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SENATE From the Chair

Report of the Chair of the Faculty Senate

May 16, 2007

For over a half century, the Faculty Senate has served as the voice of Penn's standing faculty and clinician-educators in University governance. Its work is carried out principally through an elected Senate Executive Committee (SEC) and several standing Senate committees, which consult regularly with central administrators, deans, and faculty colleagues on a wide range of issues facing the University. Again this year, with the support and hard work of its many members, the Senate has played an active part in shaping faculty life at Penn.

The Road Traveled

The published reports of each Senate committee, and the monthly reports of Senate actions taken by the Executive Committee published in *Almanac* following each SEC meeting, provide a detailed accounting of our activities this year. Some of the principal Senate actions included the following:

- *Developing and approving important new faculty policies.* A very active Senate Committee on the Faculty and Administration reviewed and approved revisions to Penn's *Handbook for Faculty and Academic Administrators* that permit greater flexibility in reductions in duty and extensions to the tenure-probationary period (*Almanac* May 8, 2007). It also worked diligently and in close consultation with the Provost and the Senate Committee on Academic Freedom and Responsibility to craft careful new procedures governing temporary exclusion of a faculty member (to be published soon in *Almanac*).

- *Monitoring the progress of newly-developed faculty mentoring programs.* The Senate Committee on Faculty Development, Diversity and Equity, which played an instrumental role in working with the Provost's Office to establish mandatory mentoring programs for junior faculty members in all schools, examined the present state of implementation. As outlined in the Committee's report, it found early uptake promising but uneven across the University. An important task in the future will be to continue monitoring implementation, and to determine program effectiveness for the purposes of evaluation (see report in this issue of *Almanac*).

- *Examining graduate interdisciplinary programs and opportunities.* The Senate Committee on Students and Educational Policy studied interdisciplinary research and education across the University, a major theme of President Gutmann's *Penn Compact*. The Committee recommends implementation of a comprehensive and University-wide survey, drawing confidentially on both students and their advisors, about key aspects of graduate and professional education (see report in this issue of *Almanac*).

- *Approving new categories of faculty in the schools.* The Senate Committee on the Faculty and the Academic Mission carefully considered and recommended to SEC approval of a new senior lecturer position in the School of Design (*Almanac* March 27, 2007).

- *Advising the Provost.* The Senate Committee on the Faculty and the Academic Mission also responded to a request by the Provost to offer its views on the case for disclosure of a prior criminal record for all prospective faculty members. The Committee wrestled at length with a variety of difficult issues, meeting seven times to consider the matter, including meetings with both the Provost and General Counsel, and while it did not produce any firm proposals at this time, it did issue a careful set of consider-

ations that should guide policy development in this area (see report in this issue of *Almanac*).

- *Sponsoring our first Founder's Day Symposium.* January 19 marked the debut of an annual symposium event to commemorate Franklin's birthday, bringing together faculty colleagues from eight of Penn's schools to explore the prospects, realities, challenges, rewards, and obligations of the University to reach beyond its borders in these increasingly complex times. (A video webcast can be viewed on the Senate's website, www.upenn.edu/faculty_senate.)

The Road Ahead

These have been important accomplishments, just a few of many that can be found in the separate committee reports. Yet they leave much still to be done. Here I will highlight two key lines of development needed to consolidate our gains and accelerate our progress.

The first is improved *collection and organization of faculty-related data* throughout the University for the purposes of monitoring and self-study. Senate committees this year attacked several issues critical to faculty recruitment, development, and retention; but in several key cases we were unable to make the sort of progress we had hoped. The Committee on the Faculty and the Academic Mission, for example, began in earnest a comprehensive study of the present contours of the non-standing faculty, the range of appointments now in place across the University, and the various teaching, research, and administrative functions carried out by these appointments. The Senate Committee on the Economic Status of the Faculty set about the task of obtaining and organizing data on faculty salaries, aiming to produce its first regular report since 2003-04. In both cases, however, difficulties obtaining the necessary data—owing in part to the departure of the Director of Institutional Research and Analysis in the fall and in part by competing demands for federal reporting placed on the remaining research staff—stymied our important work.

In truth, even without the staffing changes and countervailing demands experienced this year, we still would have faced great challenges extracting the necessary information from Penn's complicated, often antiquated and decentralized systems for maintaining faculty data in the various schools. As so many earlier issues of *Almanac* will attest, this state of affairs, further hampered by the absence of agreed-upon standard operating definitions necessary for comparison and monitoring purposes, has plagued efforts by the Senate and administration alike for a number of years. Fortunately, Provost Ron Daniels and Deputy Provost Janice Bellace have begun to develop and implement a faculty information system that will be, we sincerely hope, capable of maintaining accurate and usable salary data, along with appointment data necessary for monitoring faculty recruitment, compensation, promotion, and professional development across all schools. The Senate fully endorses this important central initiative, and should closely monitor its progress next year. We should furthermore call upon all academic and administrative officers of the University to cooperate fully in these efforts, since in any event this new faculty information system will only be as reliable as the data entered by the various schools.

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A second critical focus in the years ahead will be the *challenge of converting policy* into practice. Thanks to the hard work of so many faculty colleagues, and with the support of the Provost and President, we have succeeded over the past several years in improving a wide array of faculty policies. They run the gamut from “family friendly” additions permitting more flexible working arrangements to allow for child and elder care, improvements in our policies on sexual and workplace harassment and the handling of complaints, fairer and clearer procedures governing extensions in the tenure-probationary period and how tenure reviews are handled in such cases, creation of faculty mentoring systems, and establishment of new resources for retired faculty, including the creation of the Penn Association for Senior and Emeritus Faculty, with (beginning next year) representation on SEC.

These are just a sample of the policy initiatives, undertaken in the past couple of years, that seek to create for faculty at Penn an ever more intellectually vibrant, diverse, humane community where our scholarship, teaching, and service can flourish across the professional life-span. They are significant and welcome changes, of which we can be justifiably proud. And yet, as members of the Senate Executive Committee have noted so often in our deliberations over the course of the past several months, they are on policies on paper. In truth the hard job—and the obligation of every faculty leader and academic administrator on campus—is to use these new policy resources productively, to encourage our colleagues to take advantage of their possibilities, and to make them work even in (especially in) those departments where traditional academic cultures may find them discomfiting or unwelcome. Difficult and protracted as policy creation can be, it is merely a first, and probably not the most challenging, step in developing the faculty. Needed as well is systematic and sustained follow-up: education, evaluation (where the need for improved data systems, highlighted above, comes critically into play), and effective adaptation. The Senate can and should find better ways, with our faculty colleagues and administrative collaborators, of persistent follow-up along these lines. Changing the faculty *Handbook* is the beginning and not the end of our work.

A Collaborative Journey

In all of its efforts, the Senate has benefited from the tireless and unselfish dedication of dozens of thoughtful committee members, ably guided by an outstanding group of Senate officers and standing committee chairs. It has been my great honor to work with them this year. I extend espe-

cially heartfelt thanks to Past Chair Neville Strumpf and Chair-elect Larry Gladney. Their wisdom, friendship and good counsel have been steady and deeply appreciated, and they have served as equal partners in all of the Senate’s work. Ali Malkawi and Andrew Metrick both served capably and efficiently as secretary in the fall and spring terms, respectively; and Sue White, executive assistant, has been a constant source of support. The Senate has been fortunate indeed to draw upon her planning skills and managerial talents.

We are also fortunate to have enjoyed the dedicated work of so many truly excellent Senate committee and commission chairs: Claire Finkelstein (Faculty and Administration); Gino Segre (Faculty and Academic Mission); Sherrill Adams (Faculty Development, Diversity and Equity); Paul Sniegowski (Students and Educational Policy); Laura Perna (Economic Status of the Faculty); James Ross (Academic Freedom and Responsibility); Martin Pring (Publication Policy for *Almanac*); and Jennifer Pinto-Martin (Faculty Grievance Commission). They have pursued their charges with vigor and enthusiasm.

Beyond the Senate, we are deeply grateful to President Amy Gutmann and Provost Ron Daniels for their strong and open partnership with the faculty in leading the University. In regular consultations with the Senate tri-chairs and meetings with the Executive Committee, they have routinely engaged the faculty on pressing issues and shared in fruitful deliberations. We have benefited as well from numerous helpful collaborations and consultations with Deputy Provost Janice Bellace, Associate Provost Andy Binns, Vice Provost Steven Fluharty, Vice President Joann Mitchell and General Counsel Wendy White, among others. We have greatly enjoyed working with University Secretary Leslie Kruhly on matters pertaining to University Council, and with Linda Koons, executive assistant to the Provost, in coordinating with the Provost’s Office.

And finally I thank those of my colleagues, far too many to mention here by name, who served on a committee, spoke their minds at a meeting, dropped me an e-mail with a criticism or suggestion, attended our symposium, discussed some campus issue with a co-worker, or followed the pages of this *Almanac* with interest. Good citizens all, in whose capable hands this great University rests.



—Vincent Price

SENATE From the Senate Office

The following is published in accordance with the Faculty Senate Rules. Among other purposes, the publication of SEC actions is intended to stimulate discussion among the constituencies and their representatives. Please communicate your comments to Sue White, executive assistant to the Senate Office, either by telephone at (215) 898-6943, or by e-mail at senate@pobox.upenn.edu.

Faculty Senate Executive Committee Actions

Wednesday, May 16, 2007

Chair’s Report. Faculty Senate Chair Vincent Price reported on topics that have been recently discussed in Consultation; the status of searches for the Director, Office of Institutional Research and Analysis and the Associate Provost for Faculty Affairs; a successful delegation Penn sent to the MIT9 meeting in Washington; possible changes to consultation procedures in selection of a President; and a recent meeting of the Tri-Chairs and faculty liaisons to Trustee committees.

Past Chair’s Report. Faculty Senate Past Chair Neville Strumpf reported on recent Academic Planning and Budget meetings, which included discussions of the need to continue to monitor NIH funding; spending related to capital improvements; and self-disclosure of criminal records by applicants for graduate studies.

Proposed revision to the Temporary Exclusion Policy (Handbook II.E.18). Professor Claire Finkelstein, Chair of the Senate Committee on Faculty and the Administration (SCOA) presented the committee’s recommended revision to the Temporary Exclusion Policy. She noted several problems with the current policy: a very narrow conception of circumstances that would warrant temporary exclusion, broad

latitude in permitting a wide range of administrators to exclude faculty, and the ability of the President and Provost to promulgate procedures for temporary exclusion simply by memorandum. Professor Finkelstein outlined the extensive deliberations, multiple reviews, and collaborations that went into the proposed revision. She outlined the revised procedures, highlighting the flexibility of the policy to accommodate different scenarios and the safeguards against misuse or abuse.

SEC members were concerned with possible interpretations of some language in the policy that might not necessarily follow those now uniformly understood by SEC, SCAFR, and administrators who developed and approved the policy. Possible word changes for clarification purposes were debated. SEC opted instead to request that the Faculty Senate Tri-Chairs draft a memo for the Senate Committee on Academic Freedom and Responsibility (SCAFR) clarifying these understandings, so that SCAFR will clearly understand the policy’s intentions should they review a temporary exclusion case in the distant future. Following discussion, SEC voted unanimously to approve the Temporary Exclusion Policy revision.

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SEC Actions (continued from page 2)

Proposed Resolution on Economic Status of the Faculty Data. Faculty Senate Chair Vincent Price reviewed a memo containing a draft resolution that SEC requested at its April 18, 2007 meeting, expressing the Senate's grave concern about the difficulties obtaining data necessary for the Senate Committee on the Economic Status of the Faculty (SCESF) to complete its annual report. The Chair noted and expressed his appreciation for the recent strenuous efforts by members of the President's and Provost's offices to provide a set of salary tables, even though the data proved insufficient for a report.

After some discussion, SEC voted and passed the following Resolution with 24 votes of approval and 1 abstention: "The Senate registers its deep disappointment and frustration that, despite repeated assurances of the University, usable salary data were not delivered in time for the Senate Committee on the Economic Status of the Faculty to produce an annual report this academic year. Lack of such data has prevented the Senate from properly executing, since 2003-04, its recognized right to monitor the economic status of the faculty or to represent the faculty adequately in the determination of University policy on salary issues."

Proposed Resolution marking the retirement of Linda Koons, Executive Assistant to the Provost. Linda Koons, Executive Assistant to the Provost, will soon be retiring from her position at the University, and in acknowledgement of her service, the Senate Chairs proposed a resolution for *Almanac*.

SEC voted unanimously to pass the following Resolution: "The Senate congratulates and thanks Linda Koons, Executive Assistant to the Provost, on the occasion of her retirement after forty years of dedicated service to the University. Her resourcefulness, expansive knowledge of Penn, and committed service to its faculty are deeply appreciated and will be sorely missed."

Senate Committee Reports. SEC heard and briefly discussed annual reports given by the chairs of Senate Standing Committees.

Vote for faculty members for Steering Committee. SEC members were presented a ballot for approval voting of faculty members for Steering Committee of University Council.

Report of the Faculty Senate Committee on Economic Status of the Faculty (SCESF)

May 16, 2007

Charge for 2006-2007

This Committee has the following general charge: The Committee on the Economic Status of the Faculty shall gather and organize data on salaries and benefits and shall represent the faculty in the determination of University policy on salary issues. The Committee shall issue an annual report on the economic status of the faculty. The Chair of the Senate, after consultation with the Senate Executive Committee, shall include each year as an item on the agenda of a Senate meeting any report that the Committee may bring and any resolutions appropriate to it.

Procedures for Acquiring Faculty Data

We begin by noting that the Committee found it impossible to produce the typical report expected by the Faculty Senate due to lack of a complete data set required from the University. It has been noted by previous chairs for this Committee that obtaining accurate data on faculty salaries is ponderous due to the necessity of acquiring the information directly from department business administrators who typically use varying operational definitions for the term "academic year base salary." In addition, the current procedures followed by the administration to produce reports of any kind on the characteristics of Penn's faculty are complex and error-prone. The Committee also notes the unusual circumstances for this year that further lengthened the time needed to acquire the necessary information:

- The departure of Barney Lentz, the Director of Institutional Research and Analysis in mid-November 2006
- Replacement of the Director of Institutional Research and Analysis with an Interim Director working only on a part-time basis
- The discontinuation of the MIT Salary study, a source of institutional comparison data
- The lack of previous salary tables from 2004-05 and 2005-06 for comparative studies
- The necessity of providing Affirmative Action data to the federal government
- Competition for institutional research resources for the NRC assessment

We note that SCESF had full expectations that the salary data needed would be forthcoming in time for this report. On September 26, 2006 SCESF Chair Laura Perna and Faculty Senate Chair Vincent Price met with Barney Lentz to discuss the status of the tables for the report. At this meeting, salary information for FY2005 was provided and assurances were given that the committee would soon be provided with the tables necessary for the report for the year 2005-06. Since SCESF has not been able to produce a report since the report of 2003-04, it was also agreed that comparative data for the years 2003-06 would be produced in time for this report. After the resignation of Barney Lentz, Susan Shaman was named Interim Director, Office of Institutional Research and Analysis on a part-time basis. Faculty Senate Chair Vincent Price met with Susan Shaman on November 21, 2006 to stress the need for SCESF to move ahead with the salary report, emphasizing that SCESF is already several years late with its routine reporting. Again, assurances were provided that the requested data for

SCESF would be forthcoming as soon as was feasible. The tri-chairs of the Faculty Senate also repeatedly raised the issue of getting the necessary data during consultations with the President and Provost. The administration responded by hiring an outside consultant to help with data analysis and by assigning the task of producing the salary data tables as a high priority for Joann Mitchell, Vice President for Institutional Affairs.

After enormous efforts within the President's and Provost's offices, Joann Mitchell sent three tables to the SCSEF on April 27, 2007. The Committee noted that these were only a partial set of tables, without many of the data typically reported, and that the data also were aggregated to the school level, even for SAS, even though traditionally SCESF reports have disaggregated data within SAS to humanities, social science, and natural science. Also, the data received did not match data received in the fall for FY05. On May 1, 2007, SCESF met with Joann Mitchell, Deputy Provost Janice Bellace, and Susan Shaman to discuss next steps. Agreements were reached on the following:

1. The Faculty Database Information System (which is in development now) will include the academic base salary field ensuring accurate and easily obtainable information.
2. The Office of Institutional Research and Analysis will produce by (date to be given by Joann Mitchell) tables for 2004-05, 2005-06, and 2006-07 that include accurate and complete data so that SCESF can produce a report in the fall. The data for 2007-08 will be produced at the end of the fall semester, ensuring that SCESF can produce a second report in the spring.

Recommendations for Next Year's Committee

Committee recommends the following actions for next year:

- (1) Follow-up on agreements from the administration as outlined above;
- (2) Produce two reports in 2007-08;
- (3) Ensure changes in data-gathering procedures so that salary data are forthcoming in a timely fashion for the future;
- (4) Ensure that "academic year base salary" is clearly and consistently defined and that Business Administrators are trained to enter this information into databases correctly;
- (5) Follow up on the status of completion of the Faculty Database Information System (FIS), making sure that academic base salary is included as a field in FIS.

2006-07 Committee Members

Laura Perna, Graduate School of Education, Chair
Barbara Medoff-Cooper, Nursing
Michael Katz, History
Petra Todd, Economics
Daniel Raff, Wharton
Chris Sanchirco, Law
Ex-Officio Members:
Senate Chair, Vincent Price
Senate Chair-Elect, Larry Gladney
Senate Past-Chair, Neville Strumpf

Report of the Faculty Senate Committee on Students and Educational Policy (SCSEP)

May 16, 2007

Charge for 2006-2007

This Committee was asked to (1) review the University's interdisciplinary educational programs and opportunities, particularly at the graduate level, (2) examine the current status and future trajectory of funding for graduate education across the schools, (3) review and discuss the Committee's general charge and identify the most pressing issues facing the faculty, students and educational programs over the next few years, recommending two or three high-priority charges for 2007-08.

Graduate Interdisciplinary Programs and Opportunities

The Committee focused its discussions for the year on graduate interdisciplinary programs and opportunities; the issue of graduate funding was set aside for future consideration.

A major theme of President Gutmann's *Penn Compact* is fostering interdisciplinary education and research across the University, and the Committee kept this in mind in discussing opportunities for graduate interdisciplinary research and education. The role of interdisciplinary study at the graduate level is complex. By its nature, graduate education is generally more focused in a single discipline than is undergraduate education: programs of graduate study do not usually incorporate a requirement for general education in the same way that undergraduate programs do. The Committee considered four aspects of the general issue of graduate interdisciplinary study during the year, with emphasis on Ph.D. and professional degree granting programs: (1) the nature of existing formal graduate interdisciplinary programs, (2) access to information about formal programmatic and informal interdisciplinary opportunities and events at the graduate level, (3) the extent to which formal programs of study at the graduate level are and should be flexible in granting students opportunities to cross disciplinary lines to pursue coursework, and (4) the nature of possible financial impediments to cross-disciplinary course-taking, particularly between schools.

The University's existing formal interdisciplinary programs and opportunities are strong and varied and include approximately 150 interdisciplinary Centers and Institutes. Examples of these include the Center for Excellence in Cancer Communication Research, the Institute for Medicine and Engineering, the Center for East Asian Studies, and the Penn Genomics Institute. In addition, numerous graduate groups across the University are essentially interdisciplinary in nature; examples include Neuroscience within the School of Medicine and Art and Archaeology of the Mediterranean World in the School of Arts and Sciences. Finally, a number of other training programs exist which are essentially interdisciplinary. Examples of these include the Medical Scientist Training Program (Schools of Medicine, Dental Medicine, and Veterinary Medicine), the Cell and Molecular Biology Training Grant which supports programs and students in all biomedical disciplines, a graduate training program in Language and Communications (Graduate School of Education, School of Engineering and Applied Sciences, Department of Psychology) and a program of Graduate Training in Methods for Field-based Research in Education (Graduate School of Education, Wharton School of Business, School of Arts and Sciences, Annenberg School for Communication). The ongoing appointment of several new faculty with strong interdisciplinary interests under President Gutmann's Penn Integrates Knowledge initiative will strengthen commitments to formal programs in graduate interdisciplinary study at Penn. The University's interdisciplinary programs of study are described in helpful detail on a webpage at the Office of Graduate Study (www.upenn.edu/grad/interdisciplinary.html).

As might be expected at a university of Penn's size and complexity, communication and awareness of less-formal, one-time graduate interdisciplinary opportunities varies widely. The Committee had a sense that information on events such as seminar presentations and lectures of interdisciplinary interest was not always as easy to obtain as it should be. The online calendar available through the main Penn webpage lists numerous daily events and seminars of possible interdisciplinary interest to graduate students, as does the *Almanac*, the University's journal of record, but these sources are sometimes incomplete and more could be done on a program-by-program basis to alert graduate and professional students to important opportunities and events at the interface of different disciplines across the University. In particular, the Committee felt that individual departments and programs could do more to provide easily available links on their

home pages to seminar series and lectures in related programs across the university. A good deal of improvement can be made in this area simply by increasing awareness of the many informal opportunities for graduate interdisciplinary enquiry available across the University.

Graduate and professional students, whether in one of the expressly interdisciplinary programs mentioned above or in one of the more tightly defined graduate groups or professional programs, should have access to courses across schools that are necessary for advanced development in their chosen field. The rationale for, nature of opportunities for, and possible impediments to such cross-school course-taking were discussed extensively by the Committee in light of a report by Drs. Jack Nagel and Stanton Wortham to the Council of Graduate Deans in 2006. The Provost's Office has recently established a webpage listing each graduate group's policies and practices on cross-school and cross-department course-taking at www.upenn.edu/grad/phdquestions.html, and this provides a ready source of information on specific programs for prospective and current graduate and professional students. In all cases, students wishing to take courses outside their schools or departments must first clear this with the graduate group chair, program director, or other appropriate administrator. The Committee's strong consensus, in agreement with the Nagel and Wortham 2006 report, was that such administrative decisions should always be made on a strictly academic basis, without regard to possible funding implications at the school level. The Committee did hear some anecdotal evidence that cross-school course-taking may be restricted for inappropriate reasons at times, and this forms part of the basis for our recommendation that a survey of graduate and professional students and their advisors be considered to obtain more systematic information on the frequency of such problems as well as on other aspects of graduate education, as described in more detail below.

Potential financial impediments to cross-school course-taking were discussed extensively by the Committee in light of the 2006 Nagel and Wortham report. The essential concern here is that smaller schools may suffer a net export of students and credit units because a disproportionate number of specialized courses of interdisciplinary interest will be offered through the larger schools. Indeed, Nagel and Wortham provided data to show that only the schools of Arts and Sciences and Medicine are net importers of Ph.D. students from other schools into their courses. The imbalance of import/export of students certainly has the potential to generate financial conflict of interest among schools, but whether such potential conflict of interest has translated into real, pervasive problems for graduate students is not readily apparent, as noted in conversations of the Committee with Dean Nagel and with Associate Provost Andy Binns. The Committee was made aware of limited and anecdotal evidence that cross-school course-taking has been restricted in certain cases, but systematic data on the frequency of such restrictions and the cited reasons for restricting cross-school registration are entirely lacking at present.

The Committee met separately over the course of the year with the following individuals: Mr. Lee Shaker, chair of the Graduate and Professional Student Assembly (GAPSA), Dr. Andy Binns, associate provost, and Dr. Jack Nagel, associate dean for Graduate Studies in the School of Arts and Sciences. As a consequence of these meetings and the deliberations described above the Committee agreed to recommend to the Faculty Senate that the University consider undertaking a formal survey of graduate and professional students and their advisors to obtain more systematic information about possible impediments to interdisciplinary course-taking at the graduate level at Penn. We stress that there is no evidence that such problems are widespread, but in the absence of systematically obtained data it is impossible to assess whether the matter requires further attention. Indeed, a survey of this kind could usefully also ask questions about more general issues concerning graduate education and graduate life at the University, as described below in the recommendations for the Committee's work in 2007-08.

Recommendations for Next Year's Committee

The Committee recommends that next year's Senate Committee on Students and Educational Policy be given the charge of working out specific questions and areas of interest to include in a confidential University-wide survey on aspects of graduate and professional education, to be administered to students and their advisors. The survey need not be limited to the subject of inter-

disciplinary course-taking but could also seek information on such important areas as the nature of graduate financial support, graduate medical insurance, and other policies and practices in graduate education at the University. We stress that such a survey should not be viewed as an effort to document problems but instead as an important fact-finding exercise that can be useful in informing future policy at the graduate level.

In addition, the Committee recommends that next year's Committee examine the current status and future trajectory of graduate funding across the schools as detailed in the charges for the past year. This charge is particularly important in view of the possibility that the University will adopt a "flat" tuition structure (in which graduate tuition is the same across all years of the Ph.D.) in the coming years. The potential effect of this change in tuition pol-

icy on graduate students and their advisors should be brought to the attention of the Faculty Senate by the Committee.

2006-07 Committee Members

Paul Sniogowski, School of Arts and Sciences/Biology, Chair
Christopher Coleman, School of Nursing
David Graves, School of Engineering and Applied Sciences
Paul Heiney, School of Arts and Sciences/Physics
Susan Lytle, Graduate School of Education
Kelly Jordan-Sciutto, School of Dental Medicine

Ex-officio:

Senate Chair, Vincent Price, Annenberg School for Communication
Senate Chair-elect, Larry Gladney, School of Arts and Sciences/Physics

Report of the Faculty Senate Committee on Faculty Development, Diversity and Equity (SCFDDE)

May 16, 2007

Charges for 2006-2007

- Evaluate policies and procedures for dealing with sexual harassment, in conjunction with the Associate Provost
- Evaluate follow-through on recommendations for mentoring of junior faculty
- Discuss progress on recommendations from the Gender and Minority Equity Reports

Sexual Harassment Policies and Procedures

Two years ago a group of senior women faculty, in response to incidents on campus, asked President Amy Gutmann to evaluate the University's policies and procedures regarding sexual harassment. Of particular concern were lack of ready access to information on the policy, lack of transparency in the procedures, and conflicting information on different websites. Deputy Provost Janice Bellace and General Counsel Wendy White were asked to evaluate the procedures. They responded very effectively by:

- Creating a very useful guide to the procedures
 - Presenting a workshop to the Council of Deans regarding what constitutes a hostile work environment (including sexual harassment) and what can be done about it; the School of Medicine requested that the workshop be presented to all department chairs in the SOM
 - Removing all conflicting information regarding sexual harassment policies and procedures from various Penn web sites
- During the current year, SCFDDE met twice with Deputy Provost Bellace to discuss progress on awareness of what constitutes sexual harassment and procedures for dealing with it.

• The Committee expressed concern that, due to the nature of the search engine on the Penn website, a search for the current sexual harassment procedures was still not readily available. That problem has been corrected, and it is now easier to find the information. However, we believe that this information, and all information on family-friendly policies, should have direct links on Penn's main web page.

• A number of schools have followed the SOM's initiative and asked that sexual harassment workshops be presented in their schools. The schools that have *not* requested this are: Arts and Sciences, Dental Medicine, Design, Graduate Education, Law, Nursing, Social Policy and Practice and Veterinary Medicine. We believe that it is important to be proactive and educate everyone at the University regarding what constitutes a hostile work environment, rather than simply educating people about what to do after an incident of harassment.

• In the past the Affirmative Action Committee has played a role in dealing with issues of harassment, particularly at the staff level, although that Committee has not been active in recent years. The Committee has now been merged with the University Council Pluralism Committee as the Council Committee on Diversity and Equity. Concerns have been expressed from staff about the presence of administrators on this Committee, an issue that must be discussed. Communication between the Council and Senate committees will be important in the future.

Junior Faculty Mentoring

Two years ago this Committee submitted a report to the Provost that described the state of junior faculty mentoring at Penn and made specific recommendations to ensure that all junior faculty members have access to mentoring. The Provost's Office accepted most of our recommendations and asked every school to implement a mentoring program. The Depu-

ty Provost has been responsible for overseeing these efforts and set three goals for the schools: each school should develop its own policy; each school should have a senior faculty member overseeing mentoring; and each junior faculty member should have a mentor.

- Seven schools have complied with all requirements.
- Three (Annenberg, Grad Ed and Dental) are making changes to bring them into compliance.
- Two (SPP, Vet) have not submitted proposals.

An important task for this committee in future years will be to determine the effectiveness of mentoring; this will require an effective and up-to-date faculty database, as well as adequate resources for follow-up surveys.

The Committee recently met with Dr. Mary Croughan, who developed the mentoring program at UCSF and serves as a consultant to the School of Nursing on their mentoring program. She advised the Committee on strategies for follow-through on mentoring practices and has agreed to return in the fall for further consultations with the Provost's Office.

Recommendations for Next Year's Committee

• *Follow-up on sexual harassment recommendations:* The Committee feels very strongly that the workshops regarding sexual harassment and hostile work environments should be provided as part of new faculty orientation throughout the University and that schools that have not participated thus far should be strongly encouraged to do so. With Janice Bellace stepping down as Deputy Provost, it will be extremely important to ensure that these workshops continue. It will also be important to work with the Council Committee on Diversity and Equity on staff concerns regarding harassment. An additional unresolved issue, and a particularly thorny one, is the concerns many victims of harassment have about the potential for retaliation.

• *Follow-up on mentoring recommendations:* The Committee may want to ask each school at the end of the year how the mentoring experience is going. They may also consider re-emphasizing past recommendations regarding recognition for mentoring: e.g. putting mentoring experiences on CVs.

• *Family-friendly policies:* The issues of family-friendly policies and child care are intrinsically important to the charges of faculty development, diversity and equity. Furthermore, these areas are becoming increasingly important to the ability of the University to recruit and retain outstanding faculty (see "The Family Friendly Competition," <http://insidehighered.com/layout/set/print/news/2007/04/25/family>). Several institutions have recognized the importance of adequate and affordable child care in retaining individuals in the pipeline for faculty positions. Penn's family-friendly policies are highly competitive, but are not easy to find. A high priority for the coming year is to evaluate the family-friendly policies available and ensure that they are prominently displayed on Penn's webpage.

2006-07 Committee Members

Sherrill Adams, Dental Medicine, Chair
Stephanie Abbuhl, Medicine
Terry Adkins, Design
Helen Davies, Medicine
Lois Evans, Nursing
Vivian Gadsden, Graduate Education
Senate Chair Vincent Price, Annenberg, ex-officio
Senate Chair-Elect Larry Gladney, Physics, SAS, ex-officio

Report of the Faculty Senate Committee on Faculty and the Administration (SCOA)

May 16, 2007

I. Overview

The Senate Committee on Faculty and the Administration (SCOA) received its list of official charges at the beginning of the academic year 2006-07, as detailed below. Following the arrest of a Penn faculty member in August of 2006, however, the Committee was asked to defer its scheduled business to review the University's rule of Temporary Exclusion of a Faculty Member (*Handbook* II.E.18). Most of the Committee's energies were devoted to revising this policy, which comes before SEC today. In addition, during the spring semester, Deputy Provost Janice Bellace forwarded a proposal for revising the Reduction in Duties Provision, (*Handbook* II.E.2). SCOA revised this proposal and presented it to SEC and SEC approved the proposal. In addressing its official charges, SCOA presented several other proposals for *Handbook* revision to SEC, having to do with representation in SEC of retired and emeritus faculty, as well as with the composition of University Council. These were both approved as well.

II. Temporary Exclusion Revision

The President and the Provost asked SCOA to examine the current Temporary Exclusion Provision and to recommend appropriate modifications. Their principal concern was that the current policy is not sufficiently flexible to permit a timely response in emergency situations, and also that the policy fails to address a situation in which a faculty member is charged with a serious criminal offense but where the alleged offense would not indicate that the faculty member posed a risk of immediate harm to others.

SCOA met five times during the fall semester to consider different possible revisions of the current policy. A draft provision was agreed upon towards the end of that period, and was forwarded to Provost Ron Daniels for review and comment. The Provost, after sharing the draft with the Council of Deans, met with SCOA at the end of January to offer some additional suggestions for revision. After approving the draft policy, SCOA then forwarded its proposal to the Senate Committee on Academic Freedom and Responsibility (SCAFR) for comment. The draft was subsequently revised to include a number of SCAFR's suggestions.

III. Reduction in Duties Policy

The Faculty Senate was asked by Deputy Provost Janice Bellace in January 2007 to consider a proposal to revise the Reduction in Duties policy, prompted by a request on the part of faculty members at the School of Medicine. The proposal was sent to SCOA, which was asked to prepare a recommendation to SEC. SCOA made several substantive changes to the proposed policy forwarded by Deputy Provost Bellace, as well as a number of cosmetic changes. The draft policy was approved by SEC on April 18, 2007.

The policy SCOA was asked to revise did not permit an extension of the probationary period for promotion unless there was at least a 50% reduction in duties for two years. In some cases, this forced junior faculty to take more extensive reductions than they otherwise desired, in situations in which they could not maintain a full-time schedule, usually due to care of young children. Faculty in the School of Medicine expressed a desire to be able to take a smaller reduction in duties, for example to 75% for a period of four years, and have that reduction entitle them to a year's extension of the probationary period when the total amount of reduction was equal to one year. The new policy permits this additional flexibility. A full explanation of how extensions of the probationary period are to be calculated under the new policy is presented in SCOA's report to SEC (submitted on April 18, 2007).

IV. Summary of Charges for 2006-2007

The initial charges presented to SCOA in the beginning of the 2006-07 academic year were as follows:

1. Review the Faculty Grievance Procedure and its operation, and consider changes to this procedure in light of concerns expressed in prior reports of the Grievance Commission.
2. Review recommendations issued by the Senate last year in connection with faculty compensation policies in the School of Medicine.
3. Consider a proposal to amend the Senate Rules to provide a non-voting, ex-officio appointment to the Senate Executive Committee for the President of the Association of Senior and Emeritus Faculty.

4. Review current policies and procedures for selecting members of the Senate Executive Committee who also serve as members of the University Council.

5. Review SCOA's general charge and identify the most pressing issues facing the Committee over the next few years.

V. Action Taken to Address Committee Charges

1. Review the Faculty Grievance Procedure

The Faculty Senate Tri-Chairs met with the Grievance Commission in August 2006, to determine if there were any perceived problems. The current Grievance Commission reported no problems and reported satisfaction with the current grievance mechanism. Chair Claire Finkelstein reviewed all previous available reports of the Grievance Commission and noted that previous Commissions had complained that grievance procedures were lengthy and cumbersome, and that they can be excessively burdensome for faculty members serving on the Commission. In consultation with Faculty Senate Chair Vince Price, however, SCOA decided not to recommend revision of this policy at this time.

2. Review Recommendations from 2005-07 Regarding Faculty Compensation For Clinician Educators

During the 2005-06 academic year, SCOA discussed an objection raised by clinician educators in the School of Medicine regarding mandated patient contact hours. SCOA at that time determined that the rules promulgated by the Dean of the School of Medicine for clinician educators were not a violation of their terms of employment or their academic freedom, and were within the discretion of the School of Medicine Administration. This year SCOA saw no reason to question its previous determination.

3. Addition of a PASEF member to SEC

SCOA was charged with considering a proposal to provide a non-voting, ex-officio appointment to the Faculty Senate Executive Committee (SEC) for a representative of the Association of Senior and Emeritus Faculty (PASEF).

SCOA met on December 6, 2006 to consider the PASEF proposal. It agreed that the Faculty Senate would benefit from the expertise of retired faculty, and that it was a reasonable request on the part of PASEF. Implementation of the proposal required amendment of the Senate Rules pertaining to SEC membership. SCOA elected to revise Section 9(a)(i) of those rules, to include the phrase "and one non-voting representative from the Penn Association of Senior and Emeritus Faculty (PASEF)." The Committee felt it desirable to name a "representative," and not specify any particular title (e.g., the Association President), in order to allow PASEF flexibility in selecting its representative. SCOA unanimously approved the proposed change. The new policy is detailed in SCOA's report to SEC (submitted on March 21, 2007). SCOA presented the revised Faculty Senate Rules to the Faculty Senate Executive Committee on March 21, 2007 which was unanimously adopted.

4. Review Procedures for Selection of SEC members to University Council

SCOA was also asked to review current policies and procedures for selecting members of SEC to serve as members of the University Council. Successive revisions of University Council Bylaws and Faculty Senate Rules have resulted in a difference between the number faculty members serving on SEC and the number of members eligible to serve on the University Council. This gap had led to the somewhat Byzantine practice of requesting, on an annual basis, that some eligible members of SEC volunteer to become "observers" of University Council, waiving their right to vote on Council. This practice had proven unwieldy for the Senate Office and SEC members alike. SCOA determined that stipulating in the Senate Rules which SEC members should serve as the voting members of the University Council would bring the Rules of the Senate and the Bylaws of University Council into alignment and eliminate the present difficulties.

SCOA agreed to revise the Rules to stipulate that "the Chair, the Chair-Elect, Past-Chair, Secretary, Secretary-Elect, Past-Secretary, the three Assistant Professors members, and the thirty-six Constituency Representative members shall serve as members of the University Council" (revising Faculty Senate Rule 9(a)(v)). The new policy is detailed in SCOA's report to SEC (submitted on March 21, 2007). SCOA presented the revised Faculty Senate Rules to the Faculty Senate Executive Committee on March

21, 2007 and it passed in a unanimous vote.

5. *Recommendations for Action for SCOA for the 2007-08 Academic Year*

SCOA did not formally identify any items to be reviewed by its successor committee. But should the current proposed draft of the temporary exclusion policy be adopted by SEC in its May 16th meeting, it would be important for SCOA to keep a close watch on any cases in which the power of temporary exclusion is exercised under the new provision in order to assess its adequacy. SCOA has recommended that the new policy be reviewed in three years time, and thus any cases arising under this provision over the course of the next three years will be subject to scrutiny.

SCOA has no further recommendations for action to be taken by next year's committee at this time.

2006-07 Committee Members

Claire Finkelstein (School of Law) Chair
Cindy Christian (School of Medicine)
Michael Katz (School of Arts & Sciences/History)
Roselyn Eisenberg (School of Veterinary Medicine) – resigned in the fall 2006
Henry Teune (School of Arts & Science/Political Science)
Howard Kunreuther (Wharton School)
Ex-Officio Members:
Faculty Senate Chair Vincent Price (Annenberg School for Communication)
Faculty Senate Chair-Elect Larry Gladney (School of Arts & Sciences/Physics & Astronomy)

Report of the Faculty Senate Committee on Faculty and the Academic Mission (SCOF)

May 16, 2007

Charges for 2006-2007

- Conduct an examination, in conjunction with the Deputy Provost, of the present contours of non-standing faculty at the University, the range of appointment titles now used in the schools, their teaching, research, and administrative functions, their numbers, and to the extent possible trends along each of these lines. Review past reports of the Senate Committee on the Faculty (including 1998 subcommittee reports) to help identify concerns, research questions, and possible avenues of data collection and organization.

- Review current practices and procedures involved in Senate review of proposals from the Schools for *Handbook* changes to faculty categories, along with past Committee and Subcommittee reports bearing on protocol for handling such requests. Work with Deputy Provost Janice Bellace to develop recommended guidelines, for consideration by the Senate Executive Committee, pertaining to the form that such requests should take, their timing, and the manner of their handling by the Senate.

Examination of Non-standing Faculty

The first item the Committee attempted to deal with, in consultation with Deputy Provost Janice Bellace, was developing a better University faculty and staff database. Unfortunately progress on this front came to a halt with the resignation of Barney Lentz, Director of Institutional Research. This problem of collecting information in a suitable form is not a crisis, but should be addressed in the near future.

School of Design Senior Lecturer Proposal

The next item the Committee took up was a proposal for creating a new category in the Associated Faculty of the School of Design (SOD). The SOD wished to use this new position, that of Senior Lecturer, for retaining exceptional faculty, not members of the standing faculty, who had already served as lecturers. It claimed they were needed to convey to the SOD's students real world knowledge and skills required by them as they prepare to enter the workplace.

SCOF viewed the proposal favorably, urging however that it be formulated in a manner such that it could be incorporated into the already existing framework of other schools' appointment to Senior Lecturer, as described in the Faculty *Handbook*. We also requested that the SOD's percentages in this category be subject to limitations in line with the percentages appointed to similar positions in other schools. After consulting with Deputy Provost Janice Bellace, we recommended the Faculty *Handbook* be modified to include such SOD appointments. A wording was developed that was satisfactory to both the SOD and the Provost.

Disclosure of a Prior Criminal Record for

All Prospective Faculty Members

The third item SCOF took up during the year, by far the most difficult, was responding to a request from the Provost for advice on the matter of imposing on prospective faculty members a requirement of self-disclosure of a previous criminal record.

The Provost's chief concerns, outlined in a letter to SCOF, were:

- The need to protect the safety and security of the University community

- The need to consider the relevancy of the past record, the qualifications, the expected responsibilities and campus access of past offenders
- The need to avoid unwarranted stigmatization (i.e. unfairness) to any member of the University community, including prospective members

The Committee also felt, and the Provost concurred, that an argument for a policy of self-disclosure could be made on the basis of establishing equity between faculty, students and staff, assuming that all prospective members of the latter two categories were asked to follow such a policy. It is true of course that the three categories are treated very differently in many ways and for perfectly justifiable reasons, but if it could be ascertained that inequity in this matter is a source of rancor, it might be appropriate to have a common policy.

The Committee had many meetings on the subject of mandatory self-disclosure of criminal records, including one with Wendy White, University Counsel and a separate one with the Provost. Having wrestled at length with the difficult issues, SCOF was unable to provide a definite set of proposals at this time, but its deliberations produced a set of considerations that should guide policy development in this area. It felt that any further action should await a careful study of the precise means by which the University would gather, and more importantly use, data bearing on criminal records.

The issue had however not yet reached the point at which it would be fruitful to have full discussions with either/or both the Senate Committee on Academic Freedom and the full Senate Executive Committee.

Recommendations for Next Year's Committee

- Vigorously pursue the examination of non-standing faculty at the University that the Committee was unable to undertake this year. Success will hinge on successful collaboration with the new Director of Institutional Research and Analysis and new Associate Provost, and depend upon our ability to extract necessary data. Toward this end, close monitoring of the implementation of the newly developed faculty information system will be important.

- Continue offering advice to the Provost, as needed, on the issue of disclosure of a prior criminal record for all prospective faculty members. In particular, should the Provost undertake, as recommended, a collaborative study with some of our Ivy peers, SCOF should play a central role.

2006-07 Committee Members

Gino Segre (School of Arts & Sciences/Physics) Chair
Emily Blumberg (School of Medicine)
Jackie French (School of Medicine)
Frank Goodman (School of Law)
Donald Silberberg (School of Medicine)
Donald Voet (School of Arts & Sciences/Chemistry)
Ex-Officio Members:
Faculty Senate Chair Vincent Price (Annenberg School for Communication)
Faculty Senate Chair-Elect Larry Gladney (School of Arts & Sciences/Physics & Astronomy)

Report of the Senate Committee on Academic Freedom and Responsibility (SCAFR) Annual Report 2006-07 to the University Faculty

May 16, 2007

1. SCAFR met monthly November 2006 to May 2007. With the help of Sue White, Senate Office, and the Provost's office, we saw to the constitution of the school committees (CAFRs), the election of their chairs, and distributed a general procedural guide for such School committees. We also published in *Almanac* an annual reminder to faculty of the existence, function and availability of the School and Senate Committees on Academic Freedom and Responsibility.

2. In response to the lack of experience in such School committees, we suggest that:

a. In succeeding years SCAFR should hold a yearly discussion/briefing meeting with the school committees (the CAFRs) on matters they should be vigilant for and how to respond to them, including matters they may wish to inquire into on their own, and

b. That SCAFR undertake to assure that there are genuine elections to the school CAFRs, and not merely pro-forma ones.

3. And because SCAFR, regrettably, had not been convened in the previous two years, SCAFR has concluded that it is the positive duty of each member with continuing appointment, individually, to convene the Committee in the early fall to elect a Chair and continue its business, if that has not been otherwise accomplished by the officers of the Senate.

4. Under its general responsibility to conduct inquiries of its own, SCAFR needs in succeeding years proactively to examine changing circumstances in academia, such as: (i) the campus security measures that may be adopted, (ii) the effect of commercial contracting upon free publication of research whether by prior approvals, proprietary interests, contingency clauses, or otherwise, and (iii) the effect of government and commercial funding changes upon the direction and subjects of research and (iv) matters of the ownership of intellectual property and (v) changes in the supervisory roles of academic administrators.

SCAFR thinks, and the Senate Chairs concur, the faculty database being developed by the administration should include similar information on the associated faculty and the academic support staff who do teaching, grading and other assessments of students and researchers, in order for SCAFR to understand the full range of academic responsibility issues.

5. It is the opinion of SCAFR that the associated faculty (*Handbook* II.B.3) and those of academic support staff (II.B.4) who have teaching or research responsibilities, are within the scope of the assurance of academic freedom, [Statutes of the Trustees, Article 11, (*Handbook* II.A)], and have recourse to their school's committee on academic freedom and responsibility (CAFR), and, where appointed outside a school, to the Senate Committee (SCAFR) when questions of academic freedom or academic responsibility arise.

6. SCAFR also needs to look into the academic protection of individuals who, as part of their appointments to Penn, are assigned to other insti-

tutions where conditions of employment may not provide the same academic protection that the University does. One solution may be that such institutions, to receive such appointments, would have to accord such persons the same protections they have at Penn.

7. Temporary Exclusion Policy. SCAFR looked into some aspects of the Ward matter, in the Wharton School, that became mooted by subsequent legal proceedings. We had a meeting with the Wharton Deputy Dean, and communicated our initial inquiry to the President and met with the Provost and Deputy Provost to discuss that, and related matters.

The Provost at that meeting indicated his interest in a workable temporary exclusion policy that would explicitly cover cases of faculty members charged with crimes. The matter of drafting such a policy had been taken up by the Senate Committee on the Administration and its proposal was sent along in to SCAFR for its opinion. SCAFR, after two meetings of consideration, concluded that when a faculty member is formally charged with a crime which if proved, would indicate inability or unfitness to perform the academic duties for which the person holds appointment, that the President or the Provost, with prior approval of SCAFR, or at least four telecommunicating members of SCAFR out of term, may temporarily exclude the person from all or part of the University, for up to 15 days and that a continuation should need a two thirds vote approval of SCAFR. That opinion was communicated to the drafting committee (SCOA) and to the Senate Chairs. SCAFR found that purposes for exclusion, other than the person's ability or fitness for his or her duties, are inappropriate. The matter came back, after discussions with SCOA, and the Senate Chairs, and by them with the Provost, to SCAFR's final, May 1, meeting at which it was agreed that initiation of a suspension or exclusion would be by the Provost or President with advice of SCAFR, the rest remaining as above with the two thirds SCAFR vote for any continuation. The matter is to be submitted to SEC vote on May 16.

8. The *Handbook*. SCAFR 2006-07 is passing along to the 2007-08 Committee its considerable concern as to whether the administration, as indicated by its testimony in legal depositions, understands the status of the policies and obligations contained in the *Handbook for Faculty and Academic Administrators* compatibly with the faculty's understanding of them, and its concern as to how that document should be described.

9. Certain other matters came to the Chair's attention, one of which was referred for disposition under the Misconduct in Research Procedures, and another of which was referred to the Ombudsman.

10. SCAFR recommends that its prior annual reports be distributed to new members each year to improve continuity and that a permanent file of its minutes is kept by the Senate Office for later consultation.

Respectfully submitted,
James Ross, Chair