New SAS Term Chairs: Dr. Rieber, Dr. Sternberg

Dr. Alfred J. Rieber of history and Dr. Saul Sternberg of psychology have been named to new term professorships in the School of Arts and Sciences, Dean Rosemary Stevens has announced.

Dr. Sternberg, cited by his peers for fostering “a revolution in the study of perception, memory, attention, and motor control,” is the first Paul C. Williams Term Professor. His chair, created last year, is named for its donor, a 1967 alumnus of the Wharton School who is vice president and manager of the Chicago-based brokerage firm of John Nuven & Company, Inc.

Dr. Rieber, an internationally acclaimed scholar/teacher on Russian and Soviet affairs, is the first to hold the Alfred L. Cass Term Professorship established in 1988 by three members of the late Mr. Cass’s family: his widow, Gertrude Cass, and his son-in-law and daughter, Mr. and Mrs. Steven D. Oppenheim. Four members of the Oppenheim family have attended Penn: Steven Oppenheim, Wh ’60, a New York City tax law specialist; two Oppenheim children Laura (C ’91) Michael (C ’93); and Mr. Oppenheim’s brother, Richard (Wh ’64).

A member of the Penn faculty since 1965, Dr. Rieber is a 1953 alumnus of Colgate who took his Master’s and Ph.D. at Columbia in 1959. He taught at Colorado State, Northwestern and Chicago before joining Penn.

His first-hand study of Russia and the Soviet Union began when he joined the first student exchange with Moscow in 1958. He has since made five extended research visits (a sixth is in view, to examine Soviet archives from the 1940’s); produced nine books and numerous articles; won the two most distinguished teaching prizes in America—the Lindback Award, and the Danforth Foundation’s E. Harris Harbeson award; and become a household name in America for his public lectures, radio and TV appearances on Soviet affairs. He has served as associate dean of arts and sciences, twice chaired the history department, and won the Henry Allan Poe Prize of the American Philosophical Society.

Dr. Rieber has received Woodrow Wilson, Ford Foundation, Guggenheim, ACLS, and NEH fellowships among others. He is presently at the Woodrow Wilson Center in Washington, D.C., working in conjunction with the Kennan Insti-

— Janice F. Madden, Vice Provost for Graduate Education

Graduate Education: Time Limits for Ph.D. Matriculants After July 1993

The Graduate Council of the Faculties, a Council elected by the faculty in the nine schools that offer the degrees of Ph.D., A.M., and M.S., sets the minimum requirements for those degrees. The degree requirements set by the Graduate Council are published in the Graduate Academic Bulletin: Rules and Regulations, and are also available electronically on PennInfo. The Graduate Council has made an important amendment to the published rules.

The amendment (full text at right) requires that students who enter Ph.D. programs after Spring 1993, and who register for dissertation tuition for more than five years, must retake either their preliminary exam or final exam, or satisfy another procedure devised by the graduate group and approved by the Graduate Council of the Faculties, in order to remain degree candidates.

Because current students are governed by the rules in effect at the time of their matriculation as Ph.D. students, the amendment applies only to students entering graduate programs after July of 1993. Current students are not subject to this new rule, unless they choose not to graduate under the rules in force at the time of their matriculation.

The purpose of the amendment is to assure that students who take a longer time to complete their Ph.D. theses have kept both their skills and research agendas at the frontier of knowledge. While both personal circumstances and unanticipated problems in conducting the proposed research may provide compelling reasons why a dissertation cannot be completed within a five-year time frame, a dissertation must meet the standard of expanding the knowledge base that exists at the time the degree is awarded, regardless of the reason for the timing of its submission. Students must be strongly cautioned that research acceptable for a dissertation at an earlier time period may no longer be acceptable in later years. In turn, dissertation advisors bear the responsibility of assisting students in developing a realistic dissertation research agenda that can be accomplished on a timely basis. While many interesting and important research questions require a longer time to address, those questions form the basis for an academic career (in a paid position), not the first step in that career, which is the preparation of the dissertation.

Students entering in Fall 1993 who take courses for their first three years will be affected by this rule when they enter their ninth year of enrollment in a graduate group. Therefore, eight to nine years will pass before the research skills of any students will be re-evaluated under the terms of this amendment. Currently, about 10% of our Ph.D.s are awarded to students who were enrolled for more than eight years. It is the hope of the Graduate Council that the recent success of our students and faculty in reducing this percentage will continue and that fewer Ph.D. students will run the risk that their research becomes outdated.

— Janice F. Madden, Vice Provost for Graduate Education

Limitations of Time Rule

The following rule applies to all students matriculating into Ph.D. programs after July 1, 1993.


Students who have not completed all requirements for the Ph.D., including the deposit of the dissertation, within five years of their first registration for dissertation tuition, face the ever increasing risk that their dissertation research is no longer at the frontier of current research in their field. Such students cease to be candidates for the Ph.D. unless they satisfy the re-evaluation criteria designed by their graduate group and approved by the Graduate Council of the Faculties or, in the absence of an approved re-evaluation procedure, they retake and pass either the preliminary or the final examination.

— Janice F. Madden, Vice Provost for Graduate Education

Approved by the Graduate Council of the Faculties December 10, 1992

— OF RECORD —
On Minority Permanence at Penn

Last Wednesday, just at the time when President Clinton was announcing the beginning of a new era of change and renewal for our nation, Provost Michael Aiken, Acting Executive Vice President John Gould, several other senior administrators, and I met in the Faculty Club with a group of Penn faculty and staff of color who told us that we had not yet achieved the kind of caring community that we want to be. We were told that students, faculty and staff members of the University of Pennsylvania community still feel frustrated and oppressed by what they experience as a hostile environment, where demeaning incidents continue to occur—in our classrooms by faculty, in transactions with University staff, on our campus by public safety officers, and in our residences by fellow students.

I believe that this situation is a sign neither of failure nor, certainly, of success, but rather of incomplete progress. For progress has been made, in the United States and at the University of Pennsylvania, in increasing diversity and equality of opportunity. 1993 is not 1863, 1963, or even 1983. Much has been achieved in establishing and securing minority permanence at Penn. Many formal mechanisms and resources are in place to sustain and support that presence.

Such national and institutional progress has been won in large part because of the vigilance and sacrifice of Penn students, faculty, and staff members who have tirelessly dedicated themselves to breaking down the barriers of a society undergoing a transition of historic proportions.

This struggle has enabled Penn to attract one of the most extraordinarily talented, pluralistic communities of scholars in the United States. Penn faculty, staff, and administrators are called on daily to suggest how other institutions might begin to take the painful steps towards the curative celebration of all peoples. We are seen, rightly, as a model, for however much additional work must be done, we have persevered, sometimes in the face of willful, harmful acts, at this important task.

I believe that we cannot allow these hard-won victories to be diminished, and that we must salute those who, through their own strong, eloquent voices, have spoken the truth and changed our collective future. Yet, it is also clear that our community is not yet at ease with our continuing transition.

I was deeply saddened because I was told, in no uncertain terms, that regardless of all that the Penn community has achieved, that work has not been enough to make everyone feel “at home” at Penn. I am also concerned because many of the staff and faculty who filled the Faculty Club have fought long and hard, and they are visibly weary of carrying on. But most of all, I felt frustration, because the problem is not an easy or simple one to solve.

As Bill Clinton takes office, it is evident that valuable members of American society continue to endure a stark, brutal existence on the periphery of full membership in this society that purports to include them. However one chooses to frame the goal, there can be no doubt about the real verdict: the Civil Rights movement of the 1960’s never completed its task. To have torn down many of the visible barriers to equal participation in our society is not the same as having created a path along which everyone has secure footing.

We have agreed to do more to smooth that path, to prove—both to those who have joyfully dedicated their lives to change, and to those who believe that people who do not look like them cannot contribute to our common progress and prosperity—that a university can successfully push itself to examine closely its successes and failures, to reconsider the perceived limits of institutional commitment and resources, and above all, to be courageous and creative in finding resources, particularly in stringent fiscal times, to meet urgent and unlimited needs. This is the time for such immediate reexamination.

In addition, this is the time to tell all members of our community again, but this time in a way that must be heard, that we will not tolerate acts that demean students, faculty, and staff—not in the classroom, not in support offices, not on the campus, and not in our residences. We will find means to ensure that such acts have important consequences.

Pursuant to this commitment, I have asked Provost Michael Aiken and Acting Executive Vice President John Gould to jointly lead our continuing effort to end racial harassment, inhumane treatment, and hostile behavior as an everyday fact of life for people of color on this campus. I have also asked them to incorporate this objective into the larger framework of ensuring that all groups and individuals in the Penn community are accorded the respect, politeness, and care that they deserve regardless of race, ethnicity, national origin, gender, sexual orientation, religion, disability, or veteran status. A joint statement will appear in next week’s Almanac which expresses that commitment and outlines specific steps that they will be undertaking.

On an increasingly plural university campus—one which enjoys an ever richer diversity of students, faculty, staff, and community outreach efforts, and celebrates them all—those who believe they can, with impunity, damage important members of our community have no place.

Term Chairs from page 1

joining Penn in 1960. After a year as instructor, and three years as assistant professor here, he spent the next 15 based at Bell Labs where he was supervisor of the Perception and Memory Group and head of the Human Information-Processing Research Department.

Continuing his ties with academia throughout his Bell Labs career (at University College London, as Regents Professor at Berkeley and on the graduate faculty of Rutgers), he was a Guggenheim Fellow in 1972 and the Sir Frederic Bartlett Lecturer of the Experimental Psychology Society in London in 1973. He was elected to the American Association for the Advancement of Science in 1975 and the National Academy of Sciences in 1982.

In 1983 Dr. Sternberg returned to Penn as full professor. Two years later he received the Distinguished Scientific Contribution Award of the American Psychological Association. “For his uniquely powerful, creative, and elegant research on human information processing. He has contributed immensely influential experimental procedures, analytical techniques, and theoretical models. These include the Sternberg memory-scanning paradigm, the additive-factor method for analyzing reaction-time data, and the serial exhaustive search model. Their impact has fostered a revolution in the study of perception, memory, attention, and motor control, while setting new standards of scientific rigor...” the citation reads.

Dr. Sternberg has also been elected a William James Fellow of the American Psychological Society, and won the Howard Crosby Warren Medal of the Society of Experimental Psychologists “For his fundamental investigations of how people store and retrieve information in short-term memory, and of how they prepare and execute skilled motor sequences; and for the meticulous care of his theorizing and theory testing.” In teaching, he is noted particularly for his development of a computer-based laboratory course in human information processing, in which students repeat several classic experiments. As of 1990, articles by Dr. Sternberg in three major psychological journals were the first or second most highly cited articles ever published in those journals.

February HIV/AIDS Education

As part of ongoing HIV/AIDS and Safer Sex Awareness and education, we are promoting a series of exciting activities in February. Please check the D.P. and notice-boards around campus throughout the month of February for updates on scheduled programs. Information on upcoming events is also available through the Student Health Office of Health Education at Ext. 3-3525.

We are willing to help plan, organize or offer program support to any group that wants to do a program or sponsor a speaker. Suggestions for campus-wide events are also welcome. To have your event posted with other listings, please call the above number.

— Kate Webster, Chair, Education Subcommittee of the HIV Task Force at Penn
Salary Scales for 1993

The table at right reflects the Staff (A1 and A3) salary scales effective February 1, 1993. Market research completed by Human Resources/Compensation and the Office of Resource Planning and Budget indicates that a 3.75% increase to these salary scales is warranted. This practice of adjusting staff salary scales on a calendar year basis rather than at the start of the fiscal year was instituted in 1992 in order to: 1) keep this change separate and distinct from the merit increase program; and 2) keep our hiring rates competitive with those of other employers in the Delaware Valley area, most of which adjust their salary scales at the beginning of the calendar year.

Copies of the new salary scales will be mailed to Deans, Department Heads and Business Administrators this week. It will only be necessary to adjust the salaries of those few employees whose salaries are below the new minimums. There will be no adjustment to the salary scales on July 1, 1993. Future adjustments, if needed, will also be made mid-fiscal year. Please direct questions to Human Resources/Compensation (Ext. 8-3503).

— Adrienne Riley, Assistant Vice President, Human Resources
— J. Bradley Williams, Manager, Compensation

Notes:

Quintile: A salary range can be segmented in a number of ways. At Penn, salary ranges are divided into five segments to facilitate analysis of salary range utilization and to assist in salary setting. Managers are urged to contact the Compensation Office at Ext. 8-3503 to discuss specific salary management concerns.

Note: pay grades P11 and P12 have no range maximums and thus no quintiles, since these are senior positions.

Hiring Maximum: Individuals are generally hired at rates which fall between the salary Range Minimum and the Hiring Maximum. Compensation Office of record advance consultation with the Compensation Office.

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University of Pennsylvania Human Resources/Compensation

Monthly-Paid Salary Scales by Quintile, Effective February 1, 1993

Next Scheduled Salary Structure Review: January 1994

<table>
<thead>
<tr>
<th>Quintile:</th>
<th>1st</th>
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<th>3rd</th>
<th>4th</th>
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<tr>
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<td>Maximum</td>
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<td>P04 Annual</td>
<td>1,991.67</td>
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<td>P05 Annual</td>
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<td>P06 Annual</td>
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<td>P08 Annual</td>
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<td>P09 Annual</td>
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<td>P10 Annual</td>
<td>2,658.33</td>
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<td>P11 Annual</td>
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<td>38,603</td>
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<td>P12 Annual</td>
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<td>3,231.06</td>
<td>3,517.42</td>
<td>3,701.13</td>
<td>3,857.13</td>
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University of Pennsylvania Human Resources/Compensation

35-Hour* Weekly-Paid Salary Scale by Quintile, Effective February 1, 1993

Next Scheduled Salary Structure Review: January 1994

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<tr>
<th>Quintile:</th>
<th>1st</th>
<th>2nd</th>
<th>3rd</th>
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<tbody>
<tr>
<td>Grade</td>
<td>Range</td>
<td>Minimum</td>
<td>Hiring</td>
<td>Maximum</td>
<td>Maximum</td>
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<td>G04 Annual</td>
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<td>G05 Annual</td>
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<td>G06 Annual</td>
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<td>G08 Annual</td>
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<td>G10 Annual</td>
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<td>365.00</td>
<td>430.38</td>
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<td>G12 Annual</td>
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<td>G13 Annual</td>
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<td>G14 Annual</td>
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<td>G15 Annual</td>
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<td>575.77</td>
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<td>G17 Annual</td>
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<td>15,143</td>
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* Identical hourly rates by grade are applied to the 35-hour week and 40-hour week. Tables on these variations are available on request at Ext. 8-3503 or may be called up on PennInfo under the keyword "Salary."
On Just Cause and CAFRs

In Almanac 11/17/92, the Senate Chair, Dr. David K. Hildebrand, presented a report, “Chronology of a Plagiarism Case,” at the end of which he stated some opinions. I agree with some of them, am concerned about some others.

The first of my concerns is related to the use of the phrase “unsatisfactory case.” If he thinks some things about the case were unsatisfactory, they should be stated.

My second concern is implying, even in passing, that the judging of a faculty member might be by “an administrator.” The purpose of CAFR is to make investigations, reports and recommendations on any matter relating to academic freedom and responsibility within the school that may affect one or more faculty members. Administrators at any level, including the one to be involved in the process other than when submitting a case for consideration or when asked for information (factual, not procedural).

My third concern is the suggestion that the faculty of a particular school may have such difficulties if they awaken a professional acquaintance that it needs to be done by someone else. I do not think this is true. The committee is made up of duly elected members from the standing faculty and reflects a broad repre sentation of the faculty most of whom probably would not “know” a faculty member who comes before them, however they should know conditions in the school which would help understand the facts around a case.

I agree with the statement that members of CAFR “need the clearest, least ambiguous definitions of procedure possible. If the task force currently examining the just cause procedure were to do nothing more than rewrite the current procedure lucidly, they would still perform a valuable service.” I agree that “when one considers the career-threatening gravity of the charges...there is a need for scrupulous fairness.” I agree that “we need good ideas.”

I think that the experience of previous CAFRs could point the way to improving their function.

I am glad that there is the Task Force on Revision of Just Cause and other Personnel Procedures looking to achieve that.

Some suggestions for issues and changes are:

- Clarification of issues of confidentiality.
- Clear and unambiguous regulations that can be understood by faculty members.
- Clear sources of information and recommendations for when CAFRs should get legal counsel.
- Clear information on the source of fund-ing for legal counsel for CAFRs.
- The term of service in a CAFR should be one year and there should be overlap of terms of members. This is not presently the case for VCAFR; all the members have one year terms with no overlap.

— Alan M. Klle, Associate Professor of Veterinary Anesthesia and Chief Chair VCAFR

On Improper Procedures and Just Cause

A plagiarism case involving my former close colleague, Dr. R. H. Whitlock, has been discussed in Almanac (July 14, September 22 and November 17, 1995). The Senate chair commented (November 17): “Let’s not be too hasty. One unsatisfactory case, by itself, does not justify junking a procedure.” This comment prompts me to summarize my experiences with these procedures in the School of Veterinary Medicine (SVM) over the past nine months.

As a member of the Committee on Academic Freedom and Responsibility (VCAFR), twice elected chair, once resigned, once recused by myself, and once disqualified by a dean. My letter supports the needs for revision of Procedures and correct handling of cases.

VCAFR-1. In 1965, Provost David Goddard hired an external lawyer to counsel myself and VCAFR in the handling of a complaint and counter complaint arising from the summary dismissal of a member of the academic staff. According to Goddard, University Counsel was responsible to the Administration, VCAFR to the faculty, hence he provided an external lawyer for VCAFR. Just prior to a formal hearing for just cause (Procedures 10.4.j), University Counsel told me that a settlement had concluded VCAFR’s role.

The lawyers now pointed out that my VCAFR had failed to sequester a group of members that could hold a hearing for just cause without bias. They explained that a CAFR performs two functions, investigation in each case and adjudication in selected cases (formal hearings for just cause). These functions have different objectives, have different methods, and should not overlap. Thus every CAFR should divide itself into two groups, one for each function, before accepting a complaint.

VCAFR-2. In 1984, Dean R. R. Marshak complained to VCAFR that a 1982 paper in Science, written by veterinary faculty about the bovine leukemia virus (BLV), presented selected and misleading data. He recommended to the chair, Dr. C. F. Ramberg, that his complaint should be handled by a Subcommittee of Inquiry that would review some of the evidence, use laboratory books, then report to himself, the dean.

I cautioned Ramberg that this procedure was an invention of Marshak, and that it would exceed the investigative role of such a subcommittee, which is only to determine that the grounds of complaint, if true, warrant a hearing for just cause (Procedures 10.4.e.). Instead, Marshak was suggesting that the procedures of this investigative sub-committee should include a partial review of evidence that supported his attribution of the blame to only one of the authors. Moreover, I reminded Ramberg that Marshak was the former head of the BLV project, hence liable to conflict of interest. (My appointment as acting-chair of my department, Clinical Studies at New Bolton Center, prompted my resignation from VCAFR, December 1985, and I lost close contact with the proceedings.)

Neither VCAFR-2 nor Marshak reported drawings’ request and extended Cristofalo’s role as acting chair. He used the Marshak procedure, following advice from the Administration. A Subcommittee of Inquiry held a story telling contest to evaluate evidence, thereby sub-surning a function but not the methods of a formal hearing. The subcommittee reported that it “did not feel that convincing evidence of deceit had been provided” (July 27, 1988). The report was given to the dean but not the faculty. The procedures used in VCAFR-3A were repeated in VCAFR-3B and later found invalid in several ways by SCAFAR (Almanac April 17, 1990).

Glickman and I left Penn on September 30, 1988. On October 25, Dean E. J. Andrews wrote to us that VCAFR had “exonerated” Johnstone, an adjudication of sorts. He requested that we should write Johnstone “an acceptable letter retracting your allegations,...and apologizing for the distress and harm...caused.” We declined this request and sent our complaint to SCAFAR, as described below.

VCAFR-3B. Dean Andrews wrote a letter (January 11, 1988) to me as VCAFR chair. He would bring a complaint against Whitlock before VCAFR and requested my “dissqualifi cation, for prejudice, from hearing this complaint.” My recommendation was to delay a decision on dissqualification until later in the proceedings, but VCAFR complied with Andrews’ request and extended Cristofalo’s role as acting chair. Cristofalo again implemented the Marshak procedure, which I’d warned against and which was later regarded as invalid by SCAFAR (Almanac April 17, 1990).

Plagiarism. Both complaints handled by the 1987-88 VCAFR, 3A and 3B, proposed that taking for oneself alone the writings and concepts of others that had been offered to be shared constitutes plagiarism. They differed in degree of seriousness, such as destructive continued past inserts
effects on the SVM’s academic program. Let me suggest a need for scoring plagiarism with a view to determining penalties: 1-3, verbal reprimand; 4-6, written warning; 7-9, suspension; and 10-9, termination. Here are four examples that portray the atmosphere of plagiarism in the SVM.

Score 1. An associate professor took over my lectures on gastrointestinal physiology. He used my mimeographed notes, only replacing my references. He asserted that there is no such thing as plagiarism in teaching.

Score 4. An assistant professor was due for promotion to tenure in the mid-70s. The candidate plagiarized a review on a human disease when writing a chapter on the canine counterpart for a textbook of current veterinary therapy. Comparison showed that over 20 passages (ranging from phrases to sequences of sentences) were copied from the review to the chapter, which failed to cite the review. The candidate admitted extensive use of the chapter but sought forgiveness on the following grounds: (i) instructions to authors limited the number of references and urged emphasis on available papers with clinical relevance (his few were to the disease in dogs), and (ii) the chapter was an exercise in continuing education, that is, teaching. The candidate was reprimanded verbally and promoted.

Score 6 or 7. In April of 1988, Dr. Allen J. Roussel told me in person that he had sent the draft of a review on chronic diarrhea in cattle to Whitlock, offering co-authorship. Whitlock then published the substance of this review in two places without Roussel as an author. Roussel was deeply disappointed in Whitlock but as a Christian had forgiven him. He regarded Whitlock as his teacher and could not tell how much of the innovative thinking was his own or Whitlock’s.

In my reading of the paper(s), the only creative part was the combination of individual clinical presentations with epidemiological patterns in a herd in the differential diagnosis of chronic diarrhea. I had heard this approach presented by Whitlock in clinical rounds many times and for many years. By leaving off Roussel’s name, Whitlock had taken his writing but not necessarily his concepts, which followed Whitlock’s own. I would need to hear a discussion of this point between Whitlock and Roussel before deciding on the degree of this plagiarism.

Score 10. Johnstone was offered co-authorship of a document originally developed by myself, 1973-83, and expanded by Glickman, 1982-83. Johnstone was enlisted to seek funding. He left my name off the proposal and asked for the first renewal of a joint Training and Applied Research Grant in Epidemiology and Animal Health Economics (TARG), which was initially funded at $300,000 a year for six years by the state Department of Agriculture. In the TARG’s second year, Johnstone informed Glickman and myself that he had deleted our names, mine from the proposal and Glickman’s from the renewal, and assumed sole charge of the TARG.

The Provost. In response to our written and verbal complaints against Johnstone, Marshak urged us to please his fundraiser, who could hurt the SVM in Harrisburg as much as he had helped in the past. Later Marshak took actions against me personally that drove me to seek help. Accompanied by Dr. R. E. Davies, I described these aggravations to Provost T. Ehrlich and Deputy Provost R. C. Cielland, October 1986. Dr. Ehrlich wrote that “I am not aware of any discussion that I submitted a grievance against the Marshak to the Faculty Grievance Commission (FGC) and a complaint against Johnstone to SCAFAR, and tried in vain to keep the two actions separate.

SCAFAR-1. During preliminary discussions, the chair of the 1986-87 SCAFAR, Dr. R. Austin, announced to me that he suggested that the actions alleged by me to have been committed by Johnstone constituted theft of my writings and concepts, plagiarism, the first use of this word in this case. My written complaint, January 14, 1987, requested a formal hearing for just cause.

SCAFAR-1 chided Marshak on “his use of salary to chill dissent and stifle candor of a faculty member” (April 30, 1987). SCAFAR-1 surrendered my complaint against Johnstone to the FGC, with assurance that if my claim was not met to SCAFAR’s satisfaction, SCAFAR itself “might be prepared to go forward” (March 24, 1987).

Grievance. My grievance against Marshak was submitted to Dr. L. Gross, FGC chair, January 28, 1987. Gross favored merging my grievance against Marshak with my complaint against Johnstone. Upon finding the compounded problem unsuitable for customary FGC procedures, Gross recommended to Ehrlich that it should be submitted instead to a “mediator” for resolution. My lawyer advised me to decline mediation and continue to seek a formal hearing for just cause (Procedures 10.4.j), the adjudicative process that provides ways and means for determining truth. Upon my rejection of mediation, Clelland declared my grievance to have been withdrawn.

SCAFAR-2. The new chair, Dr. I. Zandi, suggested in preliminary discussions with Glickman and myself, August 1987, that SCAFAR would promptly tackle the complaint against Johnstone. Instead, the 1987-88 SCAFAR decided to refer the complaint to VCAFAR, one reason being that “it would allow for a test of the validity of your fear of outside influence” (November 13, 1987). VCAFAR-3A used the Marshak procedure, as described above.

SCAFAR-3. Following VCAFAR-3A’s improper action, Glickman and I returned our complaint to the 1988-89 SCAFAR. We had left Penn and abjured any personal redress but remained concerned about Penn’s integrity and honor. With Dr. J. R. Ross as chair, SCAFAR-3 issued an opinion that procedures used by VCAFAR-3 in the Whitlock and Johnstone cases were seriously flawed. If Dean Andrews declined to take further action in these matters, SCAFAR-3 recommended that (i) the SVM academic dishonesty, including taking credit for the work/writing of others with or without their consent” (my italics), and (iii) a full copy of SCAFAR-4’s report should be sent by the Senate to VCAFAR and “an edited version without names” to the SVM faculty.

To my knowledge, none of SCAFAR-4’s recommendations were implemented. The 1990-91 VCAFAR, according to its chair, Dr. J. Melbin, received a redacted report without names, and the SVM faculty received nothing. The Johnstone case petered out when an essential feature of Procedures was not followed—no report was submitted to the faculty.

Conclusion. The above events and experiences were described to focus attention on points that should be addressed in the writing and implementation of Procedures. The first is an obvious need to ensure the competence of CAFRs. I had expected the incompetence of VCAFAR but was dismayed to find SCAFAR so unable or unwilling to assume a compensatory role.

The different functions of investigation and adjudication need to be clearly delineated in the Procedures. Investigative groups should be aware of their limited purpose, which is, at least in my reading, to determine whether the grounds for a complaint, if true, would warrant a hearing for just cause (Procedures 10.4.e.). They should not trespass into deciding the truth, for they have not the means. For example, they should not receive or evaluate evidence, because the proper ways and means for these activities are relegated to a formal hearing. The “burden of proving by a preponderance of evidence” (Procedures 10.4.d.) is reserved for a formal hearing. Its use as a guideline by the Subcommittee of Inquiry in VCAFAR-3(A) was inconsistent with that group’s investigative methods and indicative of its misguided purpose.

The respective roles and occasionally rival interests of the Administration and the faculty need to be clearly differentiated. In my experience, VCAFAR has been consistently and improperly influenced by the SVM’s deans. In contrast, the provosts, Goddard and Ehrlich, were impartial, constructive and knew their place.

Concepts of misconduct should be defined and consistent. The taking for oneself alone of the writings and concepts of others that were...
From Dr. Marshak

Unreconciled to the fact that on a number of occasions his peers have found his charge of plagiarism against Dr. Colin Johnstone to be groundless, Dr. Kronfeld, under the guise of discussing “Improper Procedures for Just Cause”. has once again dreged up his discredited and unfounded accusations. During his tenure at Penn, Dr. Kronfeld’s pattern of destructive behavior permanently alienated virtually all of his closest colleagues.

— Robert Marshak
Professor of Medicine

From Dr. Johnstone

It is disappointing that Almanac has chosen to allow Dr. David Kronfeld to wash, in public, years of “dirty linen” under the guise of criticizing “just cause procedures.”

David Kronfeld is well known for his propensity to harass colleagues and former friends who opposed his candidacy for chairman of the department of clinical studies at New Bolton Center. He first turned his attention to me in December, 1985. In a meeting with our colleague, Professor William Chalupa, he expressed his displeasure on my refusal to support him for the vacant chairmanship and stated, in a specific reference to me, “I know how to deal with him and I will.” In January 1986, Kronfeld began a campaign which has not yet ended. It has included a long list of complaints, rumors, and allegations, including plagiarism.

Dr. Kronfeld’s article gives the appearance, at first glance, of authorship by a concerned critic of procedures used to investigate allega-
tions of misconduct in the School of Veterinary Medicine. Since Kronfeld was involved in some of the complaints he cites as examples, his opinions should be seen as self-serving as well as being tainted by conflicts of interest. In addition, his article includes statements that are plain wrong or quoted out of context.

Four examples illustrate some of these points:

1. Kronfeld claims that “...no report was submitted to the faculty.” In fact, Drs. Ross and Shoemaker submitted reports to the Faculty Senate, at least one of which was published.

2. In his paragraph beginning “Score 10,” Kronfeld reiterates his charge of plagiarism, although it had been proved and merited a score of 10 (termination). However, not only does he omit that he failed to provide convincing evidence to support his charge (VCAFAR-3A), but he also omits the following nine paragraphs before informing your readers of SCAFAR-4’s conclusion that “there was no plagiarism.”

3. I am flattered that Dr. Kronfeld would give me sole credit for the splendid state appro-
priation results during Bob Marshak’s tenure as Dean of the School of Veterinary Medicine (see VCAFAR-3A). However, I must assure your readers that I hold no such illusion and neither should they. The architect and leader of our successful efforts in Harrisburg was Dean Marshak. He was helped by a wonderfully dedicated array of individuals and groups including Jim Shada (retired Associate Vice President for Commonwealth Relations), faculty, alumni, the Pennsylvania Farmers’ Association, the State Grange, legislators, and many other “friends of the School.”

4. Kronfeld states, “I had expected the incompetence of VCAFAR but was dismayed to find SCAFAR so unable or unwilling to assume a compensatory role.” Since Kronfeld failed to get what he wanted he blames it on VCAFAR’s “incompetence” and SCAFAR-4’s unwillingness to play the role he demanded of it. This is a classic example of “killing the messenger because you don’t like the message.”

I would be the last to defend procedures used in this University to investigate allega-
tions of misconduct. My own career was put on hold for five years while I defended myself in a process that was abominably slow, tortuous and unresponsive. That alone is a serious indictment of the process used in adjudicating the issues.

However, Kronfeld’s complaint about procedures does not alter the central fact that he has had countless opportunities, during the last seven years, to air his grievances and prove his allegations before seven different University groups (VCAFAR, four different SCAFARs, a Faculty Grievance Commission and the Veterinary School’s Committee of Chairmen, in 1986). That he failed to prove his allegation of plagiarism, despite repeated attempts, should be enough to convince anyone that he had no case.

— Colin Johnstone, Associate Professor of Parasitology in Epidemiology and Health Economics/Vet

From Dr. Ferrer

In his letter to Almanac, Kronfeld states that an article published in Science by Veterinary faculty contained inaccurate and misleading data. Kronfeld adds that one of the authors of the paper remained at Penn and injected an AIDS-like virus, HTLV-1 into lambs. Since, as Kronfeld is well aware, several articles in Science and elsewhere have published in Almanac and elsewhere have mentioned that I inoculated these lambs, he obviously does not need to mention my name to identify me as one of the authors of the Science paper.

By omitting facts of which he was fully informed, Kronfeld implies that I was guilty of misrepresenting the data reported in this paper. This implication is false and libelous. As Kronfeld knows, and as had been verified by a thorough investigation, immediately after I discovered that some of the data included by the first author of the paper were inconsistent, I informed the National Institutes of Health (NIH), Dean Marshak, Kronfeld (then acting Chair of my Department), and, soon afterwards, Deputy Provost Richard Clelland, and Vice Provost for Research Barry Cooperman. Contrary to Kronfeld’s statement, it was I, not Marshak, who brought the matter to the Veterinary Committee on Academic Freedom and Responsibility. I expressed to Marshak, Clelland and Cooperman my desire to publish a rectification or retraction as soon as the matter was investigated. The investigation, conducted in accordance with University procedures and with the agreement of NIH, concluded that the inconsistencies in the data reported were attributable to certain flaws in the assay used by the first author and commended me for taking the necessary steps to rectify the problem as soon as I discovered it.

Kronfeld’s reference to the inoculation of HTLV-1 into lambs also contains seri-
ously distorted implications. His assertions that HTLV-1 is an “AIDS-like virus”, that the injected lambs were “petted by children,” and that “humans infected with this virus (HTLV-1) take up to 10 years to develop symptoms” are clearly irrelevant to what he claims is the purpose of his letter, namely to point out the need to improve University procedures. Thus, the above assertions can only be interpreted as another of Kronfeld’s characteristic attempts to harass his colleagues.

Aside from this, Kronfeld’s assertions distort the facts that HTLV-1 is unrelated to the AIDS virus and has a different pathology, and that, as agreed by all experts in the field, HTLV-1 is not transmitted by contact, i.e., by petting or touching an infected person or animal.

The use of misinformation, distortions, and innuendos undermines the credibility of Kronfeld’s purported attempt to contribute to the improvement of Penn’s Just Cause Procedures.

— Jorge Ferrer, Professor of Microbiology/Vet

From Dr. Ramberg

Contrary to Dr. Kronfeld’s statement, I was not chair of VCAFAR in 1984. The incident he cited concerning the Science paper (VCAFAR-2) was presented to VCAFAR in 1986 by one of the authors of the paper and not by the Dean. The individual whose conduct was brought into question had already left the university. The issue did not involve procedures for just cause because there was no faculty member to consider for suspension or termination. The Dean asked us how he should proceed in handling what was essentially an inter-institutional matter beyond the purview of VCAFAR. The problem was resolved through other channels without requiring further action by VCAFAR.

Publicizing the confidential workings of CAFARs has the potential for doing harm to innocent parties and may dissuade faculty with legitimate complaints from coming forward to have them resolved. Responsibility for maintaining the confidentiality of privileged information goes beyond the term of membership on CAFARs.

— Charles F. Ramberg, Professor of Nutrition/Vet

From Dr. Ross

Dr. Kronfeld’s article is based on a funda-
mental mistake. His case was not a matter to be dealt with under the “just cause” pro-
cedures. Those procedures do not allow for a complaint to be brought by anyone other than the Dean, the President or Provost, or a duly elected Group for Complaint. There is no provision in any of the micro-faculty-versus-faculty complaints. SCAFAR could not assume that VCAFAR mistakenly treated the matter as falling under the “Just Cause” procedures
and then failed to follow the procedures by conducting a factual inquiry at a point where it was explicitly forbidden by the procedures; VCAFAR then compounded its error by reporting to the Dean instead of to the faculty. There were lots of things that went wrong in the processing of Dr. Kronfeld’s complaint, but none of them have any bearing on what revisions of the “just cause” procedures would be appropriate. I do agree with Dr. Kronfeld that it is a pity, indeed I say a sign of great trouble to come, that none of SCAFAR’s recommendations in the matter were followed. That failure is just one of a number of failures to respond effectively and responsibly to the opinions of the faculty committee elected under the Statutes of the Trustees to inquire into and make recom-mendations (even to the Trustees) on any matter affecting academic freedom and responsibility anywhere in the University. I will offer a survey of the outcomes of SCAFAR’s efforts during the last five or six years in a separate article for Almanac very soon.

— James F. Ross, Professor of Philosophy; former member and twice chair of SCAFAR

From Dr. Clelland

Acting on the advice of the Chair of the Faculty Grievance Committee and the Chair of the Senate Committee on Academic Freedom and Responsibility (SCAFR), Provost Ehrlich did offer Dr. Kronfeld an opportunity to have his allegations investigated by a neutral party. Both chairs felt that his numerous and varied charges did not fall easily within the scope of either committee. We had arranged for a distinguished local lawyer to conduct this investigation. However, Dr. Kronfeld chose not to accept this offer; instead, he applied again to SCAFAR and wound up in the Committee on Academic Freedom and Responsibility of the School of Veterinary Medicine with a more focused agenda.

I certainly did not declare Dr. Kronfeld’s grievance to be without merit. I think the Grievance Commission had never accepted his grievance. For another, I had no authority to take any such action. What was withdrawn was the offer of an investigation by a neutral party after Dr. Kronfeld had refused that offer.

I am tempted to yield up a lengthy commentary on Dr. Kronfeld’s letter, but I shall not do so. Let me only say that much of the material that he discusses has nothing to do with the “Just Cause Process” but rather deals with other parts of our procedures for handling complaints against faculty. The faculty warfare that raged for several years after the section on Nutrition of the Department of Clinical Studies at New Bolton Center was a most unhappy episode and one that did not show this institution in a favorable light.

— Richard C. Clelland, Deputy Provost Emeritus

From Dr. Roussel

I would like to comment on Dr. David Kronfeld’s account and interpretation of a conversation we had many years ago. He states that I regarded Dr. Robert Whitlock as my “teacher” and later states that he had heard the concepts that appeared in the contested paper “presented by Whitlock in clinical rounds many times and for many years.” I regarded Dr. Whitlock as a revered colleague and role model, but he was never my “teacher” in the classical sense since we were never at the same institution at any stages of my training or professional career. Later, Kronfeld states that “...could not tell how much of the innovative thinking was his own or Whitlock’s.” This is not accurate. The first part of the paper in question was simply a review. Although it is written in my own words and completely referenced, I am certain that Dr. Whitlock could have written a similar review (possibly a superior review) from memory. The second part was of my own creation. Dr. Whitlock presented a similar approach in clinical rounds. I was not privy to that presentation. No one ever argued that Dr. Whitlock was not capable of penning the paper that I wrote and he published. Surely he was. The simple fact is that he published my work in his name.

I would like to make another comment. When will the seemingly endless postmortem of this case that is being carried out in Penn publications and newspapers cease? Do not understand the intricacies of the University’s mechanism for investigating cases of academic dishonesty, but it is clear that there was ample time to ensure that proper procedure was carried out. Dr. Whitlock endured a long and painful investigation, was found to be at fault and was punished. If the process by which cases like this are handled is flawed, fix it — but please let this case die! I am sure Dr. Whitlock and all of the parties involved get on with their lives. Far too much intellectual energy has been wasted dissecting the past.

— Allen J. Roussel, Jr., Associate Professor of Large Animal Medicine, Texas A&M University

DEATHS

Michael A. Lambert, inventory coordinator at Wharton Reprographics, died January 20 at his home from complications arising from recent surgery to remove a brain tumor. He was 44. Mr. Lambert came to Penn in 1981 and held several positions of increasing responsibility at Wharton Reprographics. In his most recent post he was responsible for purchasing paper and supplies.

He is survived by his wife, Patricia, and two sons, David and Robert.

Feng Ling, a Ph.D. candidate in differential geometry in the Department of Mathematics, died January 7 at the age of 28. A graduate of Fudan University in Shanghai, China, Mr. Ling took a master’s degree there in 1990 and joined Penn the same year. Completing his Penn master’s degree in May 1991, he became a teaching assistant that fall.

He is survived by his wife, Helen, and his parents, Jizhong Ling and Ma Xinge, from the Republic of China.

A memorial service for Feng Ling will be held on Wednesday, February 3, at 4 p.m. in Room 4C8 on the fourth floor of David Rittenhouse Labs.

CrimeStats: The report starting at right covers campus incidents over two weeks. For lack of space, details of the 34th District Report (9 incidents — 7 robberies with 2 arrests, and 2 aggravated assaults with one arrest) have been held for a week. — Ed.