

Minutes of the Meeting of the Academic Council
Thursday, December 1, 2016

**Nan Jokerst (Chair, Academic Council /
Electrical and Computer Engineering):**

Welcome, everyone, to the December meeting of the Academic Council. Thank you for being here today. Our meeting today will give us an opportunity to hear about progress on how new master's degrees are formulated, time for us to discuss faculty governance, and, in executive session, a presentation on computer security at Duke.

Before we move into our meeting business, I'd like to offer congratulations to all of us on our faculty governance process as we applied it to DKU. In an editorial in the Herald-Sun by Mark Donovan, our process and vote on DKU was observed and noted by an outside third party. Let me quote some parts of the editorial:

"Robust faculty debate about and involvement in a major institutional initiative such as Duke Kunshan may mystify business-sector leaders accustomed to more straightforward decision making, but the process is a valuable hallmark of what differentiates universities from purely business endeavors. Another hallmark, of course, is academic freedom – the broad protections for faculty and students in a university setting to speak freely and to let their research and scholarship take them wherever it might. Whether that spirit of academic freedom can truly survive in a university in China... has figured in Duke's internal debates on Duke Kunshan. The

clear... conclusion here is that Duke can exercise leverage for change in a country whose posture will impact the world in which we live for years ahead."

So, however you voted for DKU, our discussions and educated vote that we took clearly showed an engaged faculty voice and demonstrated the strength of faculty governance at Duke. And I want to thank you for that.

Now, let's move on to the business of our meeting today.

***NON-APPROVAL OF THE NOVEMBER 17TH
MINUTES***

Jokerst: We have a non-approval of the minutes of our last meeting, because the Thanksgiving holiday did not give us enough time to transcribe the minutes.

Just a reminder before we move on to our other agenda items, if you ask questions or make comments, please identify yourself for the benefit of everyone in the room.

***ACADEMIC PROGRAMS COMMITTEE PLAN
FOR NEW MASTER'S PROGRAMS***

Jokerst: Next, we're going to move on to the APC plan for new master's programs. I would like to welcome Ed Balleisen, Vice Provost for Interdisciplinary Studies and Emily Bernhardt, Professor of Biology and Chair of

the Academic Programs Committee, to talk with us about APC's suggested process for the creation of future master's degrees at Duke.

Those of you who were members of the Council last spring recall that we had an interim report at our May meeting from Bob Korstad sharing information from the work of the Provost's Master's Implementation Committee that was the follow-on to the March 2015 Master's report given by Dean of the Graduate School Paula McClain. We also anticipate that we will be having more discussions about master's degrees across Duke in the Spring from the Provost and from our incoming Vice Provost for Academic Affairs Jennifer Francis.

With that, I'd like to welcome Ed and Emily.

Ed Balleisen (Vice Provost, Interdisciplinary Studies): Thanks so much, Nan. We're going to take about ten minutes just to lay out some dimensions of this process that's been going on for quite some time, I think quite productively. Then I'll open it up for questions and discussion. As Nan mentioned, the series of questions around our master's programs at Duke have been a focus of discussion at Academic Council, at the Executive Committee of the Graduate Faculty, and at APC for several years now. It was certainly on the agenda in 2014-15 when I was Chair of the Academic Programs Committee, with parallel questions being explored in each of these different venues. I have to say that I've been really impressed by the collegiality that's been on display in our working through these problems over the last several years. There are complicated issues and I feel, myself, that we've made pretty good progress on them and I hope we can explore that today while also recognizing that there may be other ideas that can help us work through these

issues in a more constructive fashion. What we're going to do, very briefly, is just lay out some of the key elements of the resolution, then briefly discuss the implications of these key elements of the resolution for how APC and ECGF have already altered the way they engage with new program proposals, and also probationary reviews of recently approved programs, which are now beginning to move through the system. Then we're going to end with some discussion of an additional need that's been identified by Academic Council that we discussed at APC, which is the need for periodic, macro-overviews of what's going on with master's programs across the university at large, along the lines of the work done by the Master's Committee last year. So Emily will take the first part of that.

Emily Bernhardt (Biology / Chair, Academic Programs Committee): Thanks everyone. As Chair of APC this year, and it's my fourth year on the Academic Programs Committee, and over those four years I have seen a number of new master's programs and I think the subtext of a lot of our conversations about new programs has been, do we really need all of these? What is their cumulative impact? Most of the time we're actually discussing them on a one-off basis and I'm sure that the same issues have arisen many times in Academic Council. It's wonderful that the Graduate School and the Master's Advisory Council prepared the master's programs' status report last spring, so we did really get a sense of the aggregate impact of the decisions that have been made to expand the number of programs and the size of programs on the university as a whole. We now know that there's been a 51% growth in master's students since 2004, with 1200 additional master's students now on campus. And a substantial portion of that growth has been in international students, with 30% of that master's student body in

2015 being from other countries. It was really wonderful in APC, we were able to invest two entire meetings talking about this cumulative impact and thinking about how we might do a better job thinking about this, both when we assess individual programs and how we evaluate the sort of collective impact over time. The three big issues we talked about a great deal in those conversations are the strain on resources that occurs as a result of master's programs, which is not often incorporated into the proposal, and then we need to be very careful that it actually ends up being incorporated into any review. This is just, when you add a student to the university, that student is going to require things beyond the supporting unit. We think about this particularly with career services, visa services, especially with the increasing international population, CAPS, library resources, housing, transportation, and these sorts of costs scale with the number of students that we bring in. We need to find some way of actually accounting for that when we think about any new program, when we think about the aggregate impacts of all programs and when we review a program to see whether or not it's actually coming in line with what we expected in terms of those impacts. Many programs also rely on faculty support from outside the supporting units. It's different from sort of centralized administration, but classes that are required for these new degrees sometimes require altruistic behavior on the part of the faculty who are not receiving benefits, financial or otherwise from that program. So there's also all kinds of negotiations that need to occur to ensure the sustainability of the programs. So the strain on resources at both the central administration scale and on the scale of interactions between units are big issues that we need to deal with at every stage of thinking about a new program and evaluating

existing programs. The second thing we talked a lot about was our ethical obligation to ensure that tuition dollars that students are paying are resulting in career opportunities and scholarly advancements for the students that pay those dollars. So we don't want to start programs just because we can. We want to make sure those programs are actually advancing the scholarly trajectories of the students that enter those programs. Finally, of course, we don't really want to start programs that don't add to the intellectual value of the university. These are core things we need to consider. The logistical considerations and making those more expansive than they have been in the past when we were reviewing a program, and then the role that these programs play in the scholarly work of the university and how we ensure that we're adding to and not taking away from our intellectual mission. So we want to pay much more attention to each of these issues. The problem is that most new master's programs are being written by a few faculty members who have never done this before and will likely never do it again. After they go through this process, they definitely will never do it again (laughter). So it's really clear that we have to have pretty clear guidelines for how one should do that to make sure that all these pieces of the puzzle are being accounted for in new proposals and are being carefully paid attention to as those new programs prepare for their first and second reviews. APC has endorsed the 12-point rubric that the Graduate School has put forward for new proposals. We endorse that and we have already begun using it. Ed will talk about that in just a second. In our discussions and in the resolution that we shared with you, we tried to put some teeth into these guidelines beyond what the Graduate School has put forward by insisting that new proposals state measurable success criteria, by insisting that they provide a financial impact assessment that thinks about

the consequences for centralized resources as well as ensuring sustainable faculty engagement, that those new proposals and reviews require peer comparison, so in addition to thinking about the impact of this new program in the context of Duke University, we are actually comparing that program to similar programs at peer institutions, and that there be a risk analysis conducted. And this probably needs to be done by the Graduate School, by all evaluative organizations that critically evaluate the reputational and intellectual costs and benefits of any new program. When that program comes up for evaluation, do we in fact see that this program is contributing, if not in a positive manner, at least in a neutral manner to the reputation and the intellectual mission of Duke University? So, our resolution is intended to create a more standardized assessment of the viability, the risks, and the value of master's programs, which I hope will allay many of our concerns about their proliferation. As Sally said in one of our meetings, there's nothing inherently wrong with an expansion of master's programs. We just want to make sure we're doing it intelligently and holistically as we go forward.

Balleisen: What does this mean for how APC is already doing its work, and I think ECGF before us, in the flow of review? Let me give you two examples. One, from the consideration of a new program and then a second that's going through the governance process right now. And secondly, our recently concluded discussion of a probationary review, I think the first one that we've really done under the new rubric. So the new program is a Master's in Interdisciplinary Data Sciences. It's moving through APC; we believe it will be coming to Academic Council quite soon. The framework for that discussion has been very much set by this new template. So it has been very much on

the minds of the lead discussants who set the table with the discussions that we sent to the proposers of the program. The discussion in APC was very much in line with those concerns and even after a process of revision at ECGF, there are still more revisions that are occurring right now as we speak in line with the concerns that Emily has just laid out and that are in the resolution. Some pieces of this that I really want to stress: this proposal has a lot of letters from stakeholders supporting the proposals. So what's one way of actually assessing what the impact is on other units? The best way is to get into the heads of those units to reflect on what this proposal looks like to them and what they think its impact will be on the people in their community. So that's one example. The proposal is going to articulate very specific goals for what will count as success explicitly to facilitate the review in three years' time after the launch. I think these are really key components. Of course, any program may evolve in ways that no one expects and there may be new measures of success that become relevant thereafter. But this is a key dimension of it. The probationary review: we just looked at the Master's of Science in Global Health; it was an extremely positive external review and yet, still raised some very important, constructive suggestions, which focus on issues like diversity and inclusion, there were some around career advising and tracking, some around communication to potential applicants. Many of those suggestions emerged in the external review itself and one of the things that came out in discussion is that the Global Health Institute had already worked very hard to address many of those issues. A few additional elements came out in the APC discussion, a very constructive discussion, and the institute was very pleased to receive that set of responses and I'm quite certain will be working on those issues in the years ahead. The final piece that we just want to

mention is another element of this whole new framework, which is a new approach and a more efficient approach to data collection so that we have a more standard set of data around programs and units to work with as we're considering new programs or reviewing ones that come up periodically and Emily will just finish off quickly with just giving some indication of what that looks like.

Bernhardt: This is something where we could use some feedback from some folks here. So we're in the process of preparing resolutions, Steffen Bass is leading this resolution as well, to facilitate some informed comparisons. One of the challenges with faculty governance is, it's wonderful that we get to have a voice, but we're often not that well informed about the units that we're being asked to evaluate. Does anybody feel that occasionally? So we have been thinking a lot about all the many pieces of data that we individually as faculty and collectively as departments or units or institutes or programs are always feeding in to the central administration. We're trying to figure out ways that we can actually get that data back in useful ways. So we've been calling this the baseball cards resolution. Wouldn't it be nice, when you were charged with evaluating a program, if you had a couple of pages of data that showed you the size of the faculty, the number of students, the amount of funding, how that's changed over time, the demographics of the faculty and student population? So we've been working with the Office of Institutional Research to begin to prepare that sort of dashboard that could then be made available at the beginning of any unit review. I think this sort of data-enabled, getting to the point where we can have an informed conversation more quickly, will really facilitate a lot of our conversations. In addition to that being useful for review, I think it's also quite useful for self-assessment

in that units and departments and programs can have the same information available as they are looking at trends in their department. I think, just as the Master's Report shows us, that when we actually make the effort to put the data together into a few very simple graphs, we realize that there are large changes that we may not have been aware of on the ground. So this is something that we're aiming for. So this resolution will be coming forward in the next few weeks and we've been working very closely with the Office of Institutional Research to actually make this happen and they're pretty well on the way. It's pretty exciting. I think this will make us all feel better informed and better able to do our jobs. The last piece is that we will be calling for a bi-annual update to the master's Report so that we can be continuously updating the data that tells us what the situation looks like for master's and PhD students on Duke's campus and we can be tracking that and thinking about what that means at the level of the university. With that, I'll stop and we'll open up for discussion.

Jokerst: Great. Any questions for Emily and Ed?

Jane Richardson (Biochemistry): I know it's a very hard thing to do, and I'm sure you've talked about it, but do you have any plans for tracking the students afterward to assess what it does for them?

Balleisen: Yes, we do. So we are communicating to programs that come through that they have to have a plan in place for how to do that. We are asking the programs that are needing a probationary review for data along those lines. It requires just thinking creatively at the beginning to maintain the connections with those students so you can survey them afterwards and perhaps even going further and investing some staff time into looking people up.

Because finding people on the internet is not so hard these days.

Bernhardt: I'll just add to that. It's really important when you're looking at a new program review, we're always asking, if it's not very clear in the document, where do you expect these students will go? What's the market for them? That's a really important part of a successful proposal. Then as we move to the review stage, which we just saw the first one, it's going to be really important to see where they're placing people. That's very difficult in the first review, which is coming at three years. But in the second review, it's going to be really critical that they're actually meeting their intended goals, and if they're not, they've really thought about what this means for the way they want to structure their program.

Sally Kornbluth (Provost): Just to comment on that. I think there's a component of this in terms of an ethical truth in advertising, not only for the master's degrees but for the PhD programs. Students are going to be coming and spending a lot of money for a master's degree or spending five or six years on a PhD program. They ought to be able to go on the website of each program and actually see outcomes, ultimately. We have arguments of whether we're tracking students on an honest basis, but if they come knowing what the likely possibilities are, then we're being honest and fair upfront, and they know what they're signing up for when they enter these programs.

Balleisen: Some of our discussion with the Global Health Master's review was a really interesting conversation about how Global Health might better convey the information they have actually gathered on the website. So we're paying very close attention to that.

Jokerst: Another opportunity might be to

work with the alumni association, too.

Kathy Andolsek (School of Medicine): I think this is a great project so I really applaud your doing it. I guess one question I have, and I may have missed this, are you applying these same criteria to new PhD programs, and are you applying the same criteria to existing programs that were approved or are just in existence from many years ago, in order to stay as an ongoing program at Duke?

Balleisen: I think that's a great question, and I think that elements of this framework clearly make sense for PhD programs as well. As Sally suggested, we should be making clear to potential applicants of all kinds what the outcomes look like.

Andolsek: But also the strain on resources and all those other wonderful things you've packaged into this.

Bernhardt: I would say that the review criteria are no different in that sense, it's formalizing our expectations of all graduate training programs.

Andolsek: And all existing programs.

Balleisen: And those tend to mostly happen in departmental or school reviews. Except there are some PhD programs that are not situated directly in one department. So, yes, I think we can expect to see that kind of data analytics being brought to bear across the board.

Andolsek: I would just suggest that we have a uniform process.

Bernhardt: Yeah, and actually, what I was trying to say is that we are often reviewing existing PhD programs through external reviews and response reviews. These are exactly the kinds of questions that APC has

spent a lot of our time on. So in some ways, we're formalizing that same structure for all new programs as well.

Craig Henriquez (Biomedical Engineering): You mentioned the idea of creating this dashboard of number of faculty, program size, et cetera. Who is going to be responsible for the data analytics related to where the students are going on a day-to-day basis? How often are they using CAPS? How often are they using the food and athletic facilities? Is there going to be a way to track this?

Bernhardt: We're going to have a barcode... (laughter). No. That's a really interesting question and I think that's a question for central administration. How can we create a per-capita cost estimate that can be used as the baseline for making an initial assumption about how much a program will use?

Lee Baker (Cultural Anthropology): I want to congratulate you on this initial draft of this proposal. My question is: is this mission-driven, literally? Not many people have dusted off the mission of Duke University lately, but the priority is undergraduate education as the first, and then PhD and then master's degrees. They list the priorities. I'm just curious to see if that's part of the thinking of this, like you're prioritizing a certain education over others, or is this just an independent analysis of master's programs, independent of the larger mission of the university?

Balleisen: I would say that it's incorporating that. The desire for an analysis with peer institutions is partly about saying what's distinctive about Duke and what it can offer through some new program that's being proposed. We're also seeing, thinking again of the one proposal that's moving through the system right now, real attention to the payoff

for undergraduates associated with the framework that's being proposed in ways that I find really exciting. So I think the way that I see APC operate is in two guises, both as a member of the committee for three years, and now as interim Vice Provost for Academic Affairs, that concern seems to me to be structuring the conversations always.

Bernhardt: And maybe just the flip side of that: a lot of our conversations in this discussion and when we're reviewing programs is, could this have detrimental effects on the PhD or the undergraduate programs in the units in which it's housed, or on the supporting units of faculty that are also contributing to it? So it's definitely a part of the conversation. You're right that it may need to be more explicitly put in the template.

Baker: Maybe more of a rhetorical purpose.

Cam Harvey (Fuqua): I actually have two questions. The first one, I think, is easy. Regarding the baseball card: will it feature not just the number of faculty but the academic reputation of the faculty? Where I'm going is the following: we might be proposing a niche master's program where we don't have top-ranked faculty and another niche master's program in an area where you have top-five or top-ten scholarship. This would be helpful to know -- so will the card include some sort of ranking of the faculty?

Bernhardt: We talked a little bit about how dangerous that can be. Certainly that is the kind of thing that shows up pretty obviously in a written proposal. That's the kind of thing that you're looking at and thinking about when you're seeing who's involved, what are they offering to do, I don't think we want to be looking at, I personally think, and I think many of our conversations at APC would

support, we do not want a sort of h-score distribution before we decide on a program.

Harvey: I'm certainly not suggesting that. But some idea, not just the number, but the quality of the faculty, would be useful in terms of the analysis of reputational risk.

Balleisen: So my sense of that is that the Provost has a key role here (laughter). Sally, do you want to say something?

Kornbluth: I've seen several proposals come through in the last two years where, in one case I can think of, one of the proposals was shut down, essentially, because it was not believed that there was a faculty of sufficient breadth or depth in the area to cover the coursework that was being put forth. That's a little bit of an intangible, it's not just numbers, as you say, it's, will we be able to really give a good offering to the students? I think that is something that comes out robustly in the discussions at APC, and again, it's in the reports. I don't see it as capturable in a metrics card, if you know what I'm saying, especially also because it's also a moving target. You hire two people, someone leaves, and it changes the dynamics quite a lot. So it is certainly part of the discussion of whether a) it's going to be a credible program and b) when we look at the landscape, is it a competitive program? If we don't have the faculty to really field it in an excellent way, why would they come to Duke as opposed to a place that does have that dimension? So it is certainly part of the discussion.

Bernhardt: Maybe if I could clarify. I see the baseball card; we're really talking about a comprehensive set of data analytics on basic demographics as a way of getting to the point where we have those conversations during our limited time for reviews as opposed to just trying to wrap our head around what exactly we're talking about. So it's really just

getting yourself up to speed on the unit, which I think would do us a lot of good so that we can spend our time more effectively.

Balleisen: And since this can be done centrally, the unit itself is not going to have to spend time collecting that data.

Josh Socolar (Physics): I want to follow up on Lee's question and then add one other question to it. You mentioned that the programs will be looked at to see whether they will enhance the academic environment at Duke or not. Have there been criteria articulated for what counts as enhancing and some way of comparing these disparate programs to see which ones score well on that count?

Bernhardt: I don't think they can be reduced to numbers. I think it's a gestalt, right? But you do want to see that there's a compelling vision at the beginning and you want to see that people stay engaged and enthusiastic about something as it proceeds. These are the sorts of things that suggest that it's actually worth people's time to be engaged in. These are sort of intangibles that are a big part of our conversations when they look at a review or at a new proposal.

Socolar: Right. I'm just concerned that any time somebody gets to the stage of proposing something like this, there are going to be a few faculty who can speak very well for it and who can make it sound exciting and the question is more whether their goals are in line with a broader mission as Lee pointed out, and whether there's any articulated criteria for determining whether they are or not.

Balleisen: So, one such example would be, if you're saying a master's program is going to be benefitting undergraduates in some way, what are the mechanisms through which that

might exist? One would be, there are going to be specific collaborative projects that involve master's students with undergraduates, for example. That's articulated in the proposal; well now you're seeing some pretty clear evidence of what the ethos is behind this. That also sets up a pretty clear thing to check at the three-year review – is that actually happening? If the claim is that, by having a master's program, it's going to offer a wider ambit of courses in their department, some of which advanced undergraduates will be able to take, that's another thing that you would be able to check. If it's a mechanism for attracting a wider or a deeper faculty, well is that actually happening? That might be easier to check at six years rather than three. The other thing I would say is that if there are claims about the impacts of the program that are positive for other units, it's not just two or three people who are proposing it who are going to have to make that claim. They're going to have to convince the people who are going to write on behalf of the program from other parts of the university to say, yes, they found the arguments persuasive too. I think there are checks in the system.

Bernhardt: Maybe the most important part of our response and our resolution is that we are specifically talking about sunseting programs that do not meet their criteria after their second round of review. Having some way of not continuing programs that aren't working is one major way of ensuring we don't fall for the great commercial that doesn't actually deliver the product.

Socolar: My second question goes back to some of the original concerns that prompted the Graduate School review that had to do with incentives for creating master's programs and particularly the financial aspects and whether some departments would be inclined to use them as revenue producers in ways that other departments

couldn't and whether that would sort of shift the balance of the entire budgeting process within a school. Has there been any further thinking about that?

Balleisen: There has, and so I think the financing mechanism behind any new master's proposal is getting a much closer look and that's happening in the Master's Advisory Council as well as at the Academic Programs Committee. What it's also prompting is much more attention to how to provide resources in the financial model for any other unit that's going to be providing teaching to the new program. So I think that's another element which is going to, by definition, diminish the extent to which any master's program is going to be garnering huge resources for any proposal.

Jokerst: Alright, thank you very much, Emily and Ed. Clearly the voices in Academic Council for the last couple of years have been heard regarding master's degrees and we'll hear more about this again in the spring.

FACULTY GOVERNANCE CONVERSATION

Jokerst: Our next agenda item is a faculty governance conversation. There are multiple paths for opportunities to present themselves and for challenges to be identified at Duke. Ultimately, many of these opportunities and challenges are made into programs and they're considered and voted upon by us, Academic Council. The paths through which topics are brought to the Council include initiation by the faculty, initiation by the administration, and by committee members offering their insights, which is what we just heard from APC.

Some would claim that the Academic Council is purely reactive, that we discuss and vote upon what is brought to us by others. I would like to challenge that assertion with

examples, and to further challenge each of you to offer your insights into what opportunities and challenges Duke has today that the Academic Council can weigh in on this conversation.

When I became Chair of the Council, a number of faculty, some of whom are in this audience, approached me with concerns regarding how Institutes were initiated. After discussions with ECAC, we approached the Provost and Vice Provost Ed Balleisen to partner in formulating a process for converting Initiatives to Institutes, which we use today.

A second great example of Council-initiated activities is the Faculty Diversity Task Force, which was authorized by the Academic Council, which was purely a faculty endeavor, and whose recommendations have already had an impact upon the lives of our faculty.

Many of the proposals deliberated upon by our Council arise from faculty, particularly academic programs, master's degrees, and in these cases, faculty present their ideas to us themselves. And, of course, we, the Council, also propose and weigh in on proposals from the administration. We have particularly emphasized, last year and this year, the importance of faculty input to programs proposed by the administration, and to this end, we have discussed proposals, such as DKU, at huge, huge length, in the formative aspect of the proposal.

The transparency, honesty, and sincerity of all of the parties, administration and faculty, have been enabling for our collective progress forward. In these discussions, when you offered your thoughts to programs proposed by the administration, the administration has taken our insights, with great respect, and revised the programs based upon these faculty inputs.

This is a level of faculty engagement that is beyond reactive voting, and, in partnership with the administration, both parties are stronger, and our often bold Duke programs now have a foundation of support that bodes well for success as they launch.

It is critically important that all of these venues of initiating communication, discussions, and proposals remain active and engaged, and that is the point of our conversation today – how to be proactive as a Council in identifying and pursuing our priorities, as well as partnering with the administration, all in the spirit of rowing in the same direction to move Duke forward.

Our conversation today focuses on how we can increase proactive faculty engagement on opportunities and concerns of the faculty. So, today, we would like to take our faculty conversation again to the proactive discussion level by initiating a conversation on the topic of faculty governance itself. The email invitation to this meeting identified a few topics, provided by ECAC, that reflect upon faculty governance, and we are eager to follow this conversation up with wherever you want to take it.

I would like to welcome to the podium Josh Sosin, an ECAC member who has agreed to facilitate our faculty governance conversation today.

Josh Sosin (Classical Studies / member of ECAC): Thanks, Nan. That was a lovely introduction and I'm struck that you might think of it as the third in a series. The penultimate one was aspects of what Ed and Emily just shared with all of us, and the first in that series I guess culminated a few weeks ago in what was a sort of model act of shared governance around a hard subject with which we wrestled with success as you measure both the process and the outcome over a long

period of time. But we're not here to talk about that. One of the really great features of sitting on ECAC is the opportunity to pay really close attention to governance and to procedure. I don't mean just procedural elements, per se, but those special places where careful governance and attention to procedure actually creates and protects substantive goods. We devote a lot of time to discussing issues that come back in one way or another to matters of faculty governance. Two hours a week, every week, sitting around a table and almost nothing we address is simple. Over the last couple of years, a number of issues have drawn our attention, things that we keep coming back to in one way or another. We thought we'd start trying to carve out at least a little bit of time in Council, as is available, to share at least some of the categories of things that we've been thinking about and talking about and seeing whether we might be able to generate a bit of conversation here that, in the first case, might allow ECAC to better represent you and do our daily business with a clear eye to the concerns of the Council, of the faculty, of the wider community and help all of us do our jobs a little better. As Nan said, we floated a few discussion prompts, one on representation, one on format, a third on agenda-setting by ECAC. I want to stress that ECAC has no formal, agreed position on any of these things, and other subjects too. We haven't prepared anything on this or any other subject, we haven't tried to systematically tackle these in any way. What's about to happen is not going to be anything like a presentation. It's certainly not going to be question-and-answer. I'm going to try not to lead the conversation but just to stand here on Nan's podium and point at people as they raise their hands. Our best hope is that you are going to carry the ball and you are going to speak your mind. We want to listen and we want to hear. So I'm going to stop now and we weren't sure

whether to expect crickets or hollers (laughter), but whatever happens, please raise your hand, speak your name, and go for it.

Steffen Bass (Physics): I'm going to bring something up that sort of has an impact on all three of these items and it goes back to when I was a member of Academic Council for the first time and I tried to figure out how this place works and what is its deeper purpose. I think it's faculty governance, oversight, and accountability on all parties. You may be surprised, but one of the best tools that Academic Council has for this are its minutes. These minutes are the best minutes of any committee here on campus. The way you play this game to maximum impact is if you manage to ask the one right question that gets a good answer from whoever is being grilled up front. Our previous Provost, who has had many quotes about DKU, for example, over the years. So you ask a question, you get an answer, and it's on the record. If you are careful enough to keep these minutes over the years, nicely searchable as PDFs, you can reconstruct whether the story is the same, how people are held accountable or whether the narrative has shifted in some way that may not be to the liking of the faculty. I'm giving some trade secrets away here (laughter), but that is really one of the ways how Academic Council here at Duke has been really effective over the years. I encourage you all to make sure to use this in that vein as we go forward and then take the long view, you know? This is not just about getting a cheap point in at a meeting. Even if you know the answer but other people in the room might not know the answer, ask the question, get the answer on the record. That will help this institution in the years to come.

Sosin: Speech patterns; documents matter.

Alex Rosenberg (Philosophy): I think this is a really crucial central issue and I'm glad we're having this discussion. I want to say why, and then I want to raise a question. A strong faculty governance is probably the most important resource that an administration has. It's the only countervailing force that the President can call upon when he has to deal with the other constituencies of the university: the trustees, the donors, the alumni, the athletic boosters, the student social organizations. To have a strong faculty with a concern for the agenda for the university and opinions about how it should operate behind him is probably the greatest asset that the President can have in maintaining the priority of the academic institution. That makes this conversation particularly important and not just a ritual issue, especially in the light of the prospect of a new President. Concrete question: what is the role of the Academic Council or ECAC in appointing members of the various committees that advise the administration on matters like APT, APC, UPC, five-year reviews of the various institutions and officers on the campus?

Sosin: I'm happy to speak from my experience, if I say anything wrong, I'm going to trust Nan and the Provost to correct me. In my experience, it's a productive set of back-and-forth in which what ECAC usually receives is notice that there is a need in some measure to staff one of the bodies you mentioned, with or without a roster of potential candidates. In response to which, in discussion over one or more ECAC sessions, possibly extended over email, there is consideration, not only of the people who may be on that list, but other people. There is discussion of our understanding of their contributions in the past or particular disciplinary or otherwise knowledge that they might bring to bear on staffing the body in consideration. Usually, a list of names with

some justification of why we think they would make reasonable candidates is passed back to the Provost or whoever has sent us the initial roster. What happens after that, I am unaware of. Nan might be able to speak to that and Sally might as well. But the point I want to stress is that I've never seen a declaration that "these are the individuals who will populate the following committee." Nor have I seen any kind of tyranny running in the other direction from ECAC. So the result of these has been a considered exchange. I hesitate to call it a negotiation for all that that implies, but a considered exchange over how best to populate those committees. There is one fragility in the system, Josh (Socolar) is about to correct me, I assume, on something important, but the one fragility in the system that I've seen is insufficient collective knowledge of the faculty who are out there who might do a good job serving and who might be really deserving. We don't know well enough, and the result is that it can be all too easy to revert to the usual suspects. That doesn't serve anyone well. It doesn't immediately hurt us, but it certainly is not sustainable and it certainly doesn't make best use of the collective strength of the faculty who are here. We've been talking about ways of getting at this. You can understand the ways in which it's not trivial, and the incentives that you have to build in in order to correct this don't flow out of ECAC but rather out of the administration. So this is a definable issue but not a trivial one.

Rosenberg: This is sort of the answer that I expected and I'd to put it on the table that the Academic Council consider the establishment of a formal committee on committees.

Sosin: For the nine of us in the room who have read the bylaws carefully, you will know that the formal description of ECAC is the committee on committees, which at first I

thought was a typo (laughter). But, in fact, it is the first descriptor of the committee in the bylaws. That doesn't dismiss your suggestion or the constitution of another one.

Rosenberg: I would suggest that perhaps the initiation of candidates come always from the committee and be considered and examined by the administration.

Sosin: I get it.

Socolar: You made the point that I was going to make from the procedural perspective. The way things work with the Provost's committees is a little different than with the President's committees. In some cases, ECAC first generates the list of names, in some cases the President sends a list of names to ECAC for comment. In the end, it's not a vote. In the end, it's usually a mutual agreement that the roster looks reasonable. But where the names come from originally is different in the two different cases and of course for the Academic Council committees themselves, it's ECAC.

Sosin: I have the hunch, too, that one of the criteria of "reasonable" is the distribution of plausible candidates throughout the total staff need, which is something that ECAC is less aware of than the Provost is.

Jokerst: And let me just add one thing we pay a lot of attention to is diversity across departments and divisions to make sure there is good representation of as many of the departments and divisions as we can as well as gender, ethnic, and racial diversity. So we pay a lot of attention to that. Frankly, a lot of the time, we have a lot of trouble because so many people are on sabbatical or people are asked to serve on more than one committee. So, Alex, I would love to have more recommendations from people who would like to serve on committees, because

you're right. These committees are incredibly important to Duke as we move forward, because these are the committees where we see policies formed.

Rosenberg: It's how the faculty are informed about what's going on.

Socolar: I also want to say that we have tried to do that. We have sent out emails, calls to faculty to suggest names with the list of the committees that have open slots. The response was reasonable enough to feel like it was worth doing, but not overwhelming.

Sosin: This is why I say there is some attention to incentives that needs to be paid.

Micaela Janan (Classical Studies): On the agenda when you say "other faculty bodies," what other faculty bodies are we talking about? Specifically, does that cover Arts & Sciences Council?

Sosin: I think, and my ECAC members can correct me if I remember this wrong, we were concerned in the first case with how we compose this body here. But of course, this isn't the only body where you may or may not want to observe a principle of representation. So yes, it ultimately includes Arts & Sciences Council. It includes the standing Provostial and Presidential committees where, you can imagine, how unpalatable it would be to have wildly different standards of representation across governing and advisory bodies within the institution. So the question asks, how do we as a Council feel about the composition of the Council? What might the implications of that be outside the walls of this room?

Janan: If I may follow up, it's been my experience, and this is largely from the Arts & Sciences Council, it isn't the composition of the body that makes up what the entity is, but

rather the ways that discussion is structured. I was interested when you said this will not be a question and answer session. Because to do that throttles down free and open discussion and that can happen in Arts & Sciences Council which does not, in my opinion, reflect our community values.

Sosin: For just the reason you said, I decline to answer that (laughter).

Baker: I just want to follow up on Micaela's comment. Has ECAC systematically and strategically thought through relationships to the Schools' faculty governance bodies? Are we leaving resources on the table, whether it's staffing committees or broader, not to have better coordination, but also then a good division of labor between the various faculty governance bodies and their respected deans, I should add?

Sosin: The short answer is yes, and often. The longer answer is that this gets you quickly into fairly complicated issues. I think it's right to say that we haven't addressed it from the perspective you mentioned, that is, efficient deployment of faculty resources by drawing in a strategic way from across the schools. I don't think we've really discussed that in any sort of systematic way. But there is this place where the declaration of policy school by school in various places (for example, the faculty handbook) travels around and passes through ECAC. So it does mean there is an opportunity for representatives of the Council to at least be aware of and survey different practices across the institution. It's not exactly our mandate to police a thing like that. But we have an eye on the broader picture. That's not exactly the way you said it.

Jokerst: I do meet with Anita Layton and Henri Gavin who is Chair of the Engineering Faculty Council, occasionally, especially when

a faculty member in one of the schools brings something to me that I think might be adjudicated within a school governance structure, because Academic Council and ECAC are not supposed to delve into the school-based concerns, but rather look at an overall university concern. I've also interfaced quite a lot this year with the Nursing School as well. So when the head of a faculty governance structure says to the Chair that they'd like to meet, we're very interested. And Anita Layton, Chair of the Arts & Sciences Council, and I actually had something that we did together that impacted both Arts & Sciences and Academic Council earlier this year. So there is a little bit of coordination. I think it might be very useful to have more, as you suggest.

Pat Linville (Fuqua): One suggestion, in terms of getting diversity and maybe more people, a wider range of people for committees, I think would be at the beginning of the year, send something around where we either fill in or choose one of several boxes about what our own research would be. So I look at some of my colleagues and they have real financial background. So we may not know that when we're picking. I do stuff on diversity. So there may be a variety of things that would be useful to have in some place when we're thinking about what kind of people we want on there, and do we want somebody with these different kinds of research perspectives.

Sosin: I agree. There are simple mechanisms that we could bootstrap to facilitate that. I just finished turning in my annual report in which there was no section for me to declare the kinds of service things I'm interested in. It seems to me that's a six-dollar fix. Maybe some social engineering on top of it. But the basic thing seems simple.

Socular: I want to raise a question that I

raised once with ECAC a couple years ago and turned out to be very contentious. That has to do with the composition of the Council itself, and in particular, the bylaws that stipulate a limit of the number of non-tenure track faculty that can participate. I think the limit is something like one per division...

Sosin: Section I.B.3.a. (laughter)

Socolar: The question was, given the growth in the numbers of non-tenure track faculty, whether those limits are still reasonable and whether we get appropriate representation of the views of the Duke faculty in this room. As I say, it's a very contentious issue.

Sosin: This is a non-trivial issue.

Socolar: If there is a way to discuss that and have some agreement, then either we're on the right track or we need to make a change, I think that would be valuable.

Sosin: ECAC talked about this and I think the Council should too.

Henriquez: I want to amplify just a few statements that were made. It's interesting, when I was Chair of Academic Council, I came in and I had many of the same confusions about how the Council was functioning and I spent a lot of time looking at the old minutes of the Academic Council, as Steffen mentioned, and I'm talking all the way back to the 1970s. One of the things I was hoping would happen at some point is that we could actually archive those in some professional way. Actually make them in PDF readable form. Because there are actually some really remarkable events that took place over the history of this university that inform what we're doing today. I think it's useful if we can go back and look at that and if people can use that in terms of informing discussions. The other thing that I wanted to mention in the

process of doing that we created an Academic Council handbook. I don't know if everyone knows it exists, but it's actually a pretty valuable document that actually tells you how the Council works and what the various committees are and how many there are, it's actually remarkable to see how many university committees there are when you see them listed down. But I think that if someone wants to get that information out, or you want to give it to a junior colleague who has no idea what's going on in Academic Council, this is an easy document to find. It's sitting on the website and I recommend it to everyone to read. The last thing is, as Chair of Council, it was always remarkable that very few of the deans showed up. I know Valerie is here to represent Arts & Sciences, but very few of the deans showed up at Academic Council meetings. I don't know if that's a good thing or a bad thing (laughter). I don't know exactly how what happens in Academic Council gets articulated back, I don't know if there's a process with the Provost, whether they talk about it, but it doesn't seem like that flow works very well. If anything could change, I think it would be useful to make sure that the deans have some sort of sense of what's happening in Academic Council.

Sosin: Or (to point to all of us) back to units. I expect there is tremendous variety here by department culture.

Thea Portier-Young (Divinity): I want to follow up on what Josh raised in terms of composition with regard to non-tenure track regular rank faculty. When we look at the demographics across the university, we see this as an incredibly significant percentage of our faculty who are serving in an incredible diversity of roles across our schools and departments. One of the things, we were talking about this recently in APC, one of the things that I have encountered is that there is often a lack of understanding of the

particular needs of non-tenure track regular rank faculty in the different roles that they're in across the university, in part because of that lack of uniformity in different configurations, and in part because of some of the "siloiing" that occurs. Not having proportional representation then means that this body will not be as well informed, and, even as we were talking about committees getting populated by people who are known to people on ECAC, for example, it's going to mean that our other very important committees will not have that proportional representation and not be informed about the particular roles and needs of these faculty and their voices aren't going to be shared in the future of our institution. So it's something that I feel really strongly about and I hope that it's something we continue to discuss.

Sosin: I think you just beautifully explained the things that ECAC has discussed. The only tiny point that I want to call attention to as a humanist who can scarcely count is that the principles here might be inherently complex but I bet we could reach a kind of general consensus on the virtues of representation. The arithmetic is non-trivial, in part because the demographic change, in terms of rank, in different corners of the university has tended to move quickly, sometimes in ways we were unaware of in the moment. And if you were to observe a strict proportionality, I promise you there would not be ten Humanities representatives in this room. It just wouldn't work. So I think this is tractable, but its dimensions are non-trivial.

Richardson: They beat me to it, but I wanted to weigh in on this issue as well. I think this is the most important way in which our representation is not reasonable.

Sosin: I just want to say, please don't think that just in terms of the Council. Think of it in terms of Arts & Sciences Council. Think of it

in terms of standing Provostial and Presidential committees, et cetera. It's not only in the kinds of governance matters that come to the Council that the virtues of broad representation and proportionality, however arrived at, matter.

Jokerst: I will say that we also look for diversity of rank and age as well, and time at Duke, for many of our committees as well.

Thank you Josh.

***EXECUTIVE SESSION FOR SECURITY
BRIEFING PRESENTATION BY TRACY
FUTHEY (VICE PRESIDENT, INFORMATION
TECHNOLOGY AND CHIEF INFORMATION
OFFICER)***

Jokerst: The last portion of our meeting will be held in Executive Session. So those of you who are not Duke faculty members, I will ask you to please leave our meeting. If you are faculty members, whether or not you are elected members of Academic Council members, please stay. I encourage you to stay.

(Remainder of meeting conducted in Executive Session)