

## **THE BOARD OF TRUSTEES**

**Temple University -- Of The Commonwealth System of Higher Education  
Tuesday, December 12, 2000, at 3:00 P.M.  
Sullivan Hall, Feinstone Lounge  
Park and Berks Malls**

### **MINUTES**

**Presiding Officer, Howard Gittis  
Chairman of the Board**

#### **ATTENDANCE**

**Trustees--** David Adamany, Joan H. Ballots, Michael A. Cibik, Paul A. Dandridge, Theodore Z. Davis, Peter D. DePaul, Nelson A. Diaz, Richard J. Fox, Paul P. Giordano, Howard Gittis, Lewis F. Gould, Jr., Joseph W. Marshall, III, Daniel H. Polett, Milton L. Rock, Edward H. Rosen, Isadore A. Shrager, Edna S. Tuttleman, James S. White

**Honorary Life Trustee --** John J. Contoudis

**Ex Officio Participants --** Donald W. Ewart, Oshunbunmi Samuel, Stephen C. Zelnick

**Invited Guests--**Diane C. Adler, Marina C. Barnett, Frank L. Friedman, Daniel B. Szyld

**University Counsel:** George E. Moore

**Administration and Staff: --**James C. Bausman, William T. Bergman, Corrinne A. Caldwell, Richard A. Chant, Martin S. Dorph, Richard M. Englert, Thomas Maxey, Timothy O'Rourke, Arthur C. Papacostas, Robert J. Reinstein, Gregory S. Rost, Richard Rumer, Valaida S. Walker

**Absent Trustees --** Michael L. Browne, Francis J. Catania, William H. Cosby, Jr., Murray G. Dickman, Louis J. Esposito, Edward Kassab, Sidney Kimmel, Mitchell G. Leibovitz, Arthur G. Raynes, William W. Rieger, Jane Scaccetti, Anthony J. Scirica, James H. Shacklett, III, James A. Williams

**INVOCATION - Trustee Daniel H. Polett**

**Approval of Minutes**

On motion duly made and seconded, the Minutes of the regular meeting of October 10, 2000, were approved as distributed.

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**PRESIDENT'S REPORT - David Adamany**  
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**STATEMENT TO THE TEMPLE UNIVERSITY BOARD OF TRUSTEES**

Mr. Chairman: I have three matters I wish to report today.

First, at the June 14, 2000 meeting of this Board of Trustees, you adopted a resolution recognizing Ambler College as the 17<sup>th</sup> college of Temple University. The President was authorized to implement college status for Ambler within his delegated authority and to bring to this Board such further actions as would require Board approval. In addition, the President was requested to report on any academic departments or academic programs to be newly established at Ambler and the consultations that had occurred in reaching those recommendations.

The issues at Ambler are part of larger issues relating to Temple University's strategic initiative to become a regional university on several campuses serving the metropolitan area of Philadelphia and other areas where our mission is needed. At the present time those locations include Temple University Center City, Temple University Harrisburg, and Temple University Fort Washington. In a larger sense, they will also include those locations at which Temple may offer extension courses for credit as well as courses or programs offered through distance learning or on line.

After briefly reviewing the situation at Ambler during these past few, busy months, I have concluded that it would be wise for Temple to develop an overall strategy to offer degree programs at all of its locations. On the one hand, this will require very close collaboration with and participation by the departments at the Main Campus and the Health Sciences Center. On the other, it will require a measure of independence by each of the campuses to identify degree programs that can best serve their communities, to schedule courses for the convenience of the special student bodies they serve, and, where necessary, to recruit faculty either from Main and the Health Sciences Center or from elsewhere to offer those courses in an orderly way leading to needed degrees.

The strategic planning for this complex enterprise will require substantial time. I believe this additional deliberation will be warranted in order to assure that in fulfilling its mission as a regional university serving a broad constituency at many locations, Temple University maintains

its high standards of quality and integrity in its educational program.

As we continue the planning for Ambler College, as part of Temple's mission as a regional university, we will report fully to the Board of Trustees.

Second, Mr. Chairman, I wish to report on the progress we are making in response to the Board of Trustees' recommendation at your June, 2000 meeting that the University's dean search guidelines, last reviewed in 1983, be revisited and revised to take into account the very significant changes that have occurred both in decanal responsibilities and in higher education. As Temple University moves assertively to expand its educational programs, recruit capable students who can specially benefit from opportunities at Temple, reshape its teaching programs to incorporate both technology and new methods of instruction, and substantially strengthen our programs of research, academic deans will stand at the center of our efforts. Each dean must be both the academic leader and the chief executive of his or her college. This will require substantial changes in the work of deans and new ways of recruiting deans who can assume these substantial responsibilities. This of some urgency to Temple at this time because several deans have indicated their intention to retire and several others are serving on an acting basis.

I have formulated a set of new dean search guidelines. Those draft guidelines have been reviewed by the Council of Deans, which provided helpful comments. The guidelines have been referred also to the Steering Committee of the Faculty Senate, which has provided an extended, thoughtful response. Since receiving that response, Provost Corrinne Caldwell and I have met with the Steering Committee, and we had a very productive discussion. Some further revisions in the draft guidelines have been made as a result of that conversation. Professor Stephen Zelnick, the president of the Faculty Senate, advised me a few minutes ago that the Steering Committee has met today and has endorsed the guidelines as revised after our discussions. The Steering Committee will report its action to the Senate later this week. I am very grateful to Professor Zelnick for his leadership and to the Steering Committee of the Faculty Senate for their advice in this matter. While the Senate's concurrence is not legally needed to implement the revised guidelines, I believe it would be constructive to have wide agreement on how Temple should search for deans.

I turn now, Mr. Chairman, to a disturbing incident that has occurred on the Temple campus. In its November 2 issue, the *Temple News* published an advertisement claiming that photographic evidence of concentration camp prisoners in a death camp had been fabricated and advancing the view that the occurrence of the Holocaust has not been historically verified. The ad referred to a website whose materials can fairly be described as denying the mass murder of Jews and other groups by the Nazi regime in the death camps.

There is widespread agreement that Holocaust denial is a form of hate speech that demeans the victims of the Holocaust and trivializes one of the greatest atrocities of modern history. Although Jews were the primary target of the Holocaust, other, smaller groups deemed inferior by the Nazis were also victims, including gypsies and gays. In contemporary life, however, Holocaust denial has been especially aimed at the Jewish people and has been closely linked to hate campaigns against them.

I know of no reputable scholars who give credence to any part of the elaborate justifications offered by Holocaust deniers. On the contrary, the conviction seems universal among scholars, commentators, and death camp survivors themselves not only that the Holocaust occurred but that contemporary Holocaust denial has both the purpose and effect of stirring hate against the Jewish people. Because of its lack of factual foundation and its contemporary moral consequences, Holocaust denial should be firmly rejected.

The acceptance of a Holocaust denial ad by a student newspaper poses special challenges for a campus community. At Temple our policies safeguard the *Temple News* from direction or censorship by the University. That is a correct policy because universities must preserve freedom of expression by all of their citizens, including the student press. Moreover, the first amendment freedom of press has been held time and again by the courts to protect student publications. Even if neither our policies nor the Constitution protected this advertisement, our institutional commitments to academic freedom would. As we confront hate speech in the university, we face special constraints. Suppression of speech is not an option, for such suppression erodes the core values upon which the university itself is based.

Some of those who reacted forcefully against the Holocaust denial ad called on the administration to intervene in this situation. In fact, the University's dean of students had counseled the *Temple News* about the nature and consequences of such advertising, but he also made clear that the final decision lay with the newspaper's student staff. Some believed that I should intervene in one way or another. A few demanded intervention in the operation of the *Temple News*; others threatened to withhold financial support for Temple.

My own approach to this and other expressions of hate seeks to give full play to the corrective educational processes that are at the core of our universities. Yes, a presidential statement may be imperative when the haters appear on campus—when the Klan rallies, the Nazis march, or Holocaust deniers deliver public speeches. The potential for imminent hateful action is clear; the anguish felt by the victims of hate is heightened. A rallying of community leaders, including university presidents, may be a counterforce against imminent harm and may comfort the victims of hate.

But when hateful expression poses a less imminent threat, an institution is wise to allow the more persuasive and deliberative processes of education to work their way. At Temple these processes have worked well, and the University has been reaffirmed by them. Several groups, including Hillel, approached the editors of the student newspaper. The editors have agreed in the future to undertake a fuller process for reviewing advertising that bears hateful messages. The editor-in-chief of the *Temple News* wrote a long commentary in the paper's November 16 edition. Although defending the newspaper's first amendment right to publish any advertising or other matter that it wishes, the editor acknowledged fully that Holocaust denial is not only historically without foundation but is also a form of hate speech.

After initially taking the position that the *Temple News* does not print letters in response to advertising, the editors revised their policy and have published a series of powerful and persuasive letters protesting both publication of the ad and Holocaust denial itself. The editors

have agreed also to contribute the revenue from the advertisement to the Holocaust Museum. This evolution of thinking by the *Temple News* occurred because of the educational impact of discussion and debate on the campus. Students who were largely unaware of Holocaust denial now know about it and are on guard against it.

Elsewhere on campus awareness has also been raised against the appeals of Holocaust deniers. Hillel students handballed at the Tuttleman Learning Center and were well received by students there. An appeal was made to raise this issue in classes, and that occurred in at least a few instances. One student wrote to me pointing out that the student newspaper should adopt the *New York Times* policy on the acceptability of advertising. I was impressed by his diligence in seeking an appropriate way to respect press freedom and still curb hate speech. I urged him to write to the editors to press his point. He did so, and he later wrote to say that he had also used a study group to raise the Holocaust denial issue.

No one in this Board of Trustees or in the University administration wants hate speech of any kind to occur on our campus. We share the anguish of those who are its victims. Recognizing the constitutional guarantees of freedom of expression and the core university commitment to academic freedom, we also know that hateful speech will occur from time to time at Temple and at other universities. Indeed, the Holocaust denial ad that was recently published here has appeared in student newspapers elsewhere. Holocaust deniers have held meetings, given lectures, and circulated pamphlets on campuses over the years.

In addressing these violations of human dignity, we must rely on our most powerful weapon: education. We can take some comfort from knowing that the self-corrective process of education seems in general to have worked well at Temple to confront publication of Holocaust denial statements. My confidence continues that we should rely principally on the intelligence and decency of students, faculty and staff to take the lead in addressing hatefulness and bigotry in all its forms. We grow more robust and more thoughtful about freedom and dignity when an entire community takes responsibility for preserving those values, as has occurred in recent weeks at Temple University.

## REPORTS AND RECOMMENDATIONS FOR ACTION STANDING COMMITTEES

### **Agenda Reference**

Committee on Trustees - Isadore A. Shrager, Chair

1. **Report** .....1

The Report of the Committee on Trustees was received as given in Agenda Reference 1.

**Reports and Recommendations for action (cont'd)**

**Agenda Reference**

Committee on Educational Policies - Isadore A. Shrager, Chair

2. **Report** .....2

The Report of the Committee on Educational Policies was received as given in Agenda Reference 2.

Recommendations for Action:

3. **Faculty Transfer from the Department of Physiology in the School of Medicine to the Department of Physical Therapy in the College of Allied Health Professions**

On motion duly made and seconded, the Board of Trustees unanimously approved the recommendation of the Educational Policies Committee (11/20/00), authorizing the officers to transfer faculty member Dr. Brian Clark from the Department of Physiology in the School of Medicine to the Department of Physical Therapy in the College of Allied Health Professions, effective January 1, 2001, as set forth in Agenda Reference 3.

4. **Tenure on Appointment in the Department of Computer and Information Science, College of Science and Technology**

On motion duly made and seconded, the Board of Trustees unanimously approved the recommendation of the Educational Policies Committee (11/20/00), authorized the granting of faculty tenure upon appointment to Dr. Richard Beigel in the Department of Computer and Information Science in the College of Science and Technology, effective January 1, 2001.

5. **Tenure on Appointment in the Department of Surgery, School of Medicine**

On motion duly made and seconded, the Board of Trustees unanimously approved the recommendation of the Educational Policies Committee (11/20/00), authorizing the granting of faculty tenure upon appointment to Dr. Daniel Dempsey in the Department of Surgery in the School of Medicine, effective immediately.

Executive Committee – Anthony J. Scirica, Chair

6. **Report**.....6

The Report of the Executive Committee was received as given in Agenda Reference 6.

**Reports and Recommendations for action (cont'd)**

**Agenda Reference**

Recommendation for Action:

7. **Borrowing Authority –1/1/01 –3/31/01**.....7

On motion duly made and seconded, the Board of Trustees unanimously approved and authorized the officers to borrow for operating purposes of the University \$30 million, on terms which the officers believe best for the University, such authority to cover the period from January 1, 2001, through March 31, 2001, as set forth in Agenda Reference 7.

Board of Directors, Temple University Health System, Inc.- Joseph W. Marshall, III, Chair

8. **Report**.....8

The Report of the Temple University Health System, Inc. was received as given in Agenda Reference 8.

- 8a. **Approval of TUHS Operating and Capital Budgets for FY 2000-2001** ..8a

Mr. Gittis commended Mr. Marshall, Mr. Polett, Dr. Rock, and Judge Davis for their untiring efforts on the Board of TUHS, and thanked Dr. Malmud, Mr. Boehringer and Mr. Lux for their resolve in responding to adverse conditions.

After discussion, on motion duly made and seconded, the Board of Trustees upon the recommendation and approval of the Board of Directors of the Temple University Health System, Inc. ("TUHS"), unanimously approved the operating and capital budgets for TUHS and its subsidiaries for the fiscal year ending June 30, 2001, as set forth in Agenda Reference 8a.

Committee on Audit - Mitchell G. Leibovitz, Chair

9. **Report**.....9

On behalf of the Board, Mr. Gittis extends condolences and prayers to Mitchell G. Leibovitz on the passing away of his mother, Doris Leibovitz. Mr. Gittis gave the report of the Audit Committee on behalf of Mr. Leibovitz.

The Report of the Audit Committee was received as given in Agenda Reference 9.

**Reports and Recommendations for action (cont'd)**

**Agenda  
Reference**

Committee on Campus Planning and Plant Management - Louis J. Esposito, Chair

10. **Report**..... 10

The Report of the Campus Planning and Plant Management Committee was received as given in Agenda Reference 10.

Committee on Business and Finance - Edward H. Rosen, Chair

11. **Report**..... 11

The Report of the Business and Finance Committee was received as given in Agenda Reference 11.

Committee on Development – Richard J. Fox, Chair

12. **Report** ..... 12

The Report of the Development Committee was received as given in Agenda Reference 12.

Committee on Athletics – Lewis Katz, Chair

13. **Report** ..... 13

The Report of the Athletics Committee was received as given in Agenda Reference 13.

Committee on Student Affairs, Clifford Scott Green, Chair

14. **Report** ..... 14

The Report of the Student Affairs Committee was received as given in Agenda Reference 14.

Committee on Employee Relations – Edward Kassab, Chair

15. **Report** ..... 15

The Report of the Employee Relations Committee was received as given in Agenda Reference 15.



**Reports and Recommendations for action (cont'd)**

**Agenda  
Reference**

Committee on Honorary Degrees – David Adamany, Chair

**16. Report ..... 16**

The Report of the Honorary Degrees Committee was received as given in Agenda Reference 16.

**REPORT OF THE OFFICERS**

**17. Secretary’s Report – George E. Moore .....17**

Mr. Moore presented, and upon motion duly made and seconded, the Board of Trustees unanimously approved the presentation of degrees-in-course dated January 26, 2001, to candidates approved by the appropriate academic committees of the faculty.

**18. Treasurer’s Report - Martin S. Dorph.....18**

Mr. Dorph presented, pointing out the results of the various categories of investments the Board of Trustees unanimously approved of the University for the past three months. On a motion duly made and seconded, the lists grants and contracts awarded between July 1, 2000 and September 30, 2000; the Report of Private Support for the Quarter ended September 30, 2000; the Investment Report for the three months ended September 30, 2000; and the Post Retirement Benefit Investment Report for the Quarter ended September 30, 2000, be received, said reports being included and identified as AGENDA REFERENCE 18.

**OLD BUSINESS  
NEW BUSINESS  
ADJOURNMENT**