own emerged from the discussion and these are of relevance to all local bookstores. Although House of Our Own receives some publicity through its membership in the University City District and the recently formed 40th Street Business Association, the independent bookstore should be better integrated into Penn's publicity. It could, for example, be added to the Penn Web site and included on Penn's maps of the West Philadelphia community. There could be a section in the Almanac and Gazette including inter alia announcements of readings and other such events. Mr. Schirm and Ms. Sanford had also remarked that Penn's current policy of allowing students to deduct textbook purchases at Barnes and Noble directly from their financial aid discourages students from buying textbooks at the independent bookstores. The financial arrangements in question were not entirely clear to us, but it did seem clear that such arrangements ought to be available to local bookstores on a equitable basis unless there is some sort of exclusive dealing constraint embedded in the Barnes & Noble contract.

Each of the three main bookstores in University City has developed a distinctive personality. This variety is in itself a valuable element of Penn's larger intellectual community. If lost, it would be very hard to recreate. The University's interest in the long-term viability of the independents seems to us palpable. The Penn Book Center's move seems, in the end, to have been handled well and the store seems now to be in a stable situation. The situation at House of Our Own appears more ambiguous at present and future committees should monitor developments.

—Daniel Raff, Chair

Committee member listing is available on-line at www.upenn.edu/almanac/v47/n30/Bookstore.html.

Report of the Office of Student Conduct

To the University Community:

The Office of Student Conduct periodically prepares reports to inform the University Community about the character and extent of the work of the Disciplinary System, including the nature of violations of University rules and regulations and the sanctions imposed. These reports are made, in part, to provide an accurate and informative picture of the kinds of misconduct which are brought to the attention of our office and the variety of ways in which these matters get resolved. At the same time, we are mindful of our obligation under our Charter to protect the confidentiality of individual students.

With respect to the report itself, please note the following: we have separated "Type of Incidents" of misconduct into broad, generally understood categories. It is important to stress that the categories and accompanying numbers represent the kinds of *complaints* received, *not* disciplinary charges filed nor individuals ultimately found responsible for misconduct.

Further, please note that many incidents involve more than one student which is why the number of respondents so far exceeds the number of cases.

Finally, we have, pursuant to the mandate of our Charter, increasingly attempted to resolve disciplinary and other referrals through mediation or other informal, constructive means. Those of you familiar with our previous reports to the community will see a greater emphasis placed on these alternative means of solving some disputes, where appropriate.

There is no substitute for student and faculty input, consultation and participation in the disciplinary process. This report, while meant to be informative, ideally should serve only as a catalyst for candid discussion about conduct and academic integrity issues of concern to our community. In that spirit, I welcome any comments or questions regarding this report or any other aspect of our disciplinary process. I can be reached at (215) 898-5651 or by e-mail at goldfarm@pobox.upenn.edu.

-Michele A. Goldfarb, Director, Office of Student Conduct

1999-2000 Annual Statistical Case Report

I. Incidents Received September 1, 1999 to August 31, 2000			
	Academic Integrity	Conduct	Total
Disciplinary Cases (Incidents)	36	92	128
Total Respondents	41	134	175
Undergraduate	41	129	170
Graduate	0	5	5
Fraternity Cases (Incidents): & Additional Disputes Referred to		ion Program: 1	7

NOTE: The way in which disciplinary matters are reported to the Penn community is currently in transition. However, given that the specific, concrete changes in our reports have not yet been finalized, it was our decision to rely on our previous format for the purpose of reporting last year's disciplinary activity. We were anxious to release this report, but we are aware of the likelihood of significant changes to this format in the near future.

II. Type of Incidents	
(Categories based on initial allegations only; doe	, ,
Code of Academic	
Incidents	Number of Respondents
Alter Examination/Paper for Regrade	4
Cheating	7
Fabrication Facilitating Academic Dishonesty	1 8
Misconduct During Examination	5
Misrepresentation of Academic Records	1
Plagiarism	22
Use or Performance of Another Person's Wo	rk 1
Code of Student	
Incidents	Number of Respondents
Alcohol-first offense (2 catagories)	41
 Referred to OSC for Disciplinary Action 	13
 Incidents Received from College House 	
Academic Services for Record Keeping	
Alcohol—second offense (3 categories)	5
Referred to OSC for Disciplinary Action	3
 Investigation Completed by OSC and th Referred to the Office of Fraternity and 	en 1
Sorority Affairs for Final Resolution/San	ctioning
Incidents Received from College House	
Academic Services for Record Keeping	
Assault	7
Attempted Theft	1
Bike Policy	1
Burglary Computer Misuse/Piracy	2 6
Criminal Mischief	2
Disorderly Conduct	35
Disturbance/Investigation of Person	2
Drug E-Mail Threats/Unethical Use	11 1
False Identity	
Fire Code	2 2 4 3
Harassment	4
Hazing	3
Kidnapping Misappropriation of Funds	1
Misrepresentation of Status to University	1
Noise	10
Propulsion of Object	8
Sexual Harassment	1
Theft Threats	7 1
Trespassing	4
Use or Possession of Airguns/Firearms	4
Vandalism	21

III. Resolution of Cases			
Resolution of Case Per Individual Respondent	Academic Integrity	Conduct	Total
Signed Agreement	34	58	92
Hearing	2	1	3
No Formal Disciplinary Action (Informal Resolution with No Further Action Taken)	6	34	40
Investigation Completed by OSC and then Referred to the Office of Fraternity and Sorority Affairs for Final Resolution/Sanctioning	0	5	5
Incidents Received from College Houses and Academic Services for Record Keeping Only. Sanctioned In-House	0	37	37
Unresolved Cases	1	4	5

IV. Sanction Information (Information provided for probation o	r more serio	us sanction	only)
Sanction	Academic		• •
Probation (Range of Charges: Alter Examination/Paper for Regrade; Cheating; Facilitating Academic Dishonesty; Misconduct During Examination; Plagiarism; Alcohol; Assault; Computer Misuse/Piracy; Criminal Mischief; Disorderly Condu Drug; Misappropriation of Funds; Propulsion of Object; Vandalism)	Integrity 14 uct;	9	23
Suspension/Withdraw Suspension	17	1	18
Withdraw	0	1	1
(Range of Charges: Alter Examination/Paper for Regrade; Cheating: Facilitating Academic Dishonesty; Misconduct During Examination; Misrepresentation of a Plagiarism; Use or Performance of Person's Work; Burglary; Drug) Expulsion		cords;	0

www.upenn.edu/almanac ALMANAC April 17, 2001

Update

APRIL AT PENN

CONFERENCES

18 Sexual Assault Nurse Examiner (SANE) Update; 8 a.m.-5 p.m.; 113A & Auditorium, School of Nursing (Center for Professional Development).

19 Forensic Examination of the Child Sexual Abuse Victim; 8 a.m.-5 p.m.; 216 School of Nursing. Also May 20, 8 a.m.-5 p.m. (Center for Professional Development).

21 Thinking With Style; Graduate Humanities Forum; Sessions: Style in Place, Choosing Your Words Carefully, Defining Aesthetics, Spectacular Styles, Whither the Humanities? The History and Current State of Interdisciplinary Research; 8:15 a.m.-5 p.m.; 3619 Locust Walk (Penn Humanities Forum).

FILM

18 Jewish Documentary Series: Mystery of Paul; examines the life and legacy of Saul of Tarsus, a Jewish zealot who became the Christian apostle, Paul; 8 p.m.; International House (Film Project at International House).

MUSIC

22 Lou and Peter Berryman Crack Wise at the Cherry Tree; original songwriting blend of musical comedy, cabaret and folk music; 7:30 p.m.; Parish Hall, St. Mary's Church; \$12 in advance, \$15 at the door; students and members of Philadelphia Folksong Society may purchase at-door tickets at the advance ticket price.

READING/SIGNING

17 Poetry Reading by Dahlia Ravikovich; Dahlia Ravikovich, Israeli poet; Jesse Rubenfeld, student; 5 p.m.; rm 210, Music Annex (Jewish Studies Program; Middle East Center; Hillel; Kelly Writers House).

SPECIAL EVENT

18 Greenhouse Project End-of-Semester Cel-

ebration; 7 p.m.; Kelly Writers House (Kelly Writers House).

TALKS

17 Ageism, Racism, Sexism: Confronting the Isms in Curriculum; noon-1 p.m.; 111 School of Nursing (School of Nursing Committee on Diversity).

18 Webcast Interview with SAS Dean's Forum Visiting Writer Tom Wolfe; noon-1p.m.; Kelly Writers House; RSVP: wh@english.upenn.edu (Kelly Writers House)

21 Cognitive Therapy for Depression; Kevin Kuehlwein, Center for Cognitive Therapy; 9 a.m.noon; 8th fl., 3600 Market St. (Center for Cognitive Therapy).

24 2001 Gordon S. Bodek Lecture of Distinguished Educators: The Troubling Topic of Moral Education; Joan Goodman, director, Early Education Program; 4:30 p.m. (GSE, Friends of the Library, and Phi Delta Kappa, Tau Chapter).

Annual Fellows Lecture on India's Reform Agenda; Vijay L. Kelkar, executive director, Inter-

CLASSIFIEDS—UNIVERSITY

RESEARCH

The University of Pennsylvania Health System needs volunteers for a **male osteoporosis** research study. If you are generally healthy and are 18 to 80 years old, you may be eligible to participate. Volunteers will receive a general physical examination and blood tests at the time of the first visit. Those who qualify will be asked to return for a second visit for magnetic resonance imaging (MRI) of the leg and wrist and a dual energy X-ray absorptiometry (DEXA) scan of the spine and hip. Both exams are performed on the same day and take approximately 45 minutes each. The tests will be repeated in 6, 12, and 24 months. Participants will be compensated for their participation. Please contact Louise Loh or Helen Peachey at (215) 898-5664 for more information.

Experiencing **neck and shoulder pain** for three months or more? You may be eligible for a study at the UPenn Pain Medicine Center involving free Botox injections. Call Lisa Bearn at (215) 662-8736.

national Monetary Fund; 4:30-6 p.m.; room 470, 3401 Walnut Street; RSVP: Praveen Chaudhry (215) 898-1732 or *chaudhry@ sas.upenn.edu* (Center for the Advanced Study of India).

Deadlines: The deadline for the weekly update is each Monday for the following week's issue. For the SUMMER AT PENN calendar it is *May 15*.

See www.upenn.edu/almanac/calendar/caldead.html for details on event submission.

CLASSIFIED—PERSONAL

FOR SALE

West Philadelphia, University Mews: 6-room townhouse-3 bedrooms. 1.5 bathrooms, garage, garden. Call (215) 471-5343.

VACTION RENTAL

Great Beach! **Weekly rentals**-Ocean City (Gardens) beachblock, reasonable, sleeps six, all conveniences, parking. Call Steve (610) 565-1312.

PROPERTY INSPECTION

Need Home Repairs? Your insurance company could owe you thousands of dollars. Do you have any of the following problems in your home: leaky roofs, water stains, fire, broken hot water heater, plumbing overflows, cracked ceramic tile, theft, vandalism, power surges, leaks, broken siding, etc., Claims denied by your insurance company? Call me for a free no obligation, policy evaluation & property inspection. Call Lisa Smith, Licensed & Bonded Public Adjuster (215) 668-4180. An advocate for the owner of residential and commercial property.

THERAPY

Competent psychotherapy: group, family and individual. Please call for an appointment: Shari D. Sobel, Ph.D. (215) 747-0460.

To place a classified ad, call (215) 898-5274.

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—Ed.



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The University of Pennsylvania's journal of record, opinion and news is published Tuesdays during the academic year, and as needed during summer and holiday breaks. Its electronic editions on the Internet (accessible through the PennWeb) include HTML and Acrobat versions of the print edition, and interim information may be posted in electronic-only form. Guidelines for readers and contributors are available on request.

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The University of Pennsylvania Police Department Community Crime Report

About the Crime Report: Below are all Crimes Against Persons and Crimes Against Society from the campus report for April 2 through April 8, 2001. Also reported were 25 Crimes Against Property: (including 21 thefts, 1 stolen auto and 3 vandalisms). Full reports on the Web (www.upenn.edu/almanac/v47/n30/crimes.html). Prior weeks' reports are also on-line.—Ed.

This summary is prepared by the Division of Public Safety and in cludes all criminal incidents reported and made known to the University Police Department between the dates of **April 2** and **April 8**, **2001**. The University Police actively patrols from Market Street to Baltimore Avenue and from the Schuylkill River to 43rd Street in conjunction with the Philadelphia Police. In this effort to provide you with a thorough and accurate report on public safety concerns, we hope that your increased awareness will lessen the opportunity for crime. For any concerns or suggestions regarding this report, please call the Division of Public Safety at (215) 898-4482.

04/03/01	2:13 PM	300 S. 38th St.	Complainant reported being robbed US Currency taken from complainant Suspect arrested for removing property from location Subject arrested for trespassing Subject stopped for investigation/wanted on warrant
04/04/01	11:06 AM	40th & Walnut St.	
04/05/01	4:21 AM	3637 Locust Wlk.	
04/07/01	5:38 PM	100 blk 33rd St.	
04/08/01	1:27 PM	3700 Spruce St.	

18th District Report

13 incidents and 3 arrests (including 7 robberies, and 6 aggravated assaults) were reported between **April 2 and April 8, 2001** by the 18th District covering the Schuylkill River to 49th Street and Market Street to Woodland Avenue.

04/02/01 04/03/01	11:00 PM 2:35 AM	3400 Civic 4300 Spruce	Robbery
04/03/01	2:09 PM	3800 Spruce	Robbery Robbery
04/04/01	10:30 PM	117 47th St.	Aggravated Assault/Arrest
04/04/01	10:08 PM	4610 Cedar	Robbery
04/04/01	1:15 PM	3900 Walnut	Robbery
04/06/01	5:10 PM	5139 Spruce	Aggravated Assault/Arrest
04/06/01	4:00 PM	4600 Woodland	Aggravated Assault
04/06/01	10:25 PM	4802 Spruce	Aggravated Assault/Arrest
04/06/01	2:27 PM	4900 Osage	Robbery
04/06/01	1:10 AM	1123 47th St.	Robbery
04/07/01	10:45 PM	4725 Chester	Aggravated Assault
04/07/01	6:40 PM	1223 49th St.	Aggravated Assault

TALK ABOUT TEACHING =

A Community of Learners

by Art Casciato

To see the truth whole and steadily is difficult, even from the best of vantages. From the distance of a quarter century, it would seem almost impossible. In *The Game of Life*, James L. Shulman and William G. Bowen's recent attempt to parse the vexed relationship between educational values and college sports, a book studded throughout with sobering tables and charts, perhaps nothing should give us more pause than a survey of a certain group of male students asked to rate the priorities of the colleges and universities from which they graduated in 1976.

Many among us will no doubt be surprised to learn that this particular cohort—these men rank in the top 5% of alumni donors—view their alma mater's emphasis on intercollegiate athletics negatively. But their desire to change this emphasis seems relatively lukewarm when compared to the only category of institutional priority that they see more negatively—almost three times more negatively—than college sports: faculty research.

That these so-called "big givers" might not dig as deep as possible need not concern us; that people who have passed through our classrooms appear not to give the proverbial rat's behind for what we do outside of them as researchers should. Especially since the institutional priority that this same group perceives by far the most positively is teaching undergraduates. The view implied here is that research and teaching are diametrically opposed. Indeed, it appears that as far as these alumni are able to tell, rather than strengthening our teaching, faculty research actually hinders it. And they, I'm afraid, are not always alone.

The view that the classroom suffers because faculty are more interested in research than teaching, especially teaching undergraduates, is alive and well at every research university in this country, not excepting Penn. Unfortunately, those on campus most likely to see it this way are undergraduates themselves, some of them perhaps the sons and daughters of the same alumni surveyed above.

There is of course another way to look at faculty research, just as true and alive and as readily available, one in which teaching is seen as enhanced at a research university, that sees students as more actively engaged by a faculty devoted not only to the preservation and dissemination of knowledge but also to its creation. To help ensure that this more sanguine view of research's relationship to teaching prevails, Penn has established the Center for Undergraduate Research and Fellowships (CURF), charged with no less than helping to engage a significantly larger number of faculty and students in a shared culture of research. One indication that CURF will have met this challenge successfully is if fewer undergraduates leave Penn seeing research as working in opposition to teaching or, for that matter, as anything less than essential to it.

So here's the truth that those generous alumni from the class of 1976 either lost sight of over the years or perhaps sadly never had a chance to grasp whole in the first place: The conjunction of research and teaching is learning. How research and teaching come together need not always be apparent, but to see more clearly why I claim that the common ground between the two is learning, we might consider for a moment a sentiment that many of us have spoken or at least heard, something to the effect that "I never learned so much about something as when I had to teach it." Like all bromides, this one might lull us into thinking that it is only about what it names—teaching and learning—but what we are actually saying here is that the anxiety that comes from being responsible to teach someone about a subject drives us to learn more about it, that is, drives us deeper into research.

Which is just my roundabout way of pointing out that everyone at a research university, faculty and students alike, is first and foremost a learner. We became teachers because we were good learners, and we continue to learn ("keep up," in the vernacular) in order to be good teachers. There's an admirable circularity, a kind of Mobius strip-feel to all we do. We learn about something by researching it in order to teach it to students who want to learn about it. And despite the speeded-up, Taylorized, pre-professional, and careerist world in which we all must operate, it is exactly what I'll call our liberality of learning, our continued sense of vocation, our willingness to spend a lifetime studying something simply for the love of it that our students admire most about us still.

What my "talk about teaching" boils down to, then, is not a pedagogical technique or tip but rather a plea, an unoriginal one at that. Others have previously appealed to our self-interest as researchers, asking us to view undergraduates as a valuable resource yet untapped. I want to appeal instead to our self-interest as teachers: Please let undergraduates become meaningfully involved in your research. To do otherwise is to squander an important opportunity to teach students your love of learning as well as to miss a chance to make it clear to them that research as learning is, more often than not, the real source of knowledge and passion in the classroom.

In many respects, CURF was established to help students become great learners like the faculty they so admire. But CURF needs your help. Faculty must be generous and patient enough to share their research with undergraduates. Not so we can get an early start on reproducing ourselves as scholars—this can wait a little longer until graduate school—but rather so all of us can become what together we already more closely resemble anyway: a community of learners.

Dr. Casciato is the Director of the Center for Undergraduate Research and Fellowships.

This essay continues the Talk About Teaching Series, now in its seventh year
as the joint creation of the College of Arts and Sciences and the
Lindback Society for Distinguished Teaching.

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