

**Minutes of the Meeting of the Academic Council held via Zoom  
Thursday, May 6, 2021**

**Kerry Haynie (Chair, Academic Council / Political Science / African and African American Studies):** Welcome, everyone. Thank you for being here today for what is our last Academic Council meeting of the year. The commencement ceremony was held this past Sunday and it was great to be outside. It was great to be in the company of our students and their guests. It was a wonderful day to mark a significant milestone in the lives of our graduates and in the life of this university. Not having a ceremony last year made this all the more special. I was happy to participate in the ceremony and serve as the university faculty marshal as part of my Academic Council Chair duties. It was a magnificent ceremony and I hope you were able, if not to be there, to see the recording that's posted on Duke Today.

Again, this is our last meeting of the academic year. We have some business to take care of, and we will welcome to our meeting the Chair of the Board of Trustees, Jack Bovender, who will come to us later on today.

We'll start with a few announcements. First, will be the results of the ECAC election that we held last month. I'm pleased to announce and introduce our three colleagues who were elected to the Executive Committee of the Academic

Council and who will serve a two-year term beginning July 1. They are:

Keisha Cutright (Fuqua School of Business);  
Scott Huettel (Psychology & Neuroscience); and  
Thea Portier-Young (Divinity School).  
Congratulations to Keisha, Scott, and Thea on their election to ECAC. They will join a very capable and seasoned group of continuing ECACers. Those continuing members are:

Joel Meyer (Nicholas School of the Environment);  
Manoj Mohanan (Sanford School of Public Policy);  
Anne West (Neurobiology); and  
Laura Lieber (Religious Studies / German Studies / Classical Studies / Divinity School).

They'll be led by Erika Weinthal from the Nicholas School of the Environment, who also has an appointment in the Sanford School. Erika will become Chair of ECAC and the Council on July 1 and serve for two years in this capacity.

Congratulations to all the new members and best wishes to ECAC for a smooth couple of years.

With the election of new members, we say goodbye to those ECACers whose terms are ending June 30, as does my own. I want to warmly thank:

Carla Brady (Clinical Sciences / Medical School); Sherryl Broverman (Biology / Natural Sciences Division / Global Health); and Marin Levy (Law School). Marin also served as Vice Chair this past year. Carla, Sherryl, and Marin have been valued partners during my two-year journey as Chair of ECAC. They helped make the journey effective and rewarding, and I appreciate all they did to help out.

I want to also recognize and thank those ECACers who were completing their terms as I was beginning mine. They are:

Mark Anthony Neal (African and African American Studies); Victoria Szabo (Art, Art History and Visual Studies); Victoria served as Vice Chair for the 2019-20 academic year. Ellen Davis (Divinity School); and Lisa Keister (Sociology).

These seven colleagues with whom I served for two years in one case, a year in another, represent the faculty well. They provided wise and experienced counsel not only to me, but to senior leaders as well. I appreciate all that they did in their years of service. This group went above and beyond the call of duty in helping Duke navigate all of the pandemic-related matters that came before us over the last eighteen months. Thank you all.

I want to share the results of the honorary degree vote that we held by Qualtrics over the last few weeks. The honorary degree candidates were proposed by the Honorary Degree Committee and were considered by this Council in executive session at our April meeting. All of the nominees have been approved. Sixty-eight of ninety-eight Council members participated in the voting process. Each

nominee was overwhelmingly approved by the faculty. These nominees have the faculty seal of approval for three years and will go to the Board of Trustees for a vote later this week. If approved by the Board, the nominees will become part of a pool that is available to the President and the Honorary Degree Committee for selecting future honorary degree recipients. Thank you all who participated in our approval process for honorary degrees.

### ***APPROVAL OF THE MINUTES OF THE APRIL 15 ACADEMIC COUNCIL MEETING MINUTES***

**Haynie:** Moving right along, it's time to approve the April 15 minutes. The minutes of this meeting were posted with today's agenda. Are there any corrections or edits?

*[minutes approved]*

### ***APPROVAL OF EARNED DEGREES***

**Haynie:** The next item on our agenda is the approval of earned degrees. The thousands of students who commenced on Sunday are anxious for us to release them on their way. Let us now turn to this awesome responsibility and our distinct honor of receiving and approving candidates for earned degrees. Those of you who attended or watched the commencement ceremony might have noticed that President Price was very careful in his wording of his acknowledgement and saluting of the students, making sure not to confer the degrees before the faculty and trustees acted. Now it's our time to act. In accordance with our 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 to the Provost, who will then take those to the Board of Trustees at their meeting tomorrow for their consideration and approval.

### **Divinity School**

*Dean L. Gregory Jones*

Master of Arts in Christian Practice	0
Master of Arts in Christian Studies	0
Master of Theological Studies	29
Master of Divinity	89
Master of Theology	4
Doctor of Ministry	24
Doctor of Theology	2

### **Fuqua School of Business**

*Dean William F. Boulding*

Master of Business Administration	416
Master of Management Studies	177
Master of Science in Quantitative Management	192
DKU – Master of Management Studies	79

### **The Graduate School**

*Dean Paula D. McClain*

Doctor of Philosophy	191
Carolina Duke Program in German Studies - PhD	2
Carolina Duke Program in German Studies - AM	0
Master of Arts	123
Master of Fine Arts	16
Master of Arts in Teaching	0
Master of Science	338
DKU – Master of Science	11
Duke-NUS Integrated Biology and Medicine - PhD	1

### **Nicholas School of the Environment**

*Dean Toddi Steelman*

Master of Environmental Management	140
Master of Forestry	3

### **Sanford School of Public Policy**

*Dean Judith Kelley*

Master of International Development Policy	17
Master of Public Policy	71
DKU - Master of Environmental Policy	6

### **Pratt School of Engineering**

*Dean Ravi V. Bellamkonda*

Bachelor of Science in Engineering	265
Master of Engineering	33
Master of Engineering Management	36

### **School of Law**

*Dean Kerry Abrams*

Juris Doctor	242
Master of Laws	19
Master of Laws, International and Comparative Law	23
Master of Laws, Law and Entrepreneurship	7
Master of Laws, Judicial Studies	1
Master of Legal Studies	0
Doctor of Juridical Science	2

### **School of Medicine**

*Dean Mary E. Klotman*

Doctor of Medicine	113
Doctor of Physical Therapy	78
Master of Biostatistics	24
Master of Health Sciences	0
Master of Health Sciences in Clinical Leadership	0
Master of Health Sciences in Clinical Research	14
Master of Management of Clinical Informatics	0
Master of Science in Biomedical Sciences	42

### **School of Nursing**

*Dean Marion E. Broome*

Bachelor of Science in Nursing	73
Master of Science in Nursing	103

Doctor of Nursing Practice 30

**Trinity College of Arts and Sciences**

*Dean Valerie S. Ashby*

Bachelor of Arts 602

Bachelor of Science 627

**TOTAL NUMBER OF DEGREES EARNED:  
4,265**

**Haynie:** The degrees are approved by the faculty. Congratulations to all our graduates. President Price, to make this really official, I think you should do that thing about the power vested in you. Will you please?

**Vince Price (President):** By the power vested in me, and upon approval of the Academic Council and the Board of Trustees, I am delighted to confer these degrees upon our outstanding Duke students.

**Haynie:** Thank you, President Price. And thank you, colleagues, for approving these degrees. We'll send them on to the trustees for their meetings tomorrow and the next day.

***REFLECTIONS FROM BOARD OF  
TRUSTEES CHAIR JACK BOVENDER***

**Haynie:** For the next item on our agenda, I'm pleased to welcome to his third meeting of the Academic Council Jack Bovender, Chair of Duke's Board of Trustees. Jack, be ready to receive this recommendation for these degrees. You have a lot of work to do to go through that entire list of names.

Jack was last with us in November 2018. Prior to that meeting he met with the Academic Council in May 2016 to discuss the Presidential search. As you know, that

search brought us President Price. Jack has served as Chair of Duke's Board of Trustees for four years and he began his membership on the Board in 2007. He received both his Bachelor's degree in Psychology and his Master's degree in Hospital Administration from Duke. Jack is a North Carolina native. He and his wife, Barbara, have been very generous supporters of Duke. Jack, welcome back to the Academic Council.

**Jack Bovender (Chair, Board of Trustees):** Thank you, Kerry. I appreciate the remarks. It's a pleasure to be back before the Academic Council one last time. I'm going to miss being on the Board at Duke, but it's time for me to ride off into the sunset, so to speak.

I would like to start today by talking about some thoughts and reflections on my fourteen years of service on the Board of Trustees, and, as you mentioned, four years as Chair. But first, I want to thank all of you on the Academic Council and representatives of the faculty for the extraordinary ways that the faculty has met the great challenges of this moment and continue to sustain and transform the Duke experience. I particularly enjoyed working alongside those faculty members who have served on our standing committees and strategic task forces and lent their expertise to trustee strategic education sessions. I'm very grateful to all of you. I'm also so very proud of how the faculty responded to the extraordinary challenges of the past fourteen months. I know it was not easy but you were incredibly successful, so successful that Wolf Blitzer had the President of Duke on one night to talk about how Duke was able to do this when so many other schools and universities could not accomplish it. You made it possible, so

thanks to all of you for how you continue to ensure that our academic mission is delivered without disruption.

I want to reflect a little bit more on before my time as a member of the board. To put this in perspective, I arrived at Duke as a freshman in 1963, and, by the way, that was the first integrated class at Duke. Five African Americans integrated Duke my freshman year. I wondered what took Duke so long to make the right decision, but at least I was privileged to be in the same class with those wonderful people. I arrived 1963, I left six years later, as Kerry said, with an undergraduate degree, a Master's in Hospital Administration, and, incidentally, a wife. It was a very good six years for me. Some of you may know that I joined the Duke University Board in 2007 after a long career in healthcare administration. Later, in 2009, I also joined the Duke Health System Board, where I worked with my fellow trustees and the health system leadership to focus on reforming the financial model for our hospital and clinic operations. For those of you who remember those years, around 2007, you will know that it was, to say the least, an interesting and challenging time for Duke. We were still weathering the storm of the Duke Lacrosse scandal and were in the beginning stages of what would ultimately become the financial crisis of the next few years. My first years on the Board were, in a sense, consumed by two priorities: steering Duke towards a sustainable financial path, one strengthened by the success of the Duke Forward campaign, and ensuring continuity of the extraordinary leadership for the university. We had some significant turnovers at the top of the house and throughout the various schools at that time. I served on the search

committee that brought Gene Washington [Chancellor, Health Affairs] to Duke Health, and he has had remarkable success. I also, as was mentioned earlier, chaired the Presidential search, which brought Vince Price to Duke. I believe that was the most critical decision made by the Board, at least during my tenure on the Board.

During my time, the Board also initiated a governance review in 2017-18, that resulted in the adoption of the new model for university governance, which gives the trustees the opportunity to engage with faculty, students and administrators to shape the future of the university and advance the President's strategic framework. Since the governance changes were implemented in 2018-19, the Board has undertaken significant strategic work through task forces and education and engagement sessions. In our first year under the new model, we had task forces that focused on one: advancing Duke science and technology, two: the next generation living and learning, three: the future of central campus, and four: advancing the global network, which is of particular significance for our alumni. Then, in our second year, we had a year-long strategic education and engagement program, focused on research translation and commercialization in the region. Effort with that will only continue with, of course, the exciting news that Apple is opening an east coast headquarters in the Research Triangle Park. This year, we had a hybrid model of task forces and strategic education. Our task forces were focused on Duke's centennial celebration, climate change and sustainability, and Duke and Durham today and tomorrow. The task forces will be delivering their initial reports and presenting their recommendations to the Board this week.

In addition, the Board had strategic education sessions at each of its four meetings this year. In the fall, we focused on Duke's anti-racism and equity agenda and commitments. In December, we took a deep dive into finances. In February, we focused on Duke Health, with primary emphasis on the clinical enterprise, and in May, we will focus on the faculty as we should. I want to say, next year, the Board will be focusing on Duke's brand and the future of higher education and academic medicine through a year-long strategic education and engagement session, much like what we did last year with research and commercialization. So, I leave the Board, but not Duke, but I leave the Board excited about what the future holds for Duke. My successor as Chair, Laurene Sperling, will begin on July 1. It's an important milestone in our history, the first woman Chair at Duke. Again, I want to close by saying thank you, Kerry, and all of you. I'll take any questions anyone has.

**Haynie:** Jack, I'll ask a question that was in the chat. What do you see as Duke's greatest challenge as you are rotating off of the Board of Trustees?

**Bovender:** One of the things we heard during the search for the President from Presidents of other universities who read the documents that we put out relative to the search was that Duke has accomplished so much in so little time and used the term – and you've heard it before – “punching above our weight.” We don't have the size of the endowments that some of our peer institutions have, but yet we have accomplished a lot with the financial resources of a top university, both in this country and worldwide. I think we can be proud of that. The question is, how do we sustain that, but

not only sustain it, grow in the future? That means recruiting top faculty as we've done in the past, it means making the right kinds of investments in the right places to sustain what I hope will be a continuing rise in our reputation and the people you just granted degrees to and will continue to grant degrees to in the future. It's a challenge. I think all of higher education is under a challenge right now. What is the worth of higher education? It's being questioned now in a way that I've never heard before. I think we have got to prove, not just to Duke, but all of higher education, that we are the cornerstone of what's going to happen in this country and, in fact, in the world, going forward. I think it's a challenge, but Duke is certainly up to meeting those challenges.

**Haynie:** Thank you for that, Jack. Thank you, again, for agreeing to join us today for this meeting. Let me also say, as I leave the chairmanship of this Council, that I appreciate the seriousness with which the Board took the faculty input. As you mentioned, there are faculty on all the standing committees. My colleagues know, and those of you who have served on these committees in the past know full well that we are full members of those committees with a voice and a vote. That's somewhat unique as faculty governance goes around the country. Our trustees have taken seriously the notion of shared governance. Jack, I appreciate your partnership over the years that I've been involved.

**Bovender:** Thank you. I might mention that about three years ago, in a fireside chat with the Chairman of Bank of America, I was questioned about our governance model at Duke. This was in the presence of Chairs and Vice Chairs of

places like Harvard, Yale, Princeton, Northwestern, and Notre Dame. When I laid out the involvement of faculty in trustee committees and task forces, coupled with bringing students into the process, they were astounded, and a couple of them appalled, saying, how do you maintain confidentiality without the students and faculty running out and telling everything that's going on? I assured them that that was never an issue and once again goes to the heart of the idea of shared governance in a university like Duke. So, thank you.

**Haynie:** Thank you very much.

***VOTE: PROPOSAL FROM THE SANFORD SCHOOL OF PUBLIC POLICY FOR A MASTER'S DEGREE IN NATIONAL SECURITY POLICY***

**Haynie:** The next item on our agenda is the vote on the proposed executive master's degree in National Security Policy from the Sanford School. As you know, we had a discussion of this in our last Council meeting, the April 15 meeting. The supporting documents were posted on the website at that time. Today is the day that we vote on this proposal, but we do have time for questions if there are any about the proposed degree. Are there any questions? Hearing none, we will move to the vote. Let me explain how we will handle the vote on this. The vote will be conducted through the chat feature of Zoom. We're not using the polling feature because we have folks on the meeting who are not Council members and Zoom seems not to allow us to confine the vote to only the people we want to vote. So, we'll do what we've done in the past and have you submit your vote via the chat and they will go directly to Sandra Walton, who will tally the votes.

Academic Council members, if you wish to vote no or to abstain, please send a chat to Sandra now on this proposed degree. No need to vote yes. We'll assume your vote is yes if we don't receive a no or abstention. The chat feature is blocked for shared chats, so Sandra is the only one who will receive your vote. I will announce the results of the vote before we adjourn today.

***YEAR-END REPORTS FROM THE CHAIRS OF APC, UPC, AND ATHLETIC COUNCIL***

**Haynie:** While you are voting, we will move on to our next agenda item. This is the annual reports submitted from the Chairs of the Academic Programs Committee and the University Priorities Committee, as well as the Athletic Council. The annual reports have been posted on our website and distributed to Council members via email. We asked for comments and questions and we received a few. The Chairs are here today to respond to the questions that have come to us via the Academic Council email account. We'll begin with the Athletic Council Chair, Professor Linda Franzoni.

**Linda Franzoni (Chair, Athletic Council / Mechanical Engineering and Materials Science):** The Athletic Council received a question that says,

"I did have one question based on the Athletic Council report, which is about where the losses in Athletics stand at the current point. The report cites three scenarios: quasi-normal, middle ground, and extreme, and described the projection in June 2020 as middle ground, and by November 2020 the projection was anticipated as extreme. The report says the committee will meet again in April to update on finances, and it would

be helpful now that the season has closed to know how large those losses turned out to be.”

My response is the following. As you might recall, there was a presentation to the Academic Council in January. At that time, Athletics officials, Mitch Moser [Deputy Director, Athletics / Resource Development and Management / CFO] in particular, presented the overview with those three scenarios. Since then, several things have happened that have improved the status as of that January meeting. First of all, the football season, particularly the bowl season, was completed. Most critical to this for us was the completion of the college football playoff. That’s a positive. Athletics made it through the basketball season with minimal interruptions. The ACC and the NCAA tournaments were both played. The spring seasons went on about as well as they could have. The ACC network has outperformed projections, which means additional revenue for Duke. Philanthropy, also, has outperformed those projections that were made back in January. That’s another positive. In terms of expenses, Athletics has done a remarkable job holding down expenses, despite the cost of COVID mitigation. I would also add that, in terms of the finances, the Athletics department has been in consultation with Daniel Ennis [Executive Vice President], Vince Price, Rachel Satterfield [Associate Vice President, Finance], and the trustees, all along the way, and have been keeping them up to date in terms of the financial positions during the current year and outwards for the next five years. There is a lot of collaboration and they’re confident that they’ll be able to keep within their financial challenges. In terms of any specifics, I don’t actually have any dollar amounts to share. I also want to say

that Daniel Ennis is here, and I think he’s going to have some comments as well when he discusses some UPC questions.

**Haynie:** Thank you, Professor Franzoni. We’ll next move to the Academic Programs Committee. Provost Kornbluth and the Chair of the committee, Tom Ferraro [English], are here to address some questions that were submitted to APC.

**Sally Kornbluth (Provost):** Thanks, Kerry. I’ll just jump in first, because the first question that we got was actually a broader than APC question. Then I’ll turn it over to Tom for the APC-specific issues. There was a series of questions regarding the university institutes and centers:

“Can you provide more information on the general and specific proposals presented in the report? Which of these recommendations is the university planning to implement, and when? Are all UICs expected to engage faculty and make research and curricular contributions? If so, which measures will the university take to facilitate / require this?”

This report was actually divided into a couple of sections. There is a main body of the report that speaks to the UICs collectively and some of the actions we are taking, things like consolidating some of the backroom financial pieces, thinking about joint programs and collaboration with schools, et cetera. I think the easiest thing there for addressing the general tenor of the report would be to give that section of the report to Sandra to post on the Academic Council website. Then folks can read whatever they want from that. There were then specific sections that were given to each one of the institute and center directors to consider. I can just



give you a kind of flavor. For instance, people are probably aware that we are working on a possible merger between the Nicholas Institute and the Energy Initiative. That was something that was suggested in the report and that we had discussed. The Franklin Humanities Institute got, essentially, a rousing bill of health, but was asked to better integrate with Arts and Sciences and better engage faculty outside of Arts and Sciences: humanists in Law, Sanford, et cetera. You'll be hearing more about the Vice President for Research and Innovation that Sandy Williams [Interim Vice President] has taken on for the year for us, and he's been working on looking at research translation. So, when we think about the relationship between that and Innovation and Entrepreneurship, for instance, I&E will be shifting to more of a focus onto their educational programs and some of the research translation pieces will be in a different domain. So, there's a lot of detail behind this. It was a really great faculty committee and I want to thank everybody on the committee, particularly Lisa Gennetian [Sanford School of Public Policy], who put a huge amount of work into chairing this committee. The committee was advisory, but honestly, the work was great, and we will implement many of the recommendations. A lot of the implementation you'll be hearing about more as we roll that out. Rather than being comprehensive and going through the list for each one of the UICs, I think we'll post the main body of the report and you'll be hearing about actions relevant to each one of the UICs as we go through the next academic year. With that, let me turn it over to Tom Ferraro for the other questions.

**Tom Ferraro (Chair, Academic Programs Committee / English):** Hello, you all. It's a little terrifying how many of you I know by your two-dimensional face and your upper shoulders. I've been serving as the Chair of APC. We've been asked two sets of questions that directly pertain to what we've been doing. The first set is in regard to the external reviews of the departments and the units, which is one of our three main charges. We have been asked:

"Can you comment on any measures that the university will take to help units follow the main recommendations from the external reviews? Any plans to ensure that financial constraints of different departments do not get in the way towards improvement and excellence?"

The second one is a loaded question. For those of you who haven't had experience with Academic Programs Committee, let me remind you what we do. We review all the accumulated materials that are involved in an external review, as produced by the department, by the external reviewers, and by the Executive Committee of the Graduate Faculty (ECGF), or if it so happens, MAC (Master's Advisory Committee), and several other acronym organizations that provide oversight. And we advise the Provost in a series of recommendations for which there is a singular noun called the "APC resolution." Let me also say that our job, then, is to be both analytic and synthetic about what has come down the pike. What that usually translates into, given the loaded question about financial support: hiring lines, laboratory science space, and staff support, that in those instances we weigh in. It's just advisory. We give support where we think there is momentum constrain and we caution

where we believe there are some issues on the ground that ought to be worked out first. That's the basic distinction. What you need to know, which most of you probably do know, is that the one thing you can count on with an external review is that it will make recommendations for significant infusions of funds: hiring, space, et cetera. If a department is doing excellently, but it could be in the very primary category if they did this; it's doing well; let's give it the boost with seven more hires, or, it's spinning out of control and we really need fifteen more hires. I barely exaggerate. I've seen thirty of these. There's not a single one that doesn't make demands of the university that it cannot individually and collectively do. I've been a little melodramatic, but not more than this. So, let's say, however, that, in the last meeting of the Academic Programs Committee this year, after the report was filed, we met specifically to discuss the external review process. The recommendations were made in general on that, it's a policy discussion, it's one of the things we regularly do. In this policy discussion, we have come to several initial thoughts: One, is that we need to distinguish, analytically, if not logistically, between two charges in the review process. The charge to make recommendations for a department and unit that it can enact on its own with modest infusions of support, and then the second part of this is recommendations with regards to issues that require major contributions from the university and therefore need to be in conversation with discussions happening in central administration and faculty governance, with Academic Council, ECGF, Arts and Sciences Council, scholastic deans, and, as we now understand, with the Board of Trustees. Sally can weigh in at the end, but it is part of what the Provost's office

going forward is going to be thinking about. There are also a couple of other parts to this. One is that APC is thinking with the Provost that, particularly for the bigger decisions, that there may be university faculty more directly involved in the review process, so, internal as well as external faculty, a standing committee, ad hoc committee, a public committee, and a less public committee. We don't know yet. Finally, it is apparent to everyone that we need more scheduled, periodic, or occasionally signaled accountability. Departments and units need to be re-reviewed much more quickly than they often are, to see if they're going after the work that has been done. What may actually transpire is that we may regularize this every three years, or there may be a decision that some units and departments have certain issues that ought to be reviewed in a short cycle, in a couple years. Then there are other things that can wait until a normal five- or seven-year rotation. That's the big thing.

**Haynie:** Thank you, Tom. Sally, anything to add?

**Kornbluth:** As Tom said, we had a pretty fulsome discussion of this and I think what we will do is, over the summer, take the recommendations that we got, put it together in terms of a straw proposal of changes in the review process, and then we would bring it back to APC to consider, but my guess is, because this would represent a big change, we would then come to ECAC and Academic Council to discuss it once we've got a honed proposal.

**Ferraro:** Thank you, Sally. The second question that is specific to APC is a simple one about the state of the evaluations. For those of you not close to the evaluation

core, there are basically five reasons to do evaluations: to help students choose wisely, to help faculty revise their courses, to help units look after the curriculum, to help SAACS with the assessment process, and to help APT and chairs and deans make decisions about the quality of the faculty. The current system serves none of these five processes very well and there is not a single group of shareholders: students, faculty, or staff, who are particularly enamored of the evaluation process. Now, here's the good news. Tom Nechyba (Economics / Sanford School of Public Policy) and Executive Vice Provost Jennifer Francis, my comrade in arms, have been working hard in faculty conversation to make a major change in the evaluation system, and right now, there's a Watermark incorporated software package that is being piloted and that promises to be better at all five of these tasks. I'm happy to take questions. Professor Francis is probably here and she can answer better than I can.

**Haynie:** Thank you, Tom. Time for a quick question for Tom, if any.

**Lee Baker (Cultural Anthropology):** On the course evaluation thing specifically, I think this is an excellent opportunity to commit to our value of anti-racism. I was wondering, Jennifer and Tom, have you looked at the research about how course evaluations and student evaluations, particularly of women of color, are impacted, particularly when they are doing political or controversial courses that are hot topic items? Can Watermark address some of these issues?

**Jennifer Francis (Executive Vice Provost):** I'll try to answer your question. First, I think those who are involved in

this process are very aware of the research. It's voluminous and it's pretty clear. I don't know that the statistics are very controversial on it. Watermark, the software here, is actual a very flexible system. One of the things you're looking at is being able to do some customization in terms of the evaluations that you do, even at the individual instructor level, for example, to be able to elicit certain types of questions to the students around what you're doing. I think there is definitely a lot of deep, scholarly and practical thought going into how questions are framed and how they're approached in there. I think the short answer is yes, but I'm sure others who are more directly involved in this can also speak to it. I don't know if Tom Nechyba is on this call, but he has certainly been involved.

**Baker:** Thank you so much. I just want to be sure that we are thinking about that. I'm glad that that's confirmed.

**Kornbluth:** For what it's worth, Lee, just to comment, in APT we discussed that very intentionally as well when we look at people's course evaluations. You can sometimes even tell from the freeform comments, never mind the numerical evaluations, that there were biases introduced and we're very mindful of that as we factor in evaluations into assessing teaching skills.

**Haynie:** Thank you all very much. We also had questions for the University Priorities Committee, chaired by Debu Purohit, and Daniel Ennis will be here also to chime in.

**Debu Purohit (Chair, University Priorities Committee / Fuqua School of Business):** Thanks, Kerry. I received four long, multi-part questions related to our

report (\*see the questions in their entirety at the end of these minutes). Kerry said that we didn't have much time, so instead of reading the questions in their entirety, I tried to summarize them as best as I could, and then we'll answer them. The first set of questions were related to what the committee recommended and whether we considered other options, and the second set asked for specifics about performance of the endowment and other financial information related to our cost-cutting measures. I'll take the first set, and then Daniel will take the second part. For those of you who don't know, the UPC's role is primarily advisory. We provide feedback on issues that are arising, especially issues that are related to resources for the university, and serve as a sounding board as ideas are being developed. The important thing is that we rely on senior administrators to bring forward issues and proposals to us, and then we respond to them. This year, partly in response to the financial pressures created by the pandemic, we discussed the cost-cutting measures that had been imposed by the university. This included the hiring freeze, salary increases, and when, and if, the 403b contribution could be restored. Committee members responded and the administrators heard, 403b was, not surprisingly, a hot topic this year. But, given our advisory role, we did not, as a committee, come up with any specific recommendations. That's establishing the first part: what we recommended and did not recommend. For the second part, which asked for more specifics about the university's performance, I think the person who can best help us here is Daniel. He is going to take it over from this point.

**Daniel Ennis (Executive Vice President):** Thanks, Debu. There were a lot of questions, so bear with me, please. I'm going to try to talk through the broad context in terms of how decision-making is being informed. I think if you were to sum up the questions that are being asked of us, they are focused on the university's financial performance and position, and whether or not that information is leading to the consideration of restoring on a retroactive basis to January 1, 2021, the university's 403b contribution, as many of our peers have. That's the thesis of the questions. I'm going to take this question and respond to it in three parts. A little bit of this answer is contextually important and helpful as a reminder. The three parts are: first, to go back to the situation that the university faced last spring and just remind ourselves of the values that drove the original decision to pull back the university's contribution to employee 403b. Second, describe at a high level what we've experienced with regard to extraordinary COVID-related expenses and losses. I think this is important because there's been conflation at times about structural challenges and whether we were responding to those pre-COVID issues, for the response which was intended to be specifically related to COVID-driven expenses and losses. Third, and finally, I'll address what we know at this point about where the university finances are positioned and how that is informing our policy consideration, including active analysis of retroactively restoring the university's 403b contributions back to January 1.

First topic: original decision-making context considerations. At that time, universities, including Duke, which had significant engagement in clinical care delivery, were facing the prospect of

extraordinary losses, especially in the face of significant reductions of non-critical healthcare activities. There was also very significant uncertainty with regards to the rest of the university's funding sources, sponsored research, enrollment, endowment, philanthropy. Given the broad health and economic issues of concern at the time, the university projected significant revenue declines. These projected revenue declines necessitated seriously slowing spending and reducing expenditures. University leadership at the time stressed the following principles in making these decisions. First and foremost, preserve as many jobs as possible to avoid significant economic contraction, unemployment, and its potentially devastating effects in Durham and beyond. Second, protect the income and jobs of our lowest-paid employees, and third, to assure that we could continue to fill our critical clinical care, teaching and research missions, and be in a position to emerge stronger as the university came out of the crisis. The policy decisions that were made at the time, holding salaries flat, and actually giving \$1,000 stipends to employees making less than \$50,000, reducing salaries for higher-paid employees, those making more than \$285,000, freezing new positions, slowing capital and operating spending, and suspending contributions to employee 403b, were well-aligned with these core values. As we look back at the decisions made at the time, I was not here, but I would note that the university has admirably met its expressed core values as it navigated a moment in the life of this institution with incredible levels of potential risks in a large degree of information uncertainty. Turning to topic two and what we are experiencing and accounting and projecting as it relates to COVID impacts,

and trying to understand what the institution has absorbed as a result of the pandemic. First, we stood up an extensive employee and student COVID management program. This includes, amongst many investments, the purchase of PPE for all faculty, staff and students, the astoundingly large surveillance testing program, the significant increment to the university's real estate to add quarantine and isolation beds, and the student support programs. The cost of all of this is roughly \$30-40 million. Beyond these extraordinary investments, the Academic Council heard from Athletics in January, as was noted earlier, that the department-based dramatic losses in revenues from not allowing fans in events and many other COVID impacts, that Athletics at this point is projected to lose \$15-25 million, despite the benefits that Linda described in terms of better-than-what-we-feared results. The housing and dining program has also experienced dramatic revenue losses due to the effort to de-densify the campus and other extraordinary steps to protect student health and, again, to protect jobs. Housing and dining, at this stage, is projected to lose roughly \$35-45 million. It is important to note that in each of these cases: Athletics, housing and dining, the COVID program, there is no readily-available pool of capital reserves to fund these extraordinary COVID expenses losses. Many of our schools and units have also experienced significant COVID-related losses. I have not accounted for those in talking you through the impacts on the institution. It has been assumed that the savings associated with the suspension of the employee 403b contribution, which roughly amounted to \$80 million, would in part be a funding source to cover these expenses and losses. If these savings were not available,

all these units would have needed to dramatically reduce programs, staffing, with very significant impacts to the institution and for the broader local economy and region. Finally, and this is very important when we're in the space of benefits, that we have not described here what is happening at DUHS, but we do share benefits with the health system, so we have to consider their financial situation, their context, as we consider changes in our benefits.

Final, third topic: university financial performance and position. Despite these extraordinary COVID expenses and losses, the university's overall financial position has proven far more resilient than we had feared and projected. We have been signaling that, fortunately, since January. We are hopeful that we will end up balanced in terms of revenue and expense, and potentially in surplus. The last part of the financial year is typically the toughest in terms of revenue minus expense. We're anxiously awaiting to see what will happen and are very hopeful that the positive trends that we saw through March will be sustained through year end. In addition, we're very excited about the prospect of significant endowment appreciation. This comes, of course, on the heels of actually losing money in the endowment last year, so that, if it comes to pass, will be a very welcome outcome. It's worth noting, and there are a lot of questions along these lines, and we could obviously spend a lot of time talking about the endowment, but the simplest way to think about endowment appreciation is that it's a lot like the value of your home equity when real estate markets are strong. It's comforting, but it does not typically translate into dramatic changes in your income or your ability to spend. That's, of

course, an oversimplification, but it has helpful dimensions to it.

The final comments in terms of summing this up. As committed at the time of making financial policy decisions, university leadership continues to be watching financial performance and position very carefully and has already made significant adjustments with the benefit of this information, including the following. We returned FY22 salary increases to normal levels for all of our employees and for those whose salaries were cut, their salaries will be restored, effective July 1. We returned retirement contributions, effective July 1, to previous levels, despite a plan, and actually, a Board resolution, that would have reduced those contributions. We will also very soon be announcing easing of extraordinary spending controls and I know for many of you that you are frustrated with your inability to do basic things in terms of accessing discretionary funds and moving your programs forward. We are moving to address that. We are also, as I stated, actively exploring whether we can find a way to retroactively restore retirement contributions, but, as I have now described to you and talked through the extraordinary COVID losses, that is a daunting task. We are working through the implications and the math. We will continue to engage with ECAC and UPC as we have, as we think all this through and determine whether we will be able to take further action. Sorry for that being so long, but, given the number of questions, we thought it would be helpful to give a comprehensive picture.

**Haynie:** Thank you, Daniel and Debu. Any additional questions?

**Cam Harvey (Fuqua School of Business):** Thank you for the response. I said this at the last meeting, that I'm worried about our competitive position, that we're a singleton compared to other universities in terms of the amount of austerity and the length of austerity. The specific question amongst the four that I was the author of, along with two of my colleagues at Fuqua, was on the endowment. Yes, it's true that DUMAC lost 0.7 percent last year, but my understanding, and maybe you could confirm that, is that DUMAC is up 25.5 percent over the first three quarters. Indeed, in the report, that was denoted as a windfall profit. Given a multi-billion-dollar surprise, it seems that \$80 million or \$40 million, in terms of our 403b, is a very small cost. We all know that Duke is at the edge of the top ten. Small things like this could easily push us out. Once we're out, the cost of getting back in is enormous. Really, what I'm asking for, is a justification of the short-term benefit that this is actually causing, versus the long-term cost. I have no problem with the decision that was made by the President in April 2020 in the face of COVID. But the problem that I've got is that we seem to be maintaining the austerity much too long, given the new information regarding enrollment and the endowment.

**Ennis:** Thanks, Cam. I would just note; your questions have been thoughtful throughout and very fair and helpful. So, thank you for all this. We've had exchanges previously. I think looking at endowment is very important, but obviously insufficient on many levels. The first is, we don't actually think about market timing in regards to supporting the core mission of the institution. The loss last year, the return of that, when you think about the payout, we were in a

negative position. It gives us a lot of confidence and it is certainly informing our decision making, even when you think about spending. We take a three-year average return in informing a spending decision. One year in that calculus is important, but insufficient. In addition, you are often referring to really important gains within the portfolio that are truly extraordinary. The returns that you cite are accurate. But, the reality of the situation that we can't bank on, we do actually look at long-term performance. So, to cite that as the sole decision maker I think is just insufficient – important, but insufficient. I can assure you that we are really looking hard at this question and appreciate that it feels like we're competitively behind. That is also informing decision-making discussion. I hear you and I regret your frustration with this. I would like to assure you that we're working the question very diligently.

**Haynie:** Thank you, Daniel.

***RESULTS OF THE VOTE ON THE PROPOSAL FROM THE SANFORD SCHOOL OF PUBLIC POLICY FOR A MASTER'S DEGREE IN NATIONAL SECURITY POLICY***

**Haynie:** We'll move on to the next agenda item, which is comments by me. Before doing so, let me announce the vote of the proposed degree in Sanford School. It passes overwhelmingly with just one no vote and one abstention. Dean Kelley, congratulations to you and your colleagues. We look forward to hearing good things about this new degree. Thank you, colleagues.

**Judith Kelley (Dean, Sanford School of Public Policy):** Thank you, everybody, for your support.

## ***RECOGNITION OF CHAIR KERRY HAYNIE***

**Marin Levy (Law School / Member of ECAC):** Professor Haynie, I'm wondering if you would do us the courtesy, there are two of us who would like to take just a moment on the floor to say a few remarks about you, if that's alright. We will be short and sweet because we know that most of the folks here are interested in hearing from you, and I think, at least I am, at the risk of tears. We did just want to say a quick word to thank you for your service.

At this time when so many of us are focused inward on our own departments, our own schools, our own lives and our own families, it is truly remarkable to find someone who dedicates so much of his time to making our university a more perfect place. Kerry Haynie is, quite simply, the quintessential university leader, and really, I would say, the quintessential public servant. He is one of those rare people who is willing to put the needs of our institution, the staff, students, faculty, far above his own. He's even more than that because he's really good at it. We have all lived, I know, through faculty governance meetings where the path ahead is not clear and we seem to meander around and around the same issues for hours. It is never so with Kerry at the helm. He has always managed to ensure that we are airing out the important issues, we are having the necessary debate with the necessary voices, while always steering us forward. I would say that is a difficult task in the best of times, and Kerry has managed to do this masterfully in one of the most difficult, most challenging times I think any of us have seen for a university, and that's, of course, given the health and

financial concerns that we've faced in the past year. If this were all, I think at this moment we could collectively say "dayenu." But, I would just add at the end that Kerry is also a wonderful human being. So many of us here are very proud, indeed, to say that he is a dear friend. He knows everyone who has recently lost a loved one, and he has a heartfelt card for them, he knows everyone who has just had a birthday and he has a delicious – and I'm always assured, calorie-free – cake for them. Kerry, I would just remind you at this moment that my birthday is coming up, and I'm expecting one of those cakes. I just want to end by saying, Kerry, on behalf of ECAC and Academic Council, we want to thank you so much for your extraordinary friendship, your leadership, and also for inspiring so many of us around you to take on the shared responsibility of governance, which is so critical for a university like ours, even if we know that we won't be able to do it quite as well as you do. Thank you, Kerry.

**Haynie:** Wow, thank you, Marin.

**Mark Anthony Neal (African and African American Studies / Former Member of ECAC):** As a colleague who had one of those cakes in December of 2019, I'd like to share just a few thoughts, also like Marin, about Kerry's leadership. If you know Kerry Haynie, then you know there's a story that has long circulated about a dinner with former Provost Peter Lange and a group of Black faculty and a seemingly minor disagreement between Kerry and Peter that led the former to slam his hand down on the dinner table that shook in response. Peter seemed the least surprised as Kerry's friend and colleague, who surely knew, as we've all come to know, that Kerry is, first, a passionate man, and second, that one



should proceed to Kerry's wrong side with some trepidation. But that only tells part of the story of Kerry Haynie, whose right side is always on the sides of fairness and transparency. I have been in many trenches with Kerry over the last fifteen-plus years, and though we don't always agree on finer points, there is no one I would rather be fighting in the trenches with, and no doubt, this is how our colleagues on ECAC have felt during Kerry's term as the Chair of Academic Council, in an era that will be remembered as one of the most extraordinary periods in the university's history. In his leadership, Kerry never wavered in centering notions of fairness and transparency and consideration of what is best for Duke students, Duke faculty, Duke staff, the Durham community that Duke is a part of, and the university itself. It was an honor to serve with Kerry and Duke should consider itself both blessed and thankful for Kerry's stellar leadership during this period.

***CLOSING REMARKS BY CHAIR KERRY HAYNIE***

**Haynie:** Wow, thank you, Mark. I really appreciate those comments. In fact, maybe I should not say anything. I can't follow that. Anything I would say would only diminish those very fine comments. But, if I may, let me close the meeting with a few observations. I want to pick up actually where Marin and Mark have left off, and that is with some gratitude and thanks. First on my list is Sandra Walton. Nothing that we accomplish could have been accomplished without Sandra. It's hard to even express and describe what she does for ECAC, the Council, and the university behind the scenes. We could not have made it through this last year

intact without Sandra's guiding, supporting and competent hand. Sandra has a lot of institutional memory. ECACers come and go. For a dozen years, Sandra has been a constant and that has been extremely important. One of the things that ECAC does at the beginning of the academic year, we meet with the trustees to preview the upcoming year, normally over lunch. One of the trustees a few years ago mentioned how good our Academic Council minutes are and that they learned quite a bit from going to those. They learned about the university. Sandra has some cataloging system that I don't quite understand. I learned the Dewey Decimal way back when. I don't know what Sandra does, but she's able to find things in a moment's notice. A quick example: there was a group of us, senior leadership and me, meeting about discussing the future of the Ombuds office. We talked about how it came to be in the form that it's in. Sandra was not on the meeting. After the meeting, I called Sandra to update her and to give her some notes. Within an hour I had the minutes from the Academic Council meeting at which this role was discussed and voted on. That precedes Sandra's time in the Academic Council office, but somehow, within an hour, she was able to find written documents that became very helpful for Daniel and others who are looking at this role of the Ombuds. That's just example of the many things like this that Sandra's been able to do that has advanced the work of ECAC and this Council. I'm quite thankful to have worked with her for these years and I appreciate all that she's done. She is assisted by Susan Jennings. They've been a team for a number of years now, and they go hand in hand. Susan and Sandra can find things and the office runs smoothly. Whenever we have ECAC Chair

elections, the first question [from potential candidates] is, will Sandra be there? That's been true for the last several cycles. Is Sandra staying in the office? Then I'll agree to run, if Sandra is staying put. So, Sandra, thank you for all that you and Susan have done. I really appreciate all of the help, in addition to the colleagues I recognized earlier. Thank you. I couldn't have done it without you.

Let me also thank this Council and the faculty writ large. As Mark and Marin alluded to, it was a hell of a year, more than a year now, going through what the pandemic brought to us. There was no blueprint for this. We used our rules and our bylaws as best we could to move forward, but we all got hit. The university got hit. As I reported to you in the Spring, in the May meeting that we called, one of the good things is that senior leadership kept us in the loop every step of the way. We were informed and involved in conversations. One of the observations that I have is that our governance structure is quite strong. As Jack alluded to, it's unique. Particularly during the pandemic, as universities were trying to figure out how to reopen and what to do once reopened, colleagues from around the country, my counterparts, reached out to me to ask what Duke's faculty was doing about xyz, and what role we played in governance. We have a very strong structure here. I might add that, it's because of this structure, I think, that Duke has done so well to move up as a very highly regarded institution. We've done it in partnership, the faculty and the administration have done it in partnership, not always agreeing – as you all know, we don't always agree – but we are having conversations and moving forward together. Having the faculty involved from the ground up is important

to how the university will move forward. Let me speak to a question that came up to UPC as an example. Daniel answered it quite well. I'm surprised, him not having been here, that he had all the details of what happened. Cam Harvey mentioned that we're in the top ten and this move could knock us out. You could look at it another way. It might keep us in. It's a move to sacrifice some benefits for others. One of the things, and I'm glad that Daniel raised it, is that the administration, from day one, Tallman [Trask, former Executive Vice President] said to ECAC and other bodies, that we're not laying anybody off in the middle of a pandemic. We don't know where the money is coming from, but we're not doing it. Then there was talk about not laying people off but reducing their hours below the threshold for necessary benefits. Then we want to suspend that rule and pay for people's benefits if we have to reduce their work. So those are the values that led to some of these decisions: that we were going to keep people employed and keep people insured in the middle of the pandemic.

Prior to even knowing what COVID was, ECAC and other bodies were in discussions with senior leadership about some of the structural problems that we faced: financial aid, deferred maintenance, and other things that are going to cost us, that are already costing us. We teach in some classrooms that are falling apart and not working well. The Physics building needs to be redone. Those kinds of decisions need to be made. We were in discussions about some of these matters long before a pandemic was on the radar. We wanted to discuss how we might meet those challenges, so that we can continue to do the best teaching we can do and the best research we can

do with limited resources. There are choices that have to be made. I don't know if this is what the faculty would have made, but the choices have to be made if we want to continue to be a top university. I would argue that reducing that benefit may have kept us in shot of being a top ten university, so we could attend to our facilities, our classrooms, and other strategic initiatives at the university.

This is also an important point that I want to make about being in this role and seeing it close up. Our governance structures work. There are faculty in the rooms at every step of the way. This is unique. There are about thirty-three faculty, I counted this morning, if you count APC, UPC, and ECAC. There are about thirty-three faculty who see the exact same budget that Daniel and his team presents to the trustees. We ask questions about it. We get to raise some issues, push back, and we're listened to. This is unique in a university, as far as I know, that we get to see the same presentation. Jack mentioned that his colleagues from Harvard and Princeton were surprised that they would even allow faculty and students in the room for these presentations, core members of those committees, and see the same presentation. So, we have a republican form of governance, in which there are representatives who are our eyes, ears, and voices in those rooms. I think that process works well. There are some things that we cannot share that we hear, because they're confidential, but rest assured that there are faculty eyes, ears, and voices in the room when these decisions are being made. We may come out of it disagreeing about the outcome, but do know that we are a part of the process and that's somewhat unique that

I think we need to work hard to maintain that. This has been an evolution. This hasn't always been the case. The administration, over time, during my eighteen years at Duke, has evolved in this regard, as have the trustees, to have more openness and more faculty engagement and involvement in these matters. I hope that continues. We have been good partners to senior leadership and the trustees, and I hope we continue to do that.

One concern I have as I leave, and it's something I mentioned early in my term, and I think I phrased it this way: we are a great southern university in that we are always "fixing to get ready" to do something. It's a good southern expression, "fixing to get ready." It's frustrating, right? Are we not ready yet? It's time to do something. We're continually fixing to get ready. One of the frustrations over the last year for me has been that it seems we spend quite a bit of time getting clarification on that which was already clear in terms of what we need to do, some of the things we need to do to attend to, some of the structural problems that we have, to keep Duke in the top ten and keep Duke moving forward. I worry that we have what I call "peer envy," that we often talk about what our peers are doing. Certainly, it's important to be mindful of the markets that we play in and the competition, best practices that we can learn from our peers. But we shouldn't let that dampen what Terry Sanford [Former President] called our "outrageous ambition." I'm fearful that it's getting to the point that we are looking to the peers so much that we are not building the best Duke that we can build and becoming a place where our peers will look at *Duke* and see what Duke is doing. We can see that we have arrived

as a national and global leader in higher education. Take, for instance, the COVID testing regime that we put in place and all that went into that. When our colleagues came to the November meeting last year to talk about our testing regime, it was an amazing presentation. I talked to Sally about it later, I was so blown away by a couple of things: it was more than interdisciplinary – I don't know what the term is, but it included folks from the humanities, social sciences, medical folks, housing, student affairs, all came together in a moment's notice and put together a protocol for our testing and kept this campus safe and functional. So, we can lead. We do lead. I worry that the focus on the peers is at the expense of looking at what we are able to do and what we are, in fact, doing. So, I challenge this faculty, this Council, and ECAC to pay attention. Let's shout it from the mountaintops that we have arrived, that we are Duke, and let's try to build the best Duke that we can build. Duke has Durham. We don't have Princeton. We don't have Cambridge. We don't have Palo Alto. We have Durham. We have North Carolina. We have a long history. That's important to consider as we build the best Duke we can be.

Finally, I want to thank you, my colleagues, for giving me the opportunity to serve in this capacity. I hope and I try to do my best to represent the faculty, whatever the hell that means. I tried to not speak so much for Kerry, but speak for what I was hearing from those of you. So, thank you so much. We have one more item of business before we close the meeting.

**Price:** I will not take up too much time, because you want to end your final Council meeting on time. You're so good at this, Kerry. I wanted to echo what Marin and Mark Anthony had said. I share

your view that we have very strong systems of shared governance, but they work when we have outstanding faculty leaders, and you have been truly outstanding in this role, a wonderful university citizen. You commented about how much you enjoyed commencement. I also enjoyed it tremendously. For me, one of the things that was great to see was our Chair of Academic Council carrying the university mace. You almost missed that opportunity, Kerry, because of the unusual times. I was delighted to see you, Kerry. It is the symbol of our university's authority. Our authority to educate, our authority to grant degrees, and it's appropriate that it's carried by the Chair of our Academic Council. As you know, it actually weighs quite a bit. People don't realize that. You have shouldered that burden extraordinarily well, and I am deeply grateful for your partnership and delighted that you did have that opportunity. Thank you so very much.

**Haynie:** Thank you, Vince. Much appreciated. Thank you all.

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

**Haynie:** Now to the last item on the agenda. At this point in our meeting, we transfer the power of the Academic Council to ECAC for the summer months. Our bylaws state that the Academic Council meets 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 it could be difficult to convene a meeting of the Council during the summer months, the Christie Rules provide that this Council can delegate to ECAC the authority 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 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 a committee once formed would remain in operation until the first day of the fall semester of the 2021-22 academic year.

As ECAC is presenting the motion, I only need a second.

*[Motion seconded]*

That brings us to the close of the May Academic Council meeting and the last meeting of the academic year. I hope you all get a chance to unplug, unwind, and rest. Please stay safe. We'll see you all in the fall. I have been elected to the Council, so I will see you all, hopefully in person, at Academic Council meetings in the fall. Thank you and have a blessed summer.

*\*Questions follow which were submitted in advance of the UPC Annual Report Presentation*

1. The Committee report refers to “structural deficits that precede the pandemic.” Did the Committee recommend, or consider recommending, to the administration that the on-set of the current crisis (the pandemic) provides an opportunity to cut spending so as to address the structural problems that have existed for years?

a. Could the Committee share with the Academic Council its reasons for recommending or not recommending?

b. If there were such recommendations, which of the six spending cuts listed on page 1 of the Committee report reflect a decision to use the pandemic crisis as an opportunity to address structural deficits that precede the pandemic?

2. The Committee’s report mentions that “expected revenue losses from tuition are significantly lower than what were expected” and “returns from the endowment and philanthropy have exceeded expectations and shown increases”. The report also uses the word “windfall” to describe the returns. The President’s “Securing Our Future” email of April 8, 2020\* referenced tuition-related anticipated losses and investment-related anticipated losses (among others) as reasons for, among other things, cutting certain salaries and eliminating the university’s retirement contributions to defined contribution plans. In light of better than anticipated tuition revenues and better than anticipated returns from the endowment and philanthropy, did the Committee recommend, or consider recommending, that the administration end both the salary cutbacks and the elimination of employer contributions to defined contribution plans retrospectively to January 2021? Could the Committee share with the Academic Council the reasoning for either recommending or not recommending?

3. With respect to the endowment, the Committee’s report refers to “returns from the endowment and philanthropy” that exceeded expectations. Was the Committee briefed on the specific amounts by which actual returns exceeded expectations? What are those amounts? We understand that the Committee report references spending rates based on multi-year rolling averages. Notwithstanding those rates and their calculations, did the Committee recommend, or consider recommending, that the administration use a portion of those returns exceeding expectations to end both the salary cutbacks and the elimination of employer contributions to defined contribution plans retrospectively to January 2021? Could the Committee share with the Academic Council the reasoning for either recommending or not recommending?

4. The Committee report states: “the overall financial shortfall facing the university is still staggering” and refers specifically to financial aid. Does the shortfall refer to operations only and if not what else does the shortfall refer to? In other words, does the shortfall refer to an operating deficit? What is the size of this shortfall? Which units of the university contribute most to the financial shortfall and what are the unit-by-unit shortfalls?

\*April 8, 2020 email from President Price: “While it is too soon to determine with precision the magnitude of disruption to our finances, it is clear that the impacts will be both severe and prolonged. All of our formerly reliable sources of revenue – tuition, research grants, clinical revenue, private philanthropy and income from our investments and endowment – will almost certainly be significantly and adversely affected, even as we face increased expenses in our education, research and patient-care services.”