



# University of Delaware

# 23

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OFFICE OF RESEARCH & PATENTS  
210 HULLIHEN HALL  
NEWARK, DELAWARE 19716

(302) 451-2136

April 23, 1990

President E. Arthur Trabant  
Office of the President  
University of Delaware

Dear President Trabant:

I enclose the report on the relationship of the University of Delaware with the Pioneer Fund by the Faculty Senate Committee on Research. You charged the Committee to undertake a consideration of the many difficult questions involved in this matter in November, and in the time that has since passed we have collected and considered an enormous amount of information and opinion from both inside and outside the University. I would like to take the opportunity to thank the members of the Committee, who have expended vast amounts of their already heavily committed time to read a voluminous written record, and to attend meetings that must now total dozens of hours. That a group of scholars would be willing to devote such time and energy to a task suddenly and unexpectedly thrust upon them is a clear indication of the seriousness with which all have regarded and responded to your charge. I would also like to thank the members of the professional staff who have been particularly helpful to us in our work; Ronald Whittington, Assistant to the President, and Betty Garvin, Carolyn Grinnell and Rose Mary Rutt in his office, and Deanna Benson and Mary Sullivan in the Office of Research and Patents. Mary has kept track of all our documents, seen that copies were made and distributed, often on short notice, and managed to schedule and reschedule countless meetings, always with care, patience, and good humor. I could not have managed without her assistance.

As a standing committee of the Faculty Senate we are obliged to convey our report to the President of the Senate, even though we act upon a special charge given by you as President of the University. We will also be communicating with him about a number of matters not treated in our report but concerning which the Committee believes that future Senate consideration is appropriate. However, in view of the public character of the Pioneer Fund matter, and of the pressure that may come upon you when our report is published, we have decided to delay delivery of the report to Professor Dilley until the end of this week, Friday April 27, so as to give you some time to

President E. Arthur Trabant  
April 23, 1990  
Page 2

consider our report and consult with others about our recommendations. If you would like further information or clarification concerning any matters raised or not raised in our report, I know that I and other members of the Committee will be happy to help you in any way that we can. With sincere good wishes, for the Committee,

Lawrence Nees  
Professor  
Department of Art History

LN:ms

cc: Members of the Faculty Senate Committee on Research  
Susan Faw, Counsel  
Frank Dilley, President, Faculty Senate



# University of Delaware

#24

61.1L

OFFICE OF THE PRESIDENT  
NEWARK, DELAWARE 19716

(302) 451-2111

April 24, 1990

Professor Lawrence Nees  
Art History

Dear Professor Nees:

I have read and studied the Faculty Senate Committee on Research Report on the issue of the University of Delaware's relationship with the Pioneer Fund. It is an excellent report. I am pleased with the thoughtfulness and thoroughness of the work of you and your committee.

I accept the report. In particular I note your statements that academic freedom does not require that the University approve and forward every application of external funding generated by members of the faculty. Furthermore, the University has a right to set its own priorities for support of scholarly activity.

Therefore, by copy of this letter it will be University policy as stated in your report. The University of Delaware should neither seek nor accept any further financial support from the Pioneer Fund as long as the Fund remains committed to intent of its original charter and to a pattern of activities incompatible with the University's mission.

Yours very truly,

A handwritten signature in cursive script, appearing to read "E. A. Trabant".

E. A. Trabant  
President

EAT:ems

cc: Richard B. Murray  
Robert D. Varrin ✓

The University released this statement on April 30, 1990.

#25

#### U.D. TAKES ACTION ON PIONEER FUND

The University of Delaware will neither seek nor accept further financial support from the Pioneer Fund Inc. of New York City, President E. A. Trabant announced today.

In accepting a report on the Pioneer Fund by the Faculty Senate Committee on Research, Trabant said the action is in effect so long as the fund remains committed to the intent of its original charter and to a pattern of activities incompatible with the University's mission.

In November, Trabant asked the Faculty Senate Committee on Research to review information on the fund in response to questions raised about its \$174,000 gift to the University in support of research on the implications of ability difference for education and employment policy.

The senate committee, chaired by Lawrence P. Nees Jr., professor of art history, made its report to Trabant last week.

According to the report, "Academic freedom does not require that the University approve and forward every application for external funding generated by members of the faculty. The University has a right to set its own priorities for support of scholarly activity.

"The University's commitment to racial and cultural diversity is an essential part of, not a rival principle in conflict with, the University's commitment to the right of all people to participate in an environment of free and open inquiry," the report said.

# U of D

Continued from Page 7

Problems like those associated with the Pioneer Fund don't come up very often. It's a very unusual occurrence. Let's look also at how the Pioneer Fund grant was handled, after it happened. The faculty committee met and made a decision, and I think they handled it well," he said.

On Monday, the day before Dr. Roselle took office, a faculty committee asked by President Trabant to review the university's role in the controversial grant received approval of its recommendation that the school discontinue any association with the funding group.

About the the future of university programs in southern Delaware, he said he expects to see several things happen as parallel programs expand in Kent and Sussex County, including increased use of technologies such as telecommunications programs via satellite, and a burgeoning expansion at the Milford Center, even to the point of "outgrowing" the facilities.

"But I see that as a positive concern, not a negative one," he said.

Dr. Roselle, who graduated

city, is a native of Vandergrift, Pa. He is also a graduate of Duke University and holds a doctorate in mathematics.

He and his wife, Louise, have "settled in" in the Newark house provided by the university for its presidents, he said.

"But she might have a different interpretation from me about what 'settled in' means," he said, smiling.

The Roselles lived in another house near Newark during the transition months, making their move to their campus residence their second since his election.

## New University of Delaware president is confident

By Joyce Mullins  
Staff writer

2029

MILFORD — Dr. David P. Roselle calmly faced the media on Tuesday, his first day as the University of Delaware's 25th president.

His Tuesday afternoon appearance at the university's extension center in Milford came a few hours after he formally took office on the main campus in Newark.

Dr. Roselle's confidence in his new role was bolstered, he said, by having the opportunity to familiarize himself with the university during a transition period since he was unanimously elected to the presidency by the Board of Trustees last December.

"I've had the advantage of a

**“We will make all good faith efforts to get minority people to come to the University of Delaware and to make the university a good educational and social environment for them.”**

**— Dr. David P. Roselle  
University of Delaware president**

transition time, a time when Dr. Trabant continued his service as the 24th president, a time that allowed me to find out what I could about the university," he said.

Projecting assurance and knowledgeability, Dr. Roselle approached each question thoughtfully.

Tough questions neither ruffled him nor triggered easy platitudes.

He was asked about continuing the university's efforts to improve its often-criticized student and employee racial balance.

"We will make all good faith efforts to get minority people to come to the University of Delaware and to make the university a good educational and social environment for them," he said. "If you look around the workplace,

it's becoming increasingly brown, black and yellow. It's very important that they take their place in higher education."

He was asked about university education professor Linda S. Gottfredson's acceptance last fall of a \$174,000 research grant from the Pioneer Fund, a New York-based funding group allegedly noted for racism and anti-semitism.

Dr. Roselle said that while he does believe a university has the right to choose which organizations may be approved or disapproved as funding sources because the project will be associated with the name of the university, he does not see the need for an elaborate mechanism to be instituted by the school.

See U of D — Page 1

# Memorandum



June 6, 1990

DATE:

TO: Dr. Robert Varrin  
Associate Provost for Research

FROM: Linda S. Gottfredson *lg*  
Educational Studies

RE: Outside Employment as an Alternative to On-Campus Pioneer-Funded Research

I said that I would put in writing my understanding of what you described to me yesterday as the University's policy on outside employment. Please let me know if this account is accurate, and, if not, what the inaccuracies are.

My attempt at clarification is prompted, as you know, by the Research Committee's suggestion that I take Pioneer monies as an individual now that the University will no longer accept faculty-solicited Pioneer funds. You said that the Faculty Handbook contains the University's written policy on outside employment, but it really provides no specific guidance. Hence my call to you and this memo.

### Permission for Outside Employment

There are three classes of outside employment: consulting as an individual, incorporating as a non-profit, and incorporating as a profit-making organization. The President's permission is required to incorporate as either a non-profit or a profit-making organization, but not to do consulting. To obtain permission to incorporate, I would have to outline in writing how the outside employment would not interfere with the performance of my University duties. With regard to consulting, I must keep my chair and dean fully informed of all my consulting activities. The chair has responsibility for monitoring my consulting. Please clarify for me, however, specifically what he is to monitor.

All other rules governing the three modes of outside employment are identical. The rules govern the disposition of my time during the workweek, my use of University facilities, and the use of my University affiliation. You said that the rules do not govern the content of outside employment.

I am still not clear, however, about the meaning of the statement in the Faculty Handbook that outside employment should not come "into conflict with the interests of the University." President Trabant's reason for banning Pioneer monies was precisely because he thought that the mission and activities of



the Pioneer Fund conflicted with one of the University's "commitments." What is the difference between "interests" on the one hand and a "mission" or "commitment" on the other?

### Relation to Workload

The University allows faculty to do consulting on University time with the proviso that it be limited to no more than one workday per week, non-cumulative. These eight hours (20% time) can be spread over the work week in any way that does not interfere with University duties, but cannot be carried forward to any following week. The total limit on outside employment during the 9-month academic year is 36 University workdays.

The University also allows one month's vacation during the summer. I presume that these 20 University workdays, which can be devoted to outside employment, can be spread over the summer in any way. I also assume that there is a total limit on outside employment of 28 University workdays during the summer--20 vacation days and 8 workdays. Accordingly, I would be allowed to work on Pioneer-funded research only these 28 weekdays during the summer, and, because all faculty are required to be on campus during the summer, I would have to remain on campus the remaining workdays of the summer, carrying out only University-supported activities.

There is no limit on outside employment during evenings, holidays, or weekends.

Any time I spend consulting for other employers would reduce by the same number of days the time I could spend on Pioneer-funded activities, and vice versa.

Even though 20% University time may be spent on outside employment, this time and the activities carried out during it would not count toward fulfilling University workload requirements. For example, if I spent the maximum permissible (20%) University time on Pioneer-funded scholarship, none of it would count toward fulfilling my department's requirement that I spend 25% of my time on research.

Because the University is paying me to do research 25% of the time, I must be able to demonstrate that I am devoting that 25% time to work that is demonstrably not funded by the Pioneer Fund. If I spend the full 20% time on Pioneer-funded research, then I must work the equivalent of 120% time to meet my minimum University obligations. That extra 20% would not count toward promotion (moot for me but not necessarily for other faculty) or toward yearly evaluations and merit raises.

My entire program of scholarship during the last four years

has been funded by the Pioneer Fund. This means that if I wish to continue with all of those activities and at the same level of effort (using 25% time as a minimum), I will have to reclassify them all as outside employment, do at least 5% of that work during evenings and weekends (since there is a 20% cap on outside employment during the workweek), and establish another program of research that not only does not require Pioneer funding but which I must also be able to document satisfies 25% of my workload and is demonstrably different from my Pioneer-funded activities. In your words, I must establish a clear "wall" between my Pioneer-funded and my University-funded research. Although they may address exactly the same topic, I must clearly "segregate" the two sets of activities.

### Use of University Facilities

In considering my use of University facilities, I shall make what you refer to as the conservative but not unreasonable assumption that I could do no Pioneer-funded work whatsoever on campus. Accordingly, I would not be allowed to use campus facilities for Pioneer-funded research. This includes everything from my office to University services such as Quick Copy and Mail Services. I could not use the mainframe computer, consultants at the Microcomputer Resource Center, or similar University support services for any Pioneer-funded scholarship. I could not use my University address for my Pioneer-funded activities, nor advertise my UD phone number for those activities, nor regularly use my office to confer with individuals who work with me on Pioneer-funded activities. Nor would I be allowed to employ workers on campus if they were paid with Pioneer monies.

Also, I could not support a graduate student to do Pioneer-funded research with me, unless it were off-campus, and I would have to make clear to the student that I am only an employer, not his or her professor, during that time. I could not continue to use a Pioneer-funded secretary or research assistant on campus.

Would I be able to pay for personal use of my office telephone for long-distance calls, the department's xerox machine, and any other University facilities or services? Or could such use be construed as evidence of conducting Pioneer-funded activity on campus and thus of violating the President's ban on Pioneer-funded research on campus?

Early in our conversation we discussed the possibility of my paying for University facilities to do some Pioneer-related work on campus, because the Faculty Handbook states that campus facilities can be used for "outside consulting activity" after obtaining written approval from University administrators and after settling on the fees to be paid by the "consultant's employer" for the use of those facilities. Originally, you said



that the department would be responsible for setting a schedule of fees. Later, however, you seemed to conclude that I could not use University facilities at all, because I could not carry out any Pioneer-funded activities on campus.

If I were able to employ a worker on campus, would that worker be covered by the University's liability insurance, or would I have to obtain my own insurance? You stated that any employee of mine would have to have some official UD affiliation, either being a UD student or part-time UD employee, in order to work for me on campus. In addition, I understood you to say that a Pioneer-funded employee working on campus would not be allowed to communicate with University personnel (say, Graphic Communications) to obtain University Services. Not only would that employee be limited in his or her dealings with University personnel (precisely the dealings for which I hired a secretary last fall), but I myself would be limited in my dealings with my employee for I could spend no more than 8 hours during the workweek on Pioneer-funded activities (and by definition, any employee of mine would be working entirely on Pioneer-funded activities).

#### Use of University Affiliation

I forgot to ask you about the use of my UD affiliation. The Faculty Handbook says that "it must be made clear to any employer that the work has no official connection with the University." Does this lack of connection also have to be made clear to the audiences for my scholarship?

For example, I presume that I could not continue to use my current Project for the Study of Intelligence and Society letterhead paper, which gives my UD affiliation, for future Pioneer-sponsored activities. Could I continue to use my current Project letterhead paper for non-funded activities?

What would the rules be when I present my research at conventions or in other public venues? Would I give my University affiliation for research not supported by the Pioneer Fund but have to refrain from doing so when I present Pioneer-funded research?

If I have omitted anything important, please add it. For obvious reasons, I need you to get back to me quickly on this.

Thank you for your assistance.



# University of Delaware

#28

OFFICE OF THE PRESIDENT  
NEWARK, DELAWARE 19716

(302) 451-2111

June 6, 1990

Professor Michael Levin  
Department of Philosophy  
The City College  
The City University of New York  
New York, New York 10031

Dear Professor Levin:

Your letter of May 21 to E. Arthur Trabant was forwarded to me as his successor as President of the University of Delaware.

The general thrust of the University of Delaware's Faculty Senate report is that the University has the right to decide whether grants can be solicited in the name of the institution. It is not the case that the report advocates that faculty members should be limited as to the subject matter they study. Nor does the report advocate limits on grant solicitations by faculty members except in those cases when the application carries the imprimatur of the University.

Most institutions follow, at least implicitly, limitations similar to the one described above. If not, why would persons other than the prospective principal investigator be asked to approve a grant application?

One specific recommendation of the University of Delaware's Faculty Senate report is that this University should not approve forwarding grant applications to the Pioneer Fund. The reasons for that recommendation can be found in the report you referenced in your letter.

Thank you for your interest in the University of Delaware.

Sincerely,

A handwritten signature in cursive script that reads "David Roselle".

David P. Roselle  
President

es

# Memorandum



June 7, 1990

TO: Linda Gottfredson  
Department of Educational Studies

FROM: Frank B. Murray, Dean *fmh*

SUBJECT: **Grievance on the Pioneer Fund**

I am writing merely to give you my preliminary thoughts about your grievance against President Roselle for the University's decision not to have any further relationship with the Pioneer Fund. I was puzzled by a number of the claims you make in your grievance:

Firstly, I had not seen that the Pioneer Fund was supporting your research program. It seemed to me that the funds were given so that you could distribute your work, and related work, to a larger audience than the circulation of the journals in which you publish. I would be interested in knowing what particular activities you will be forced to give up when the current allocation of Pioneer funds is spent. What is it exactly that you won't be able to do in the future?

Secondly, how sure are you that other sources of support are not available for your work? I simply don't remember seeing grant proposals from you to other agencies and foundations nor do I remember any being turned down. You did mention to me in passing that a potential funder for the second conference withdrew the offer of funds once the Pioneer Fund controversy became public, but you were also careful not to tell me who this funder was, saying, as I recall, that it was a confidential matter. In any case, I think we would need to test your claim that no other foundation or agency is available to you. I am surprised at this because it has been my experience that the foundations with whom I deal are desperately looking for good projects to support.

Thirdly, as I think I told you, President Roselle made his view on the Pioneer Fund matter clear at his first meeting of the Trustees at which coincidentally your promotion was approved. At that meeting he took pains to state that he was in full agreement with the conclusions of the Nees committee.

FBM:jph  
cc: David Roselle, President  
Vic Martuza, Chair, EDS



# Memorandum

# 30



June 15, 1990

TO: Linda S. Gottfredson  
Educational Studies

FROM: Robert D. Varrin *RDV*  
Associate Provost for Research

SUBJECT: Outside Employment by University of Delaware Employees

In your memorandum of June 6, 1990, you have accurately represented the sense of our June 5 telephone conversation on outside employment by University of Delaware employees.

To the additional questions you raise in your memorandum, I offer the following:

1. Your department chair is responsible for monitoring your consulting activities to ensure that you are meeting your time commitments to the university.
2. The Faculty Handbook's statement that outside employment should not conflict with University of Delaware interests means, for example, that a university investigator should not undertake outside research as an individual that would normally be funded through the university. Because the Pioneer Fund is not acceptable to the university as a source of funding, your employment by Pioneer would not conflict with university interests.
3. University facilities and services like long-distance telephone and photocopying should be available for your personal use on the same basis as for everyone else in your department. Any use for which you are reimbursed by another individual or organization, however, would not be considered by the university to be personal use.
4. It is important that the university be connected only with work it supports. Therefore, for Pioneer Fund-sponsored research you should refrain from using the Project for the Study of Intelligence and Society letterhead, and you should not directly exhibit your university affiliation when presenting Pioneer research. For example, a publication based on work supported by Pioneer should show your home or other business address, not your university address.

I hope this clarifies the university's policy on outside employment. Please let me know if you need additional information.



# University of Delaware

66574

#31

ANDREW B. KIRKPATRICK, JR., CHAIRMAN  
BOARD OF TRUSTEES  
P.O. BOX 1347  
WILMINGTON, DELAWARE 19899

RECEIVED  
E. H. QUINN, III

July 2, 1990

Harry F. Weyher, Esquire  
President, The Pioneer Fund, Inc.  
c/o Olwine, Connelly, Chase,  
O'Donnell & Weyher  
299 Park Avenue  
New York, New York 10171

Dear Mr. Weyher:

The Executive Committee of our Board of Trustees recently met to discuss your letter of May 21, 1990, on behalf of The Pioneer Fund, Inc., concerning the April 19, 1990 "Report of the Faculty Senate Committee on Research on the Issue of the University of Delaware's Relationship with the Pioneer Fund," which was accepted for the University administration by the April 24, 1990 letter of then-President E. A. Trabant. Incidentally, our Executive Committee is authorized to act for the Board between its meetings, and the Board itself regularly meets only twice a year, next in December.

As a result of the Executive Committee meeting, I can report that the Committee is not disposed to override the conclusion of the Faculty Senate Committee and the University administration. The conclusion to which the Committee refers is that presently the University should neither seek nor accept further financial support from the Pioneer Fund.

As background, let me explain that our Board has, as an important objective, that the University administration and faculty enhance the racial and cultural diversity of faculty, staff, and students. As a result of diligent efforts in this regard, much has been accomplished, and it is intended to continue such efforts.

An important finding of the Faculty Senate Committee's Report is that "[a] preponderant portion of the activities supported by the [Pioneer] Fund either seek

SENT BY: R L & P MAIL ROOM

Harry F. Weyher, Esquire  
July 2, 1990  
Page Two

to demonstrate or start from the assumption that there are fundamental hereditary differences among people of different racial and cultural backgrounds, . . ." (e.g., pp. 1 & 6). No matter whether that is in fact the orientation of Pioneer Fund or not, that is perceived as the orientation of the Fund by at least a material number of our faculty, staff, and students.

Without judging the merits of this perception, the Board's objective of increasing minority presence at the University could in the view of our Executive Committee be hampered if the University chose to seek funds from the Pioneer Fund at this time. This decision simply signifies that the University does not at present find its participation consistent with the University's overall interests.

Sincerely yours,

  
Andrew B. Kirkpatrick, Jr.

ABK:sct

cc: ✓ Edmund N. Carpenter, II, Esquire

# Memorandum

#32



July 9, 1990

TO: Jan Blits

FROM: Victor Martuza, Chair *VM*  
Educational Studies

SUBJECT: Your Pioneer Fund Proposal

Your proposal was returned to me with the attached cover memorandum from Tom White, Assistant Treasurer. If you have any questions about his action, I suggest you contact him directly.

VM/mrc

cc: Frank Murray, Dean

# Memorandum



TO: Dr. Victor Martuza  
Educational Studies

FROM: Thomas E. White, Asst. Treasurer  
Sponsored Programs Administration *TE White*

DATE: July 3, 1990

RE: J. BLITS PROPOSAL TO PIONEER FUND

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The attached proposal is returned as it is not in accordance with University Policy.

TEW: cab

070390.2

attachment: 4/24/90 letter EAT/L. Nees





# University of Delaware

OFFICE OF THE PRESIDENT  
NEWARK, DELAWARE 19716

(302) 451-2111

April 24, 1990

Professor Lawrence Nees  
Art History

Dear Professor Nees:

I have read and studied the Faculty Senate Committee on Research Report on the issue of the University of Delaware's relationship with the Pioneer Fund. It is an excellent report. I am pleased with the thoughtfulness and thoroughness of the work of you and your committee.

I accept the report. In particular I note your statements that academic freedom does not require that the University approve and forward every application of external funding generated by members of the faculty. Furthermore, the University has a right to set its own priorities for support of scholarly activity.

Therefore, by copy of this letter it will be University policy as stated in your report. The University of Delaware should neither seek nor accept any further financial support from the Pioneer Fund as long as the Fund remains committed to intent of its original charter and to a pattern of activities incompatible with the University's mission.

Yours very truly,

  
E. A. Trabant  
President

EAT:ems

cc: Richard B. Murray ✓  
Robert D. Varrin

# Memorandum



July 18, 1990

TO: Linda Gottfredson

FROM: Victor Martuza, Chair *VM*  
Educational Studies

SUBJECT: Your Grant Proposal "Project for the Study of  
Intelligence and Society"

I am returning your proposal because it is not in accordance with University policy (see attached).

Since your Pioneer Fund account currently has in excess of \$40,000, would this not enable you to go forward and possibly complete the book project you have in mind?

VM:blo  
Enclosures

cc: Frank Murray, Dean  
Maxine Colm, Vice President  
Employee Relations  
David Roselle, President



University  
of  
Delaware

OFFICE OF THE PRESIDENT  
NEWARK, DELAWARE 19716

(302) 451-2111

April 24, 1990

Attached as "University Policy" to Chair  
Martuza's July 18 memo

Professor Lawrence Nees  
Art History

Dear Professor Nees:

I have read and studied the Faculty Senate Committee on Research Report on the issue of the University of Delaware's relationship with the Pioneer Fund. It is an excellent report. I am pleased with the thoughtfulness and thoroughness of the work of you and your committee.

I accept the report. In particular I note your statements that academic freedom does not require that the University approve and forward every application of external funding generated by members of the faculty. Furthermore, the University has a right to set its own priorities for support of scholarly activity.

Therefore, by copy of this letter it will be University policy as stated in your report. The University of Delaware should neither seek nor accept any further financial support from the Pioneer Fund as long as the Fund remains committed to intent of its original charter and to a pattern of activities incompatible with the University's mission.

Yours very truly,

  
E. A. Trabant  
President

EAT:ems

cc: Richard B. Murray ✓  
Robert D. Varrin