

Duke University

DURHAM
NORTH CAROLINA
27708-0928

ACADEMIC COUNCIL
304 UNION WEST
BOX 90928

phone (919) 684-6447
e-mail acouncil@Duke.edu
fax (919) 681-8606

Minutes of the Regular Meeting of the Academic Council

Thursday May 12, 2011

Craig Henriquez (Chair / Professor of Biomedical Engineering and Computer Science): Welcome everyone, to our last Council meeting of the academic year. And for those who were not at last month's meeting, this is my last as Chair of Academic Council. It has been an immense privilege and honor to serve the faculty as Chair of the Academic Council, and I want to thank all of you for your support and your efforts over the past two years with regard to faculty governance. I've said this many times – I really believe that Duke's strong faculty governance is one of the major reasons that Duke has had a rise in national prominence over the last thirty years. If you look at the other rapid riser in national prominence, which also had a strong faculty governance, and that would be Stanford.

My main goal when I came into the job in September 2009 was not to screw up! (laughter) And I'm going to leave it to history to decide if I did okay. (laughter) My other goal was to develop a handbook and try to organize the Council activities. I hope that the document that was created will continue to live and be refined – I will leave that in the hands of Susan Lozier, from the Nicholas School of the Environment. She will assume the chair position in July and will be running the Council meetings from September 2011 through May 2013. Don't worry Susan it goes very fast! (laughter)

The May meeting typically contains a variety of end of the year reports from the chairs of some of the busier committees. At the end of the presentations, I will be asking those of you who are not faculty to leave the room – not because I don't want you here but because we will be entering executive session where we will vote for honorary degree candidates for the 2012 Commencement.

Our first order of business is to approve the minutes from the April 21 meeting. Could I have a motion to approve the minutes? [Passed by voice vote with no dissent.] I also want to thank Sandra Walton and John Staddon – John's not here today – and our two undergraduate student assistants in the Council office, Grace Howard and Hillary Walker, both Pratt students I'm proud to say, for your excellent handling of this year's minutes. It's quite a job to take these minutes, which are recorded and transcribed in order to get a verbatim transcription. I'd also like to thank

and recognize Reed Criswell, of the Divinity School, who is here with his electronic equipment to record everything and who does a fantastic job making sure everything is recorded properly. Finally I want to give a special thanks to Sandra Walton who has served as my assistant for the past two years and will serve Susan (Lozier). When I came into this job, I was reading through the old minutes and some of the original papers that founded the sort of modern version of the Academic Council in terms of the 1972 Christie Report. There was a comment in there about having an administrative assistant to the Chair. And in the minutes where they presented this for the first time, someone wondered if there would be enough work for this person to do? (laughter) And I can tell you that there's enough work for *two* people to do, but only one person is doing it and that's Sandra Walton. I thank her very much for all of her efforts for the past two years in helping me, in keeping me on time and on task which is very, very important I can tell you, and also in being a very good friend as well. (applause)

At this point in our meeting, according to the Christie Rules that were outlined in 1972, our bylaws state that the Academic Council meet monthly during the academic year from September to May, and at other times beyond this time frame as the Chair or ECAC (or ten members of the Council) may call. In recognition of the fact that it will likely be difficult to convene a meeting during the summer months, as many folks will be away and generate a quorum to make decisions, the Christie Rules provide that this Council can delegate authority to ECAC, so that ECAC can serve in a consultative role to the Administration when the University is not in regular session. In other words, ECAC assumes all the power of the Academic Council during the summer months. ECAC will now introduce a motion that asks that this Council give ECAC that authority. Of course, it's your decision – if you want to have meetings over the summer:

Whereas, the Christie Rules provide that at the last meeting of the Academic Council in any given academic year, the Council may delegate to the Executive Committee of the Academic Council the authority to appoint a committee

of at least three Council members to serve in a consultative role to the Administration when the University is not in regular session, and whereas the Christie Rules note that this committee should normally consist of members of the Executive Committee of the Academic Council if they are available, ECAC recommends to the Academic Council and moves that the authority to create such a committee be delegated to the Chair and Executive Committee of the Council, and that such committee once formed would remain in operation until the first day of the fall semester of the 2011-2012 academic year.

As ECAC is presenting this motion, I only need a second – may I have a second? [Passed by voice vote with no dissent.]

Council members, please remember to initial the attendance sheets that are going around and also be sure to identify yourself before asking a question or making a comment during our meeting so that we have it on the record.

We will now move to the next item on our agenda – the nomination of candidates for earned degrees. If Peter Burian is here – we will get started. Peter will read the motions:

In accordance with the University Bylaws, I will call on representatives from the various Schools and Trinity College for them to stand and provide their recommendations of approved candidates for various degrees. These lists will be forwarded by the Provost to the Board of Trustees for their approval at their meeting this weekend.

Earned Degrees

Diplomas dated May 16, 2010

Summary By Schools And College

Graduate School

Dean Jo Rae Wright

Doctor of Philosophy	154
Master of Science	77
Master of Arts	114
Master of Public Policy	1

School of Medicine

Dean Nancy C. Andrews

Doctor of Medicine	99
Doctor of Physical Therapy	53
Master of Health Sciences	77
Master of Health Sciences in Clinical Leadership	1
Master of Health Sciences in Clinical Research	12

School of Law

Dean David F. Levi

Doctor of Juridical Science	1
Juris Doctor	205

Master of Laws	104
Master of Laws in Law and Entrepreneurship	14

Divinity School

Dean Richard Hays

Doctor of Theology	1
Master of Theology	3
Master of Divinity	121
Master of Theological Studies	14

School of Nursing

Dean Catherine L. Gilliss

Doctor of Nursing Practice	15
Master of Science in Nursing	47
Bachelor of Science in Nursing	50

Fuqua School of Business

Dean Blair Sheppard

Master of Business Administration	452
Master of Management Studies	102
Master of Management in Clinical Informatics	22

Nicholas School of the Environment

Dean William L. Chameides

Master of Environmental Management	147
Master of Forestry	4

Sanford School of Public Policy

Dean Bruce Kuniholm

Master of International Development Policy	19
Master of Public Policy	40

Pratt School of Engineering

Dean Tom Katsouleas

Master of Engineering Management	67
Master of Engineering	1
Bachelor of Science in Engineering	251

Trinity College of Arts and Sciences

Dean George L. McLendon

Bachelor of Science	487
Bachelor of Arts	750

TOTAL 3505

Duke/NUS (dated June 30, 2011) 23

Henriquez: Thank you very much and congratulations to all of the candidates.

Peter Lange (Provost): I want to note that this is Al Crumbliss's last meeting of the Academic Council as Dean (of Arts & Sciences). I just want to thank him and acknowledge his incredible service this past year, stepping in when we had a vacancy in the position. He's done a fabulous job, he's actually shown up at a lot of these meet-

ings too – I think that’s because he’s getting ready, anxiously, to rejoin the faculty. (applause)

Henriquez: Thank you, Al. For those of you who are new to the Council, I want to let you know that in the past, we have actually performed this ceremony of earned degrees, which is Paula McClain’s (former chair) favorite event of the Academic Council (laughter) three times, in September, January and May. In fall of 2009, we were made aware of a problem in which the Nursing School graduates could not apply for a job until their degrees were approved by us, then by the Board of Trustees and then they would be eligible to apply for a job. And sometimes it was a delay from the time they finished their courses of two to three months until we and the Board of Trustees approved their degrees. We changed the timing so that the School of Nursing is approved before the start of each semester. We’ve done that now twice – we approve the degrees in January in a meeting prior to the meeting of the Executive Committee of the Board of Trustees, so we only have these official ceremonies now twice a year and the nursing graduates are approved prior in August before the ECBOT meets. So, just so you know, if you don’t hear the School of Nursing called, you will know why.

As I noted earlier, this is the last official Academic Council meeting of the year. I think we have accomplished a lot, we’ve learned a lot about how the University works this year and there were a couple of planned agenda items that will need to carry over to next year. The first is a presentation by Deborah Jakubs, the University Librarian and Vice Provost for Library Affairs, who will update the Council on the state of the library, which we think is very important and should be an interesting presentation. The second presentation is by Kimberly Jenkins who will discuss the new University Initiative on Entrepreneurship, started last year. She was scheduled to present this Spring, but decided it would be better to do later in the year. We also will receive the faculty salary equity study from the Faculty Compensation Committee. It was due this year at this meeting, but with two years of frozen salaries we figured the report would look exactly the same as the last one (laughter). So, we decided to postpone until next year... And finally, for next year, we imagine we will see a set of programs slated for DKU [Duke-Kunshan, China] that will be moving through the various gauntlet of committees. And I am sure there will be other new programs or policy decisions coming forward as well, so stay tuned. Are there any questions or comments?

Craig Henriquez – Outgoing Chair

Marie Lynn Miranda (ECAC and Nicholas School of the Environment / Pediatrics): We have a full agenda and so I wanted to make sure to do this before people started to go elsewhere. As you know, we have been well-served by Craig Henriquez as the Chair of Academic Council these past two years. I’ve had the delightful opportunity to serve as his Vice-Chair, which I can tell you my key role as Vice-Chair is to say “So moved” (laughter) at all Academic Council meetings for all of our motions. But there are a lot of things that Craig has done for us as Academic Council

Chair, some of which you may be aware of and some of which you may not be aware of, but all of which one can easily imagine Craig doing. Fundamentally, what he does is he represents the interests of the faculty to all the many stakeholders and constituencies here at the University. And he has been so devoted in that service to us as a faculty – whether it is talking to members of the Board of Trustees, talking with students, talking with people from the Athletics department, talking with people from the Global Priorities Committee, or from the Academic Programs Committee, to all of these different places of the University, Craig is there reaching out, learning, bringing that information back to us on ECAC and also bringing that information back to all of us here at Academic Council. I can’t imagine a person who could have done a better job leading us through these somewhat different and more complicated times given everything that has gone on in the past two years. So, all of those things you look at Craig, you see him up here and you can easily imagine him doing that – one thing that perhaps you don’t realize is that Craig is also the official carrier of the Mace during graduation ceremonies. This is not a small task, it weighs seventeen pounds¹, so we’re glad that Susan is totally buff and ready to take on the seventeen pound mace (laughter). For those of you who haven’t had an opportunity to see Craig carrying the Mace – Craig, if you could come up here? You know, I asked whether or not we could have the Mace present so you could really witness him in all of that glory and pomp and circumstance of the university, and I was summarily told, “No, because it’s only used for ceremonial events.” So, what you’re going to have to do is settle for the fairy swatter (laughter) and imagine that it’s a seventeen pound magisterial mace (laughter) that is representative of all the many traditions and wonderful things about our university.

In honor of Craig’s service to Academic Council, we are presenting him with a gift. This is a caricature that has a great representation of the many things that Craig has done for us here in Academic Council. Sandra will unveil it, and I know that Craig will love it. There’s no fairy swatter in the caricature which is the sad part (applause). Those of you who know me, know that one of the things I most often say is, any day when you learn something is a good day. And what I want to say about the past two years, is every single day in the past two years that I have had the opportunity to work with Craig, it has been a *good* day because I have learned an enormous amount from him, and we have all benefited from his great service. So, thank you Craig (applause).



¹ Actually *seven*, but who’s counting!

Henriquez: Thank you Marie Lynn. This is a great surprise, a wonderful gift that I will treasure always, I'll have to figure out where to put it... I was going to tell Marie Lynn that as my Vice-Chair, she's been the *bee's knees* (laughter). For those on ECAC, you'll know why I told her that and I will let her have some time to figure out exactly what that means. I also want to thank all the members of ECAC who are leaving – some are here – Jennifer, Ann, Suzanne, Steffen and Marie Lynn for their outstanding service as members of the Executive Committee of the Council.

I mentioned last time that this has been a remarkably close group of people who have done yeoman work in serving this Council and in asking the hard questions of the Administration, and providing important service to the entire University. I thank them for everything. I was thinking I was going to miss having lunch over our weekly meetings – but I can have lunch with you anytime (laughter). So, we will certainly try to do that and catch up.

Academic Programs Committee

Our first presentation concerns the activities of the Academic Programs Committee. The out-going chair of APC, is Professor Laura Edwards, from the History department. She could not be here today because of her travel schedule. She provided her report to ECAC which was linked on the agenda. I hope you had a chance to read it. If not, I will briefly summarize and if you have questions you can ask Peter (Lange) for more detail. APC is an advisory body to the Provost considering a wide range of matters related to academic affairs, most notably reviewing departments on some regular schedule. This year, Statistical Science, Computer Science, Neurobiology, and Philosophy were all reviewed, and there are a number that are in the queue.

APC also reviews and approves degree programs and considers new departments or organizational structures. This year, the MMS from Fuqua was approved by APC, and eventually approved by this Council. In addition, APC approved a proposal to appoint POPs [professors of the practice] directly in the School of Medicine rather than going into a department. This is a proposal that will likely make its way to Council sometime next year.

APC also initiated a discussion on how to review Institutes and this process will likely be presented to the Council next year as well.

Finally, because APC is advisory to the Provost this group is often used to provide feedback on new policies or initiatives at various stages of their development. For example, the Humanities Strategic Plan was examined as was the new policy for summer salary which was something that came to the Council this year.

So, it's been a busy year for APC. Their efforts are most appreciated – a lot of what happens there winds its way to Academic Council for our approval and then on to the Board of Trustees. Next year, John York, who is over there, the Cancer Biology Professor of Pharmacology and Cancer Biology – which I realize is kind of like a circle (laughter) – also a member of this Council, will serve as

chair. John, the Council looks forward to receiving your future resolutions and reports. Are there any questions?

University Priorities Committee

If we think of APC's pursuit of excellence in the academic programs as the Yin, then UPC is the Yang of the University Committee structure. It looks at the nitty-gritty details of the resources and budgets to achieve the University's visions. We will hear from Professor Warren Grill, from the department of Biomedical Engineering and who has served as chair of the University Priorities Committee. He is now completing his fourth and final year as chair of UPC and we are happy that he will be able to devote the energy that he previously spent on UPC to that of being a member of ECAC. He will also bring significant expertise about the budget process to this group. Warren will update us on UPC's work for this academic year.

Warren Grill (Biomedical Engineering): Thank you Professor Henriquez and members of the Council for the opportunity to share a brief update on the activities of the University Priorities Committee. I'd like to thank my faculty colleagues who served on the committee – I see several of you here – thanks for your efforts as well as the staff of the Provost's Office, in particular Jim Roberts and the staff of the Executive Vice President's Office, formerly Hof Milam and more recently Tim Walsh. These folks were integral for helping us to identify items on the agendas as well as providing the materials that we needed to understand the items that we discussed in our meetings. There is a rather terse summary of the issues that we discussed which was posted on the Council's website that also includes a description of the full membership of the committee.

Rather than recite this to you, instead I choose to highlight what I perceive as the four challenges that are facing the University going forward. These are all related to the allocation of resources. First, last year you may recall that I shared the view that another year without increases in salary would be both untenable and unlikely. Indeed, I expect annual raises will once again become the rule rather than the exception barring some very unusual financial development. However, continued escalation in the cost of benefits, primarily driven by the apparent ceaseless growth in healthcare expenses, has already prompted some discussion within our committee as well as in the administration at large of what constitutes the most appropriate balance between the spending of our total compensation dollars, part of which is salary and part of which is benefits. I expect this issue will occupy the UPC going forward and will likely appear on the agenda for the Academic Council as well.

The second item: following the very successful DART initiative (Duke Administrative Reform Team), which yielded substantial administrative efficiencies, permanent reductions in ongoing expenses, and a workforce that remains smaller by almost 300 persons, we now face a challenge going forward of identifying and maintaining reductions in administrative expenditures – in other words,

I hesitate to call it easy work or low-hanging fruit, but the easier work has been done.

One large opportunity, in my view, is the costs associated with the activities collectively known as audit and compliance. While the university is the recipient of federal funds, in the pursuit of our educational research and service missions, and being subject to the myriad rules and regulations, the growth in cost of audit and compliance have for the past several years, substantially outpaced the growth of the overall budget as well as the growth of the budget of the activities that they support. So, if you look at these two lines, audit and compliance is growing exponentially and the overall institutional budget is looking like a much more linear and flatter growth.

In addition to the financial costs associated with these activities, they exert an additional cost to the quality of the work for faculty and staff who are subject to these various audit and compliance policies and activities. In my view, this area requires a holistic review to determine what is required by federal regulations and how the impact of such requirements on the budget and the person that they affect be minimized. What might seem like a good idea in isolation, often adds to the ever-growing time burden imposed to do our work and adds to the financial pressures of the university.

My third concern is the pace of growth in the budget of athletics. The proposed 2011-12 budget for Duke Athletics is increasing by 6.2% over the current year budget. To put this in some context, the growth of the Arts & Sciences budget for next year is about 3.1%, Athletics is twice Arts and Sciences At a time when we are resource-constrained and when Athletics continues to receive a substantial, although it is important to note, declining, subsidy it is not clear that this unit should grow at twice the rate of a core academic unit.

Further, the long-term model for support of university athletics, not just at Duke but nationally, requires careful consideration in the face of changing models of content-delivery and rapid financially motivated changes in the constitution of conferences.

The fourth and final concern is our financial liability associated with deferred maintenance. Although the university has enjoyed a period of rapid expansion and improvement in our facilities, deferred maintenance, especially in student housing and aging academic research spaces – for example the Physics and Math Building or Hudson Hall, which I have intimate familiarity with – will challenge future budgets. Long-range planning and identification of resources required to upgrade existing buildings at the same time as we consider building new facilities. Thank you for your attention and I welcome any questions or voicing of additional concerns. (applause)

Athletic Council

Henriquez: Our last update is from Professor Jim Coleman, Chair of the Athletic Council and a member of Duke's Law School. "The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of

which it is a member," so says the NCCA Division One manual. At Duke, part of this control is through the Athletic Council. It has a number of responsibilities including the monitoring of compliance with NCAA rules, providing general oversight of the budget, and even deciding to accept invitations to post-season or holiday events. If you recall, last December we had a somewhat animated discussion on athletics in the context of the most recent Knight Commission Report that had three main recommendations: First, requiring greater transparency on athletic budgets, which Warren touches on, including better measures to compare athletics spending to academic spending. The second, rewarding practices that make academic values a priority and third, treating college athletes as students first and foremost and not as professionals.

We had presentations on athletics from a faculty perspective, the minutes of which you may wish to review. Among those presentations, Jim discussed his plans for the coming year. Jim is back today to discuss the activities of the Athletic Council and has brought a few folks with him, Lee Baker, Dean of Academic Affairs and Associate Vice Provost for Undergraduate Education, and Felicia Tittle, who has a year under her belt as Executive Director of Health, Wellness, Physical Education, and Campus Recreation.

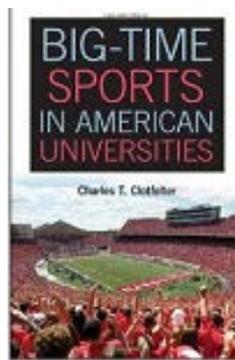
Jim Coleman (Law School / Chair of Athletic Council): I actually thought that since we were next to last on the agenda that we wouldn't get to this point until much later. I guess the reports have been short, so I will do the same with mine. I'm going to defer my time for the most part to Lee Baker and to Felicia Tittle to talk about two areas that the Athletic Council focused on this year.

But before I do that, let me say that there are a number of people here from the Athletics department – Stan Wilcox, Deputy Director of Athletics, Nina King, Associate Director of Athletics and Chief of Staff, Brad Berndt, Associate Director, Mitch Moser – not sure who's left running the department – I guess the Athletic Director is since he's not here. There are also some members of the Athletic Council who are here – Linda Franzoni, Martha Putallaz – I'm sure there are others.

Two of the things that we did after the meeting last year here in this Council: Martha and I met with Professor (Richard) Hain and with Craig to talk about some of the issues that Professor Hain raised. I noticed in reviewing the minutes from that meeting, he had raised some of the same issues in the past. So, I thought it was important for us to meet with him to discuss some of the concerns that he had raised and to find ways to address them so that they aren't repeatedly raised in the future. I think we had a good meeting. One indication of that, I think, is that he started to include me on his listserv when he sends out materials. I think that's been beneficial because it's given me

a chance to comment on some of the things that he has circulated and in some cases to correct some misunderstandings with some of the things circulated.

I also circulated some of the materials he sent to me to some of the members of the Athletic de-



partment and gave them the opportunity also to comment. So, even if by internet, there was some ongoing discussion of those issues that were raised here. I also invited Charlie Clotfelter to meet with the Athletic Council – I actually had done that before Craig invited him to speak to this Council. He came and met with us and talked about his latest book. One of the things that I have tried to do this year is increase the flow of information to the members of the Athletic Council about athletics, not only at Duke, but nation-wide. Whatever the cutting-edge issues are, so that the members of the Athletic Council are up to speed on those issues and we can be a forum for discussion. The members of the Athletic department, including the Athletic Director, attend meetings so we have an opportunity to discuss these issues with the people present who are responsible for addressing them here at Duke.

We also devoted some time last year to Duke Club Sports. Larry Moneta (VP, Student Affairs) had indicated an interest in having that issue brought before the Athletic Council. I met with Chris Martin, who is the student president of Duke Club Sports, to talk about that program and to invite him to make a presentation to our Council, which he did. An excellent presentation at which he told us about, not only the extraordinary participation of Duke students in club sports but also the need for resources and so forth.

One of the reasons that I decided to engage Professor Hain was because he had perennially raised some of the same issues about openness of the Athletic department, and from my perspective as chair of the Athletic Council, I did not perceive those issues of openness. I think that in some cases Professor Hain did not understand some of the issues, some of the materials that he criticized were really criticisms of the Department of Education regulations, which set the requirements for how information is circulated.

One of the things that Professor Hain raised in this listserv related to an article in the *New York Times* about Title IX. The article indicated that Duke was manipulating our report of participation for women in intercollegiate athletics. It said we were doing this by counting men who practiced with the women's basketball team. Obviously, I sent that to the Athletic department (laughter) and we learned that Duke was not manipulating – it was simply complying with the Department of Education regulations. In a blog that the author of the article wrote a couple of days after her article appeared, she pretty much corrected that and suggested that the problem wasn't manipulation, but the Department of Education's policy and ideas about who should be counted when counting the participation of women in intercollegiate athletics.

I'm going to close with this and then I'm going to invite Lee Baker to come up and make a very brief report about the academic progress of our student athletes and then Felicia will talk briefly about her plans for the Health, Wellness, Physical Education and Campus Rec. Program. She is the new Executive Director for that program and this is something that affects a lot of undergraduates. I think we have one of the best athletic departments in the country. I think the senior administrative figures are as good at what they do as the faculty is at what it does and I

expressed this hope to the Executive Committee of the Academic Council, that as we go forward that we can find ways to work together without suspicion, and that we can find ways to take advantage of not just the resources of the athletic department but its influence and talent for the larger benefit of the university.

I don't know if Craig informed you or if you know generally that the department set up a Duke Athletics Library Fund and it's going to contribute a dollar of each ticket sold for a home event to this fund for the general use of the university through the libraries. I think that's a creative idea and I'm sure there will probably be other ways – not just with money but as I said with their influence and talent – other ways to take advantage of the talent we have in that department. Do you want to ask questions now or wait until you hear from Lee and Felicia?

Henriquez: Let's wait until the end.

Lee Baker (Dean of Academic Affairs and Associate Vice Provost for Undergraduate Education): One of my many roles is to have an annual report (prepared) to the Athletic Council about student progress. And this is, as I understand it, part of the NCAA compliance requirement and we have a sub-committee of the Athletic Council that is made up of faculty and we review in quite some detail, some of the academic progress.

What I am also just happy to report, and very proud to sort of suggest that, the academic success of our student athletes is quite literally second to none – or maybe second to Notre Dame (laughter). We've worked hard over the years, particularly over the last ten years, to really ensure and empower our student athletes to be successful academically. It's been a real team effort with the Dean's office and Academic Support Services, as well as Admissions and the Department of Athletics, but most importantly, the students and the coaches who have really put their academic success as high, if not higher, than their success on the court or the field.

A few metrics that suggest this would, of course, be the graduation rate of our student athletes. It's again, almost all of our student athletes when we use the graduation success rate, which is a particular metric, Notre Dame, number one in the country and we're tied with Northwestern – at something like 97%. It's pretty incredible... And if we look at our peers within the ACC, we are head and shoulders above... Boston College is the next closest to us. When we look at the academic ACC Honor Roll, last year we had 424 of our student athletes on this honor roll; the next, Boston College, 363, UNC, is there at 262, and Miami, at the bottom, with 83. You can see, we are head and shoulders above, and even if we look at these academic honor rolls, of our Tier One, that's our revenue sports, men's and women's basketball and football, there's a large percentage of them making the academic honor roll. And that's on the top side. We also look at the bottom side to make sure that these students do not have what we call "low final grades." That's a Duke term, it's kind of arbitrary, but it's something that we look at and monitor for all students, by the way, and that's either two D's or one F or two D's and an F and that would qualify as a low final grade. We also have low midterm grades – that's why it's really important for all of you to submit the midterms

grades on students who are not achieving well. We track this very closely, people get called in to the deans, we get academic resources involved, this really helps our athletes.

Now in 2002, almost ten years ago, 50% of our Tier One athletes got low midterm grades. It's down to zero now – we have closed the gap, and because we are able to identify low final grades and be able to identify the students and we do great advising and mentoring, and placement and a whole range of different approaches towards academic success, and our students are working hard and we have our coaches involved, we've dropped that down for five consecutive semesters and that is really outstanding. I think that that is a testament on the high side – as many of the students were getting into the ACC honor roll – as well as making sure that no one falls through the cracks and having no low final grades. I think that a lot of things are coming together – attention to admissions, efforts by the Department of Athletics – I work closely with Brad Berndt on a monthly – sometimes daily at this time of year – in making sure that student athletes graduate as well as meet continuation. We have a very strict continuation requirement, both over the semester and each semester that they have to pass three classes, etc.

So, we have put together a lot of pieces – summer school plays a part of this – that has changed we have really gotten important metrics over the past ten years at the same time, Duke students have gotten better and better and more and more competitive. So there's a lot of moving pieces but something that I am personally proud of and we almost at this point can't expect more – but we can expect more and we do, but it's been very, very successful. We have to be vigilant and mindful and keep the momentum going.

I should also say we've been successful in terms of academic success, but what we don't want to do, and I want the Academic Council to back me up here – is to say, oh we've been so successful, we can do what they call 'reaches and stretches' and relax our admission requirements more. I think we have to stick to what we do in terms of admissions and just because we've been successful academically during this school year, that we shouldn't then say well, we're doing it so well we can relax our admission requirements – that's not the signal I want to send. Nevertheless, I think it's a great conclusion in terms of our academic success. I also want to just say thanks to Brad, and our partnership that we've developed over the years.

Felicia Tittle (Executive Director, Health Education, Wellness, Physical Education and Recreation): Good evening. I've had the wonderful pleasure of being with Duke since October of 2009. At that particular time, I was hired as the managing director of Campus Recreation. Those responsibilities at that time included sports clubs, intramurals, aquatics and outdoor adventures. What we did at that time was to look at our program and see what we could do differently. We implemented some software to begin to capture numbers to see how our participation numbers looked – female versus male and different ethnicities. Since then, fast forwarding to today, I now am responsible for group fitness, personal training and physical education and the Brodie and Wilson Recreation Centers. The physical education department is still chaired by Scott

Yakola, but we're still in assessment mode. So, now we kind of went back to where we started, really assessing our facilities and our staffing to see what our needs are and how we can really begin to grow the program even more. So, that's just an overview of what I do – I didn't want to take up too much time since we are still in the reviewing mode to see if there's anything different we can do, anything better we can do. Thank you.

Questions

Berndt Mueller (Physics): This is very impressive, what we hear. For the new members of the Academic Council, it would be a great benefit – we've heard about one particular area of concern mentioned in Professor Grill's report from the UPC – I would ask you for your personal concerns you might want to share with us, areas that need future attention by the Council that are not Dick Hain's but your own.

Coleman: I think the point about the finances, the cost of athletics is not peculiar to Duke. I think this is a general problem that faces universities that have the type of athletic programs that we have and I think that the report before me mentioned the idea that we need to be more creative in thinking about ways to fund the athletic programs that the university has, I think that's something we would like to look at.

I'll mention that Stanford thought it had solved the problem by endowing its (athletic) department but when the market crashed, its plan crashed and left it underwater with a shortfall that universities had to make up. So, that doesn't look like that's necessarily a great approach. You know, we're a lot of very smart people, so I think we can figure out how to do that in a way that minimizes the contribution that the university has to make beyond the resources that are generated by the department itself. That's not a criticism of the department – I think the department is operating under a strategic plan adopted by the university and is operated well under that plan. If we need to re-think that, then that's something I need to start at the top and would certainly participate in that and the Academic Council should also participate in that.

The other thing that we are going to do, we met with ECAC and we talked about using the fall meeting between this Council and the Athletic Council, to actually make it a meeting between the Athletic Council and ECAC to set an agenda for the coming year, to talk about the issues that the Academic Council would like the Athletic Council to focus on. And we are going to do that beginning this fall. We will use that as an input into the agenda that we set for next year.

Kerry Haynie (Political Science): Jim, you mentioned the *New York Times* report – you said we're not manipulating the data. As I understand it, the rules allow....

Coleman: No, they require it. So, we comply with the rules. The reporter who wrote the article, wrote a blog as I said a couple of days later, with her response to a question about the so-called manipulation indicated that in fact the problem from her perspective was that the regula-

tion requires universities to count male athletes in that manner and it's not something clever that Duke or other programs thought up.

Peter Burian (Classical Studies / ECAC): I just want to return to the financial question briefly because I'm somewhat mystified. Professor Grill put the problem in an interesting way, pointing out that the recent increase to the athletic budget has been much larger than the increase to one of the central academic units. We're operating under a strategic plan, you mentioned which was approved in this Council before the crash. I assume horns had been drawn in any case, given the financial difficulties, but the economic sacrifice has not been entirely equitably shared. And I now hear you saying that the Athletic Council would be interested in this issue but there would have to be a mandate from the top to change anything? The Athletic department is presumably not going to come forward and volunteer...

Coleman: oh, I don't know about that.

Burian: It seems to me that the faculty have a role here, and I guess what – this is perhaps more a comment than a question – but I'd like to hear your response to it. That yes, the Athletic Council is the place where faculty could try to formulate a plan, express a strong view that might influence both the Athletic department and the upper levels of the administration to see what can be done in a proactive way.

Coleman: We certainly could generate proposals that we could take to the administration and suggest that they be considered by the administration, but I think that you recognize, we can't change the policy, we can't change the plan, but we can certainly – and we had a very good discussion about the finances in our last meeting. We had a very detailed report of the budget for next year and what the various components are.

So this is something that we have looked at – we looked at it before Professor Hain, but we also looked at it after our last report because I wanted to be sure that we understood what the numbers were. I think that, as I said, there's been no resistance from the Athletic department in sharing that with us. But I think – well, I'll let the President or...

Tallman Trask (EVP): We had an annual discussion in UPC. To put it into perspective, we said a couple of years ago, as the economic trouble began, that units would have to work through this with a combination of expense reductions and increases in revenue. The reality is athletics has been quite successful on the income side for the last couple of years and our response to that was to cut their subsidy. It's the only unit where we took revenue away from them.

Burian: This was after a very considerable increase from something like 6 to 7 million to 14 at one point, and you scaled back from that...

Trask: You're right – that conversation was a discussion four to five years ago about the relative subsidies offered by universities like us for intercollegiate athletics in Division One. And we benchmarked ours against Boston College, Vanderbilt, Northwestern – the only two outliers in that conversation historically have been Stanford – which tried to solve the problem with a 400M endowment

and USC which has a 90,000 seat sold-out football stadium.

Burian: This is why, in the popular press, this is often referred to as an "arms race."

Richard Brodhead (President): I think that the point that I would underline is what Tallman said is Warren was very careful in his report to indicate, that actually the university subsidy had been drawn down for Athletics in both of the years of the salary freezes. And so, the notion that the university was taking money available for everyone and offering it to Athletics is not a fair account as to what happened. I understand the legitimate interest of the faculty in understanding this matter.

The other point I would make is contrary to what I thought I heard suggested is not the case that the annual budget for Athletics is exempted from this discussion because it falls under some special, God forbid if I should use the word, *administration* protection. The administration administers the university and with Athletics as with everything else, there is an annual discussion in which the needs and opportunities are pieced together and that was true also this year.

Trask: It's our hope to reduce the subsidy in future years.

Brodhead: Indeed (I am in danger of saying too much!) you know that in our next fundraising campaign, we have the hope of raising significant endowment for athletics. Although, since before that plan we have seen the Stanford model show that it is not a solution equally good for every year.

Dona Chikaraishi (Neurobiology): I have a question about academics and something that wasn't really presented but maybe something that could be included next year. I'd be curious to see what the statistics are, in the Tier 1 athletes compared not maybe to other Tier 1 athletes in the conference but to other Duke athletes and to the Duke students at large and whether there is a differential in those statistics, whether that differential to Duke versus other comparable universities.

Peter Lange (Provost): Lee, you can actually answer on graduation...

Baker: We can and actually GPA's, we do monitor that. We don't know the relative to Stanford or Notre Dame, we have ...

Chikaraishi: What are they?

Baker: I don't have that at hand... we may be able to present them publicly, normally those are pretty sensitive and we keep those pretty close but, it's up to Peter if he wants to.....

Lange: Just on the graduation rates, historically, the graduation rates with student athletes has been slightly higher than the graduation rates of the student body as a whole.

Brodhead: You might be interested as faculty members in knowing anecdotally that the three individual students who won individual national championships, two of them are pre-med and one is the person who has already won an Olympic medal who has elected not to train for the 2012 Olympics for the reason as she told me, "is she wanted to use her Duke opportunity to focus on academics."

Chikaraishi: That would be great but also the Tier 1 versus the total...

Susan Lozier (Chair-elect and Nicholas School of the Environment): I'll just mention one thing in terms of the question Dona raised, and also Peter, that one of the changes that we are going to make next year that may help in getting some of these questions answered as we go throughout the year rather than being close to the end. So as Jim mentioned, we are planning on the Athletic Council chair meeting with ECAC at the beginning of the academic year and we can bring up some of the information we want, some of the issues we want investigated so that when Jim does report to the Academic Council, he's responding to some of the questions that are being raised from the faculty. I think that will be a little more efficient process.

Henriquez: Thank you, Jim. Just a couple comments about athletics: we've had a lot of discussion about athletics these two years, and part of what I did as chair of the Council was for educational purposes, to try and get information out there. I encourage all who are interested in athletics to read the recent Knight Commission Report. I think if you do that, and think of Duke in light of that report, we actually look really good. We've done a remarkable job in terms of our athletic program. The budget piece I think is something that everyone is struggling with, and a lot of the discussion was around the budget. We can be critical about the budget, but it's something that we need to think about as an institution in terms of our priorities, in terms of what we think is important. I think there are a lot of pieces to that that will need a global discussion. And to have a good global discussion, people need to be informed. I encourage you to read the minutes, to look at materials, I may put together, before I leave Susan, another "hot topic" page on our website.

I think this is a topic that comes back over and over again to the Council. The more the faculty understand athletics – I learned a tremendous amount in the past two years about how the athletics budget is structured – and I hope the Council has as well. But there's a new Council every year. So, it's important that the whole faculty understand this and I think we can bring collective experience and expertise to this very challenging problem. But Duke is doing a remarkable job when you compare ourselves to the national average. So, look at that report if you get a chance.

Speaking of athletics, when Paula McClain ended her term as chair, which seems like just yesterday, she officially passed the baton to the next chair, which was me, at the end of the meeting. The baton is actually a plaque – here is the plaque. And on this plaque – which sits on the conference table in the Academic Council office and where the senior administrators are invited to meet with ECAC periodically throughout the year, it says: "Did you remember to consult the faculty?" A little subliminal reminder (laughter) which sits there next to the cookies! (laughter) And when the administration is there, they absorb this, and I also must comment that I think our administration does remember this. They do remember to consult the faculty and they do a good job of keeping us informed – sometimes we have to nudge a little bit, but there's really very

little pushback in giving us information. So, I would like to pass the baton officially to Susan – please come down here so you can get the baton.

Lozier: I was a little worried that instead of a baton you were going to say a *wand!* (laughter)

Henriquez: Now that you mention it, you're right you will be assuming the duties of the University Faculty Marshal. And I did not know that I was going to get a wand and I am not going to relinquish the wand (laughter) because it's a very nice fly-swatter and I will use it! So, we made a replica mace that actually doubles as a pen because you will be spending a lot of time in meetings over the next couple of years and you will need to take notes. So, this is a pen-mace (applause).

Lozier: I just want to quickly reiterate the thanks that Marie Lynn gave Craig. I think everyone in this room can appreciate the benefits that you've received from his tremendous leadership, in fact everyone on campus. But personally, I really benefit from the example he has set in his leadership role and I will continue to benefit from that example that he has set. Thank you Craig – I also want to tell you all that he has set the bar very high, but I'm fully confident that with the help of everyone in this room, the good work of this Council will continue, so enjoy your summer. (applause)

Henriquez: Just a point of clarification because this will be in the minutes....the mace only weighs seven pounds.

Brodhead: Maybe you would allow me to step up out of order, although I know you run a meeting so tightly (laughter). I would like to add my extraordinary thanks to you, Craig. Everyone in this room knows Craig from ECAC and the Academic Council, but perhaps not everyone knows that he is an extremely distinguished scholar in Engineering. He was, at what must have been an extraordinarily young age, named a Bass Professor, which recognizes the rare co-existence of the traits of great scholarship and great teaching. The notion that you also have been a good citizen during times when there was much to discuss and you have regarded that not as a crisis of the university, because actually universities exist to discuss things...So, just on behalf of me and *my* colleagues, my thanks to you, Craig, for a stellar job. (applause)

Henriquez: Thank you very much. We are now going to go into Executive Session for the purpose of considering Honorary Degrees...

[EXECUTIVE SESSION]

Respectfully submitted,

John Staddon
Faculty Secretary, June 20, 2011