

**Minutes of the Academic Council  
Thursday, May 5, 2022**

**Erika Weinthal (Chair, Academic Council / Nicholas School of the Environment):** Welcome everyone! Thank you for being here today, and thank you to those of you who are on Zoom. This is our last meeting of the academic year, and I have a few announcements before we move to our main agenda items for today. I am going to start with the ECAC election results. I am pleased to share the names of our four colleagues who are elected to the Executive Committee of the Academic Council, ECAC, and who will serve a 2-year term beginning on July 1<sup>st</sup>. They are: **Karin Reuter-Rice** from the School of Nursing; **Barak Richman** from the Law School; **Deondra Rose** from the Sanford School of Public Policy; and **Mine Centinkaya – Rundel** from Statistical Science, and from the Natural Sciences & Mathematics Division. Congratulations! They will join our remaining ECAC members: **Keisha Cutright** from the Fuqua School of Business; **Scott Huettel** from Psychology & Neuroscience; **Thea Portier-Young** from the Divinity School, and me from the Nicholas School of the Environment. With the election of the new members we say goodbye to those whose terms will end this June. I want to thank the following who have been part of my first year as Chair of ECAC, and who made it very enjoyable, interesting, and shared a number of great laughs during our meetings. These include **Joel Meyer** from the Nicholas School of the Environment; **Anne West** from

Neurobiology; **Laura Lieber** from Religious, German, Classical Studies, and Divinity; and **Manoj Mohanan** from the Sanford School of Public Policy. Thank you all for serving this last year.

The Academic Council's spring process for the Faculty Scholars Award was completed late last month. Undergraduates in their third year are eligible for consideration for this award, which is the only faculty endowed award at Duke and was established in 1974 by the faculty. We received 27 nominations from across various Duke departments, with the Faculty Scholars Award Committee reviewing all the dossiers and selecting a subset for personal interviews that were conducted on April 22<sup>nd</sup>. I am pleased to share the names of the following students who were selected to receive the award which includes a monetary amount as well. They are **Patrick Duan** from History, **Jenny Huang** from Statistical Science and Computer Science, and **Dinachi Okonkwodo** from Biology. All three intend to pursue a PhD in their respective fields of study. Our warmest congratulations to these students and our best wishes for their future academic endeavors. And also, a tremendous thank you to our colleagues who served on the selection committee which I understand is one of the most rewarding committees that one can participate on while at Duke.

On a very somber note, I would like to recognize the passing of our esteemed colleague **Diane Nelson** from the Department of Cultural Anthropology. She was in the department for 21 years and died last week after a very short battle with cancer. Diane impacted many at Duke and around the world, and accomplished a great deal in her short time here. I had the pleasure of serving on a number of committees with her and I have to say she had a very large presence. In every aspect of university life, in her department, committee meetings, she filled any room with just tremendous positive energy. She had a love and devotion to her colleagues and to her students, and was a giver to the Duke community -- her loss leaves us with a really large hole. I'd also like to say that our thoughts are very much with her husband Mark, her extended family, friends, students, and colleagues as they mourn this huge loss.

Next, I want to share that the honorary degree candidates proposed for Commencement 2023 and who were circulated to Academic Council members via our Sakai site and followed by a vote via Qualtrics were approved. 62 of the 94 Academic Council members voted and the slate was overwhelmingly approved. The nominees will also go to the Board of Trustees for a vote this weekend at their meeting.

**APPROVAL OF THE MINUTES OF THE APRIL 21 ACADEMIC COUNCIL MEETING**

**Weinthal:** The minutes from our April 21 meeting were posted with today's agenda. Are there any corrections or edits to the minutes? May I have a motion to approve? A second? Thank you. The minutes are approved.

**APPROVAL OF EARNED DEGREES**

**Weinthal:** In accordance with the University bylaws I will now call on the representatives from the various schools and Trinity College for recommendations of approved candidates for various degrees. These lists will be forwarded by the Provost for approval by the Board of Trustees at their meeting tomorrow.

**Divinity School**

*Dean Edgardo Colon-Emeric*

Master of Arts in Christian Practice	1
Master of Theological Studies	11
Master of Divinity	88
Master of Theology	6
Doctor of Ministry	13
Doctor of Theology	1

**Fuqua School of Business**

*Dean William F. Boulding*

Master of Business Administration	699
Master of Management Studies	206
Master of Science in Quantitative Management	332
DKU – Master of Management Studies	67

**The Graduate School**

*Dean Paula D. McClain*

Doctor of Philosophy	215
Carolina Duke Program in German Studies – PhD	3
Carolina Duke Program in German Studies - AM	9
Master of Arts	140
Master of Fine Arts	9
Master of Science	234
DKU – Master of Science	16
Duke-NUS Integrated Biology and Medicine - PhD	5

**Nicholas School of the Environment***Dean Toddi Steelman*

Master of Environmental Management	107
Master of Forestry	2

**Sanford School of Public Policy***Dean Judith Kelley*

Master of International Development Policy	10
Master of Public Policy	72
DKU – International Master of Environmental Policy	27

**Pratt School of Engineering***Dean Jerome P. Lynch*

Bachelor of Science in Engineering	276
Master of Engineering	45
Master of Engineering Management	58
DKU - Master of Engineering	30

**School of Law***Dean Kerry Abrams*

Juris Doctor	211
Master of Laws	62
Master of Laws, International and Comparative Law	19
Master of Laws, Law and Entrepreneurship	7
Doctor of Juridical Science	2

**School of Medicine***Dean Mary E. Klotman*

Doctor of Medicine	119
Doctor of Physical Therapy	78
Master of Biostatistics	46
Master of Health Sciences in Clinical Research	18
Master of Science in Biomedical Sciences	41

**School of Nursing***Dean Vincent Guilamo-Ramos*

Bachelor of Science in Nursing	70
Master of Science in Nursing	67
Doctor of Nursing Practice	25

**Trinity College of Arts and Sciences***Dean Valerie S. Ashby*

Bachelor of Arts	522
Bachelor of Science	712

**Duke / DKU: Dual Degree***Provost Sally Kornbluth*

Bachelor of Arts	113
Bachelor of Science	121

**TOTAL NUMBER OF DEGREES EARNED: 4,915***[Candidates for earned degrees approved by voice vote without dissent]***Weinthal:** Congratulations to all of our graduates!**OMBUDS PRESENTATION FROM THEIR WORK FOR 2021-22**[Slides from presentation](#)**Weinthal:** We will turn to our main presentation today, and that is to hear from our two faculty Ombuds – Dr. Laura Svetkey, from the School of Medicine, in this role since 2019 and Paul Manos, from Biology, who assumed the role in 2021 for a 1-year appointment.If you were here for our meeting on February 17<sup>th</sup>, you will recall that the University is now moving to establish an Ombuds Office and is actively searching for the person to assume this position. I'm currently on the search committee, along with a number of you in this room and also on Zoom. Appendix N in the Faculty Handbook states that “the Faculty Ombuds will collect data, including the number of contacts, the types of concerns, and the unit within the university from which the concern emanated in order to

identify patterns or areas where policy changes or other improvements might occur. This information shall be shared with the President and the Academic Council in the manner described in II.C.7.” It reads, “the Faculty Ombuds shall make a yearly report to the President and to ECAC. The Ombuds shall present a summary of the report, including the number of contacts, the types of concerns raised, and actions taken, annually to the Academic Council.”

Laura and Paul, thank you for being here, I will turn it over to you.

**Paul Manos (Faculty Ombuds / Department of Biology):** Good afternoon everyone. I have to say it's great to see the carnival like atmosphere out on the quad. As Erika said, I've had the honor of serving as the Ombuds since July 1, 2021. My training is with the International Ombuds Association. My mentors have been really important. Laura here, has been one of them, Tom Metzloff, who some of you know. Tom has left really big shoes to fill. He's been really helpful in bringing me up to speed. I've also benefited from general training and administration in the Biology Department for 11 years, serving as the Chair, Associate Chair, and Director of Undergraduate Studies. As was just reported it's very timely for us to make this presentation as we transition out of what is called collateral Ombudsing or part time Ombudsing to an official Duke University Ombuds office. Laura and I are happy to be part of that vision.

My visitors have been from all faculty ranks and titles. First contact with my visitors is usually by phone or email. My Ombuds office is operated by me. I make all my appointments, and to me this adds

a personal touch, emphasis on confidentiality, and an element of independence which I think my visitors appreciate. I meet with visitors in person as much as possible. Coffee shops, walks in the woods, but alas there's Zoom and there's been a lot of Zoom, phone calls, and emails and texts. I don't exchange much content electronically. It's really important to maintaining confidentiality.

One often asked question is how do people find us. So, there are two main links and I just wanted you to be aware of them. I think many of the faculty don't know how to find the Ombuds office. There are details in the faculty handbook and the visibility of the Ombuds is really a critical thing moving forward. And I think there's a lot to really cover in that area.

This text summarizes our role very nicely. It's on page 50 of the faculty handbook. We spend our time listening, coaching, and navigating so that our visitors can resolve conflicts on their own. We also speak to others for them to ensure fair process and to gain a better understanding of how something works. And the question I usually ask is how does this work? And I ask that of my visitors and I ask that as I approach certain issues with other parts of the administration. While the new office will bring about change, the time-honored role of the Ombuds is all about supporting faculty in need of a sounding board and a path forward.

This is a sampler of my raw data just to show you the range of issues brought to my office and you can look at these columns and see the issues, the status and activity. I'll point out that status as elements of resolution are not always clear to the Ombuds. We don't always get

closure on certain cases. That's fine. It's part of our job. Our role might be just discussion. I may reach out to others. I've indicated that in a few of these cases. The number of visits per visitor is recorded here and a plus sign indicates that I've gone to someone else on their behalf. So, these are the raw data that I present. It's pretty much a snapshot to show breadth and what's important here, is the one-off nature of the issues that come our way, consistent with previous reports presented to the Academic Council and to President Price. It really is interesting, but there are hardly ever any multiple hits of particular issues. That may be just something from me and my one year. Laura and I were discussing that she sees some things happen more than once, she feels in that the experience of knowing one issue and how it translates well to another is part of growing in the Ombuds role. But for me it's been a lot of one-offs and it's been challenging.

I've got demographic data to share with you. The total number of unique visitors for me, was 29. 14 women. My estimate of URM's is really not quality data here. I've had visitors who won't show themselves on Zoom. I am really guessing here. I've had three carry overs from Tom's period as an Ombuds. From the tenure track, good breadth of representation. Only 1 DGS, only 1 person from an administrative role. 22% of these folks have been junior. In the non-tenure track ranks, a full blend of visitors and many other units on campus, aside from what Laura's covering have come to my office. The total visits has been 64, more or less, with a range of one to six visits per visitor. An average visit is 70 minutes in total of 72 hours. Sorry for the bookkeeping, but I just wanted to give you a sense of what's involved here time

wise. Faculty under investigation, I'm hearing from Human Resources, Office of Institutional Equity, Office of Audit Risk and Compliance, the Duke Office of Scientific Integrity. I've participated in interview sessions with these visitors. It's been very time consuming. The bottom line of this section is that I've spent a lot of time with the people who are under investigation.

46% of my time was spent with about 18% of my visitors. I've sought consultation with Abbas [Benmamoun], Tom, Laura, and others and I really appreciate the time that they were able to give to me.

So, these are observations. I don't call them trends. I think my time in this role has been too short to really understand what trends might look like, but it's rather a summary. Maybe some good news is visitors are down from 2020. I don't have the 2021 data, but this is from the minutes from the 2020 Academic Council meeting. Tom recorded 50 unique visitors. That was a stressful time for the faculty. 29 for me. No visits from faculty holding admin roles, that's a point that I think is worth discussing. Why don't chairs share certain things with the Ombuds? DGS's, DUS's? Things like that are a point worth our consideration. Again, the problems. Really a broad array of instances that just cover the gamut of potential conflicts that are requiring informal resolutions. Only women seeking help with advancement and compensation issues. Once again, limited data, but I looked at this and I think there's a bit of a correlation with high turnover in leadership roles for some of these units. Again, something we should be thinking about. Mostly men are under investigation. We can nod our heads there.

Investigations are slow. I have one that's wrapping up and I have several that are ongoing that started last semester. This is another point where our visitors have been under a lot of stress. There's been a lot of collateral damage associated with that. I'm pointing it out, because it's an observation that I've made. Many of those visitors under investigation are mostly seeking details in the process. I probe that, it's been challenging for me, but I do probe it and I feel that I make some progress in trying to illuminate the process, but I am not really getting the answers that these visitors are requiring for them to have a reasonable mindset as they move forward.

So, I appreciate the time and I'm going to turn this over to Laura.

**Laura Svetky (Faculty Ombuds / School of Medicine):** Thanks Paul, and thank you all for this opportunity to report to you once again. Most of what you just heard from Paul also applies to the School of Medicine faculty as well. These are the data for the School of Medicine: 32 unique visitors across 10 departments. With numbers of women and faculty from underrepresented in medicine groups about proportional to the overall School of Medicine faculty.

Like Paul, 15 to 20% of the visitors were already under formal investigation before they sought my assistance and like Paul these individuals received a disproportionate portion of my Ombuds time.

I have the benefit of being able to look back to September 2019 when I started as the School of Medicine Faculty Ombuds. So, I have 3 reports like this to refer to.

The overall numbers were initially higher. In 2019 to 2020, a total of 58 unique individuals came to see me, but last year and this year were comparable. I see no clear trends in changes in the demographics of the visitors or the issues that they bring to my attention.

I have recognized some common themes across the campus and before I show you those themes, I just want to highlight three important points to frame this conversation. The first point is, that the vast majority of faculty never come to see an Ombuds person. Which is good and hopefully, that means that either things are going okay or folks have figured out a way to resolve conflicts on their own. Secondly, as far as we can tell things are not getting worse. And I think that's notable given the cumulative stress and strain on our faculty and, of course, on all of society over the last two and a half years. Third, several of the themes that were highlighted in the previous two reports will likely be resolved with the creation of the central Ombuds office. For example, the need for a School of Nursing and staff Ombuds people. Hopefully, addressing the need for an Ombuds for the School of Medicine residents and fellows. Alignment of the Ombuds with *Moments to Movement*, addressing cross school conflicts, particularly between School of Medicine and other schools on the campus and, frankly, the limited training and capacity of the very part time Ombuds, me and Paul, to provide the expertise and time that are often needed to reach a resolution. So, I'm very hopeful about this new direction that the University is going in.

This last slide are some other themes that Paul and I have observed, and that may also be addressable with the new Ombuds

office. Greater visibility of and knowledge about the Ombuds role, so that people can seek help before things get to the point where they require formal investigation; in our opinion, to move from a more traditional justice approach, “who's to blame and how do we punish them” to a more restorative approach, “who was harmed, what do they need, and how do we provide for them what they need” without obviating the need for people to take responsibility for their actions. And both of these first points suggest that we currently miss opportunities to resolve issues early. When formal investigation is necessary, the data Paul showed you makes it clear that the process is slow and visitors routinely report to us, that it is opaque.

Another theme is that when we hear of systemic issues or climate issues, it's often unclear what we can do or what recourse is available to the visitors who come to us for help. To some extent those limits come with the role of the Ombuds as defined by the International Ombuds Association. But the full time professional Ombuds in the central office will likely be better able to navigate this space. Overall, as we make this transition to a central office a lot can improve and the university community needs to know about it. So, the transition plan and communication plan are going to be critical. As part of that communication, we believe that leaders need some guidance, perhaps some training on what should be referred to a formal process, what can be resolved at the departmental level, and when the Ombuds can be helpful.

Finally, with the creation of the new Ombuds office I'll be leaving this role and I've been very grateful for the opportunity. I will also say it's been very

hard. I'm kind of a Pollyanna kind of person and being an Ombuds person has forced me to look at, frankly, the underbelly of this community. But, as hard as it's been I would say I was more often uplifted than depressed by the experience. So often faculty who came to me for help showed grace, courage, and resilience, took responsibility for their actions, often we're focused on the greater good for the patients, in my case, their colleagues and trainees, for the institution as a whole and we tried hard to make things right. I have no doubt that the new professional Ombuds office will do this better and I look forward to assisting him or her.

**Emily Klein (Nicholas School of the Environment):** First of all, I just want to thank you both for what you've done -- it's extraordinary. I'm just rotating on to the Academic Council again after being off for a while but I had heard earlier in the semester that with the restructuring ideas that were floating around that there would be a single combined Ombuds for both staff and faculty, at least on the university side. What's the status of the organization, of which I was opposed to?

**Daniel Ennis (Executive Vice President):** We heard that feedback loud and clear and understand the anxiety around that. What we have chosen to do is hire an Ombuds to build out the function and the capability, and we've been clear about the willingness and flexibility with regards to the capacity. But, we know from its inception that we will have a professional faculty and staff Ombuds and we've been recruiting and will have in place a student Ombuds. In addition, the School of Medicine has a student trainee oriented Ombuds who will become part of this team. So, that will

carry forward but beyond that we didn't want to prescribe where the professional leader of the function will take the function. I hope that's a response.

**Thea Portier-Young (Divinity School, ECAC):** This is partly also still a question for Daniel but also for our wonderful Ombuds who are rotating out of this role. I'm thinking of that really helpful slide, that was the last slide that you showed. And the needs identified there; both for training, for unit leadership to try to be able to intervene in situations earlier in a more productive way for the focus on a restorative justice approach. And the point you raised about the need for pathways to actually ameliorate more systemic issues that are surfaced in this process. So, my question is how do we not lose sight of those needs in this transition? Are there particular recommendations the two of you are making for this professionalized office and or to Daniel or Sally? What's being talked about in terms of how we can advance those goals moving forward?

**Manos:** That's a good question and I think it's back to communication and visibility. I remember being a new Chair and going to the new Chairs meeting and meeting the Ombuds. Our lives have been fragmented for a couple of years, so I think there's an opportunity to restore part of that visibility for the Ombuds to be seen and to know their role and to know that administrators, departments, and schools can also look to the Ombuds for guidance. I think Laura and I have talked about how we still think training among DGS's, DUS's, and Chairs is important. I went to Chair therapy for three years. It was probably the best thing I ever did to think about conflict resolution. All of it informal conflict resolution - talking things

through, understanding faculty. So to me, I think that there's an opportunity just by communicating...the Ombuds doesn't need to put a shingle out but the Ombuds needs to be part of the community. I find myself sometimes being a little on the margin. Vince, do you want to add anything?

**Vince Price (President):** So, I would just say that the principle responsibility for navigating faculty affairs falls within schools under the purview of the Deans and the Provost. Really communicating about the issues that are coming forward through the Ombuds Office, but not trying to resolve those through the Ombuds, but rather trying to resolve through the architecture of faculty leadership, I think chairs, are absolutely central to this. Every school is structured differently. We have some schools that don't have a departmental structure. And if things are not working within the school, then to roll up to the Office of the Provost. That's really where we want it.

**Joel Meyer (Nicholas School of the Environment):** Paul, this is specifically for you. You mentioned that having a large number, particularly of visitors who are women, with concerns about compensation advancement and I think you've linked that to high leadership turnover. I didn't follow what you meant by that.

**Manos:** No data, no analysis, Joel. Just something I gained from talking to the visitors that there had been turnover and potentially, let's just imagine a stalled associate with issues that weren't really resolved and manage very well by the old guard. Someone new steps in, not really understanding those issues, not investing much and that stalled associate might just

be further back. Those kinds of things, I think, are really on us, the faculty, on the leadership in departments and schools to consider that they are a high priority. Even though they're not, maybe, the top people in the department, in their scholarship, but a path forward is something that still needs to be clear to them at various stages or else we're not doing our job. That's kind of just a short story of how I view it, but I think it gets to the essence of your question.

**Weinthal:** That may be it...Thank you. *(Applause)* Okay, so we're going to turn to our next item which has to do with the annual reports from the Chairs of the Academic Programs, Global Priorities, the University Priorities Committees, and the Athletic Council. These reports were distributed via email to Academic Council members on April 22<sup>nd</sup> with the request to submit questions in advance of our meeting today. The reports were also posted with our agenda. We did not receive any advanced questions, but we do have some time today for additional questions or comments and the Chairs or their designee are here to answer any questions as well. Are there any questions for any of the Chairs?

If there are no questions we are going to move on. Let me offer a very special thanks to all the Chairs and their faculty colleagues who have served on each of these committees for their time, their effort, their attention to the topics and matters that have come across this year.

**Ed Balleisen (Vice Provost for Interdisciplinary Studies):** I'd like to just offer Tom Ferraro a special thanks, because he helmed APC, how many years Tom?

**Tom Ferraro (English):** The actual helming was the two post COVID.

**Balleisen:** It's a huge job APC and it's usually just one year. So, thanks Tom.

**Weinthal:** Thank you Tom, thank you Debu, thank you Linda. Russ, Eve, or elsewhere, but thank you to all who serve on these committees.

**Price:** I would just like to give a special thanks to all of these committees. Members, as well as leadership navigating through the pandemic. My hope is that next year the academic year returns to its regular cadences. The fact that these committees function as well as they did and continued to function at a very high level is remarkable. I just wanted to call that out and express my thanks.

*(Applause)*

### ***TRANSFER OF POWER TO ECAC FOR THE SUMMER MONTHS***

**Weinthal:** Faculty governance would not be what it is if it were not for all of you being here and agreeing to sit on all the communities that we ask you to sit on. But it is summer and at this point, or almost summer....it's spring still. At this point in our May meeting we transfer the power of the Academic Council to ECAC for the summer months. Our bylaws state that the Academic Council meet monthly during the academic year from September to May. At other times, the Chair and ECAC or ten members of the Council may call a meeting. In recognition of the fact that many faculty have nine month salaries, or are in the field doing research, or hopefully back in the archives or libraries carrying out research and writing, the Christie Rules provide that

the Council can delegate to ECAC to act in a consultative role to the administration, when the university is not in regular session. ECAC now offers the following motion:

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. ECAC recommends to the Academic Council and moves that the authority be delegated to the Chair and Executive Committee of the Council, and as such will remain in operation until the first day of the fall semester of the 2022-23 academic year. As ECAC is presenting the motion I only need a second.

*[Transfer of power approved by voice vote without dissent]*

Before we adjourn I want to take a few minutes to recognize the following who leave us for either other opportunities away from Duke or perhaps a more relaxed way of life. Many of them have already left the meeting today, but I want to acknowledge, first and foremost Valerie Ashby, Dean of the Arts and Science and Trinity College since 2015. She will be the President of the University of Maryland Baltimore County beginning this August. Paula McClain, a former Chair of the Council and Dean of Duke's Graduate School since 2012, will return to the faculty and Duke's Political Science

Department later this year. University Librarian Deborah Jacobs who has served in this role since 2005 and will retire from Duke in June. Our gratitude to all 3 for their dedication and service to Duke for many years, we wish them well in all of their future endeavors.

**Price:** Before adjournment, I would just like to extend my thanks to you for your leadership. You and ECAC have done an exceptional job. I just want to express my gratitude and my appreciation of the entire Duke community.

**Weinthal:** Thank you everyone and I want to wish all an enjoyable, quiet, and relaxing summer.