

Duke University

DURHAM
NORTH CAROLINA
27708-0928

ACADEMIC COUNCIL
304 UNION WEST
BOX 90928

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

Minutes of the Regular Meeting of the Academic Council

Thursday February 21, 2008

Paula McClain (Political Science, Chair of the Council): Welcome, we have a lot of business to get through today, so I'm going to start, and as our other colleagues meander in we will welcome them with open arms. The first item of business we have today is approval of the minutes. [The minutes were approved by voice vote without dissent.]

Ph.D. program in Marine Science and Conservation

McClain: Thank you very much John. John does wonderful, wonderful minutes...

We have no announcements today so we're going to move right into the Ph.D. program in Marine Science and Conservation. Last month you remember that we heard a presentation from Professor Dan Rittschof for the Nicholas School on a proposal for the Ph.D. program in Marine Science and Conservation. Susan Lozier from the Nicholas School is here today if there are any further questions. If not we will move to the ECAC resolution.

Be it resolved, the Academic Council endorses the proposal from the Nicholas School of the Environment and Earth Sciences to establish a doctorate degree in marine science and conservation.

This does not need a second, so all those in favor please say "aye." Opposed? The motion passes unanimously.

Susan, will you relay to Dan and his colleagues our thanks for their hard work and his commute to Durham to present this proposal?

Copyright Guidelines – Report

The University Librarian and Vice-Provost for Library Affairs Deborah Jakubs, and Kevin Smith, who is Duke's Scholarly Communication Officer, are here today to provide information to the Council on Copyright Guidelines for Electronic Course Content. As many of you will remember, exactly one year ago this month Kevin came to the Council and brought this complicated issue to the Council's attention. Since that time the document you received with your agendas

"Copyright Guidelines for Electronic Course Content" was developed. This something we are doing now to make sure that all the steps have been followed.

The policy has been reviewed by the University Counsel's office, presented to the Deans' Cabinet, and there have been additional conversations with staff at Fuqua, Sanford, and the Law School. It was then presented to the Information Technology Advisory Council and finally to the Academic Programs Committee and then it came to ECAC.

So we are now bringing the proposal to you and will ask the Council's endorsement following the presentation today. So, Kevin, Deborah?

Deborah Jakubs (University Librarian and Vice-Provost for Library Affairs): I am just introducing the issue and Kevin is here to answer any questions you might have about the document. As Paula indicated, Kevin, who is both a librarian and a lawyer, came to the Academic Council last year and presented some information on the importance of making good-faith



fair-use decisions when deciding what to put on electronic reserves and on Blackboard. In April of 2007, the University received a letter from legal representatives of the Association of American Publishers, on behalf of six large publishers, challenging Duke – ac-

cluding us of a systematic pattern of copyright infringement; threatening to sue us.

And we were in good company. There were a number of other institutions of higher education that received this same kind of letter; naturally we took this very seriously. It led us to review our practices to make sure they were in synch with our policies. So you probably received some letter or communication from me over the last year about e-reserves and our attempts to make sure that our practices are what they should be.

Today we bring the document to you for endorsement. We want you to know that this is not a change in policy, this is revisiting and putting on paper, disseminating widely, the information on which our practices are based. So with that I will turn it over to Kevin.

Kevin Smith (Scholarly Communication Officer): I don't have much to add to that except to answer questions if they arise. To reiterate, we're not trying to change a policy here, we believe that we have always made fair-use decisions in good faith regarding e-



reserves, but it is equally important that faculty members make the same good-faith fair-use decisions when they do things on their own, when they put things on Blackboard, or in another course-management delivery system; and these guidelines are intended to help them do that. Other than that, I just will entertain any questions. I admit to being the primary author of the document in front of you, so I'm the one who gets to defend it.

Questions

Will Wilson (Biology): So suppose you put things on the web page and then – I don't know how this works – will Elsevier come calling?

Smith: Potentially, yes. What we got in April was exactly that – a threat from the legal representatives of the American Association of Publishers regarding “electronic course content,” by which they meant e-reserves, things that are in Blackboard, things that are on web pages.

Your best defense in those situations (and I hope they don't arise) is to be able to say, “I made a good-faith fair-use decision” for a number of reasons. Fair-

use is a defense to copyright infringement. And also the fact that you made a good-faith fair-use decision even if the court decides ultimately that you were wrong, protects you, and us, from most of the liability.

Provost Lange: The first thing is not to respond. The first thing to do is get in touch with University Counsel....so don't answer on your own. We won't all remember the exact words that Kevin said today, and so you want to be in touch with University Counsel...Just receive the documents and call the Counsel's office and...

Smith: You should be contacted directly.

Nancy Short (Nursing): Maybe I'm clueless and came in late, but how do publishers, American Association of Publishers, whatever they are, get password protection and into a Blackboard course – because that raises issues of all sorts of student confidentiality?

Smith: It does, and as far as we know, they're not getting the Blackboard courses. Although they included references to course-management systems, the details were all from our e-reserves system in the library, and they can see what's in that system through the library catalogue. They can't actually get to it, but they can see the titles and things like that, so their details were wrong in a lot of cases, but they were all drawn from the e-reserve system.

At the moment, they can't see into Blackboard – and you're right, it would raise tremendous issues of student confidentiality – nevertheless the publishers have demanded from a number of institutions, not from Duke that I am aware, access to Blackboard because they believe there is systematic infringement going on. They say we need to be allowed to look in there and see whether or not content is there. Obviously we would resist those overtures if they were made, but the best thing we can do is say that we've given guidance to the faculty to make these good-faith fair-use decisions.

Dona Chikaraishi (Neurobiology/ECAC): When people [publishers] wanted access to things like Blackboard, have the universities given it?

Smith: No, not that I'm aware of. In all the situations that I'm aware of, no, they've resisted. And, as the previous questioner pointed out, for reasons that had nothing necessarily to do with copyright, but related rather to our obligation to defend our students' confidentiality. I only mention it as a worse-case scenario that we'd like to avoid.

McClain: Kevin, since we have you here, how does this work relate to the Harvard system [referring to a news item about Harvard open-sourcing faculty writing]?

Smith: That's an interesting question. Relative to the decision made by the Harvard Arts & Sciences faculty, they're talking about material to which they own the copyright, and what they've done is voted to say that the University will have the right to put that material in an open-access institutional repository before there is any copyright transfer to a publisher. So

if I write an article, it will go into that repository before I submit it to a publisher and sign a contract.

But in those cases where they own the copyright, they can do what they like with it. These [our] guidelines are to deal with situations where someone else owns the copyright and we have a legitimate educational purpose for using it, so they're very different situations.

Prasad Kasibhatla (Nicholas School): So if there is a piece of work that has an explicit statement in there saying no copying, no electronic reproduction, we can still apply fair-use in that particular piece of work?

Smith: Good lawyer's answer for you: it depends. If you agree to something like that, in a way it's a binding contract. So for an example in the library we sign licenses for all these databases that we purchase. The rules in that contract between Duke and the publisher would be controlling. If the contract said you can't use it in certain ways, even though they would be otherwise permitted under the law, then we would have to follow that.

If you don't agree to that in some specific way, then the rights that you're given under copyright law would apply.

To name names, Harvard Business School, for a lot of their materials, have that specific provision at the bottom, and when you get access to them, either through their website or through one of their databases, such as we use in the library, you are essentially agreeing to those terms. So that particular case, they would probably be binding.

But if you don't agree in some way, either through the institution buying a license or something, when you click on a website you still have fair-use rights and other exceptions to copyright.

McClain: Thank you Kevin.

Be it resolved, the Academic Council endorses the policy on copyright and electronic course content for distribution to schools within the university and inclusion in the Faculty Handbook.

A second is not needed. All those in favor please say "aye". [The motion passed by voice vote without dissent.]

Quality Enhancement Plan – update

Next we'll hear from Professors Tolly Boatwright and Prasad Kasibhatla, who have asked for Council time to provide an update on the Quality Enhancement Plan, which is part of the re-accreditation process of the university. Tolly?

Mary T. Boatwright (Classics): If this is at all like any of the last meetings we've been engaged in, I think there's going to be a lot more reaction from you all than what we've heard so far today.

I am one of the co-chairs of the QEP committee and Prasad is my other co-chair (he's keeping his dis-



tance today!). As you all know, the QEP is part of the self-accreditation process that is mandated by SACS, the Southern Association of Colleges and Schools, every ten years. Many of you are probably suffering through the other part of the SACS process re-accreditation, that is the compliance-certification part.

I know in my own department we've had many meetings already where we're discussing our vision, how we can communicate that to the students, how we can teach effectively, and assess that we're teaching effectively, with what we have already. We are doing something different than that; we are, as I say, the other part of this re-accreditation process.

We are a group of some 20 individuals. Our constituency spans undergraduates, graduates, students in the professional schools, faculty in the professional schools and the Arts & Sciences, and also some administrators and Judith [Ruderman], who is the third member (I guess it is a triumvirate) – she's our liaison person, she is handing out a list of the people who are on the committee.

The topic for this committee was reached in the summer, before many of us were on board, or agreed to come on. It has a broad name: "Re-imagining Liberal Arts Education in the 21st Century." As I said, this topic was chosen by the leadership team, which included administrators and was headed by President Brodhead, and it came from extensive discussions with students and faculty and administrators.

We have met 7 times already during the Fall and in this Spring semester, and we've also engaged in outreach with other committees. We've met with GPSC [Graduate & Professional Students Council], we've met with Duke Student government, the Inter-community Council, the Board of Trustees, and we will continue to reach out to different constituencies because it's absolutely essential that whatever we come up with be something that hits all people at Duke, that really resonates with Duke faculty and students alike.

Several broad goals have developed from the discussions we had this Fall and most of the Spring. (I sometimes think, having a 17 year old who's looking at colleges, that every college is looking at these things.)

Our broad goals are the need for a transformative educational experience, the centrality of critical thinking, adaptability, evidence-based reasoning, ethics, self and group-identity, and citizenship, as goals of a liberal arts education.

A third broad goal is the demonstrated acquisition of core knowledge and competencies including an ability to communicate effectively.

A 4th broad goal for the QEP is the need for deep understanding of important contemporary issues, in the context of the history of the world's civilizations and today's globally interconnected world.

And five, there is the need for understanding technological trends that are profoundly shaping our world.

There also was general agreement that Duke was already doing many, many things very well. These include the freshman Focus program, the research experience for undergraduates programs, Independent Studies, and the Study Abroad Program (this is not an exhaustive list).

And these aspects of the Duke Undergraduate Curriculum and Undergraduate Experience already work well toward these 5 huge goals that I've just listed, or they have the potential to contribute even more substantially.

On the other hand, as the QEP and the whole SACS re-accreditation process stresses again and again, we need to develop a plan that responds to needs here at Duke and also to the advantages that we have at Duke. We need to have something that is tailored to Duke.

And so the three aspects of Duke that have been picked up so far by our committee are: that Duke may not be taking advantage of the rich array of professional schools that we have here. I think it's almost unique that we have so many very strong professional schools in such close proximity to the undergraduate campus here.

We also believe that – this comes from material that is out there at Duke – we also believe that Duke has not sufficiently addressed the so-called “sophomore slump.”

And we also think that Duke could do more in integrating and bringing together in making an educational model that will help students develop into global citizens.

These are three prongs that we think we should address with our Quality Enhancement Plan. In the last month and a half we have been working on how to address these issues. We broke up – you know we're faculty, everybody has a different idea – so we broke up into 4 different sub-committees, and we wanted to look at specific approaches for enhancing the Duke Undergraduate Liberal Education Experience.

Three of these four sub-committees focused on what can be broadly called global citizenship. The fourth sub-committee is much more subordinate and it looked more specifically at the sophomore or the second year experience. But that one is certainly, in my mind, and I was the head of that or the convener of the sub-committee, that whatever we do, we're going to be addressing the sophomore or the second-year experi-

ence. So that will end up folding into whatever else happens.

But to go to the three sub-committees that had a larger mandate. One explored the idea of international perspectives, the idea of developing an academic framework consisting of courses and field study for sophomores which would set the stage for enhanced student engagement in programs such as study abroad and Duke Engage.

We use the term, in what you see in what I have sent out to you, *sophomore year*, but some of that work begins in the freshman year. Duke Engage, for example, comes between the freshman and the sophomore years, so you know, so when we say, in what you've got, field study for sophomores, that's kind of writ large there...

A second sub-committee explored the idea, and will continue to explore the idea, of engaging the professional schools in undergraduate teaching at the upper-class level as a way of providing an integrated capstone experience focused on contemporary societal issues of importance.

Now, when I say that...nobody is mandating anything to anyone; it's not that we're going to tell our friends in Fuqua that all of them must develop a course for undergraduates. That's not the case; that's not what we're thinking about. What we *are* hoping is to find some way to tap into the very rich resources and brain power and commitment to solving modern, real-world problems that is evinced by our professional schools, and having undergraduates have some way to tap into that.

A third subcommittee has explored the idea of developing a curricular component that will span all four years of the Duke undergraduate experience, and which would have...there's been broached this acronym of TIEE, which stands for Technology Identity, Ethicality, and Evidence, as specific foci. But this is something that is not – again we're in the beginning stages of this. It's not all-the-way clear whether the first year you'd be looking at technology and the second year you would be looking at identity and on down the line, but anyhow these four different foci have been thought up.

And then, as I say, the fourth of these sub-committees addresses the second-year experience. Now this is a wonderful state for us to come to you at right now because next week there's going to be another meeting of the QEP. This is the sub-committee on sub-committees, I guess, where we're going to try to bring together what has been proposed so far by these four different sub-committees; and think about ways in which we can integrate the best and the practical, and in which ways we can stretch ourselves even farther.

So it's important to us at this point to get feedback from you, because we have a very wide array of things that we're going to be looking at in this next couple of weeks. We have to start winnowing it down, and as much feedback as we can get from faculty here

and administrators and people who are engaged with teaching undergraduates and working in the professional schools, the better our QEP is going to be. We just need to have a lot of input from you all.

There are some key elements that we're going to be discussing in this final winnowing down. (I'm sure, knowing me, it won't be final. I feel like the queen of revisions, so I'll be doing that here as well.)

One is what we have called the University Curriculum Component, which would comprise traditional and non-traditional course offerings that are not tied to specific departments. For example, Harvard has a lecture series on social justice, and many of the Harvard undergraduates follow that, and it's become a unifying element of the Harvard education. So that's an analogy for some of the things we're thinking about.

Another specific element is better integration of the professional schools into undergraduate education, as I mentioned before.

Another element is better vertical integration of undergraduates, graduate students, and faculty. Of course, some of that work is already ongoing, and it seems to be extremely beneficial to all involved.

Finally, another element that we want to address is more effective horizontal integration of the curricular and co-curricular experience, and that would include service and also fun.

So in the next two and a half weeks or so, we're going to be crafting a unified plan that articulates, we hope, specific, attainable goals that are consistent with the broader aspirations that I outlined above, and we are hoping that we will have a full draft by May 2008. But at this point, of course we'd like as much feedback as we can get from you, from faculty and from others who are interested in what we do here, which is teach our students and help them to develop into the best that they can be. It's important for us to hear from you now. Prasad may have something to add.

There's a lot that's presented here, and it's somewhat nebulous, but of course your questions can bring it down to the Earth. One question that might initiate some discussion is: what do you think would enhance the learning experience of Duke students here, particularly undergraduates, keeping in mind what we already do quite well, but thinking about other aspects that we might want to enhance to help Duke to continue to move forward with the great success that it's had?

Questions

Sara Beale (Law): Can I ask a different question? I'm not necessarily convinced that it's my role, as a faculty member at the Law School, to teach courses to undergraduates and make their education better. So I want to hear more, or just ask...we have 700 students approximately, about 40 faculty, and you've got 7,000 undergraduates and more faculty, I almost see the argument that says you guys should come out and help us!

I really resonate to the idea that there are tremendous challenges in the legal system and that we want to motivate students to think about these things. Anybody who didn't get that before the whole Nifong effort...

Criminal justice is my area. Anybody who didn't know that what I'm interested in is important, now knows it, OK? So I wonder if you are thinking of things that would allow us, not to "teach a course," but to do something that draws the units together and provides some input to undergraduate education. It would be much easier for me to come do some guest lectures in somebody else's class (somebody else who is going to design the whole curriculum, be responsible for these students, grade their exams, and so on); it would be much easier for me to help design someone's curriculum, and advise on that, then it would be...

You know I like to think of myself as a university citizen, but if you're talking to me about designing, implementing, and consistently teaching a course for undergraduates, I don't know where that time would come from. I honestly don't.



So I like this idea of how might we both contribute and see possibilities. I know some of my faculty members are the equivalent of what I would think of as Mother Teresa, who are doing this for you and have done this for undergraduates. There aren't very many Mother Teresa's. So I do wonder about ways that we could contribute to a curriculum in ways that would be really exciting without carrying too big a load.

Also you're talking about curriculum now: there's so much that's co-curricular, every day at the Law School we have fabulous programs. Today there was one bringing in one of the principal lawyers of the Supreme Court case on crack vs. powder cocaine; somebody from the Senate Judiciary Committee; a judge who's working on these issues. I bet you there wasn't a single undergraduate in the room. And they could have understood all of that, and it's a huge public debate.

So how do we draw undergraduates over to participate in what is an extraordinarily rich set of offer-

ings – usually lunchtime with free food provided (!); do they understand that? Is there a way of getting them over for that and indeed how does that match up with the course hours that ya'll have – is there a way of thinking about practicalities and is there a way of thinking about our contributing without having to become, you know having to sign up for the Mother Teresa program?

Prasad Kasibhatla: You know, I think that's exactly right. I think there's a range of things all the way from, as you said, trying to get students to engage in programs that are already happening to faculty participating in formal guest lectures. But I think also, like can we really look at whether there are ways to ... provide incentives so people will want to do that, to try to develop courses. Can you please start thinking about what are the incentives? Even if a handful of faculty did that... There are people who might want to make it work.

Sara Beale: Although there is a really good question about what incentives we should be giving our 40 faculty members. If they had a little more time, arguably they should write another article.. It's a pretty small group.

Boatwright: Yes I also hear very much what you're saying. When you bring up the question of the whole, my personal thought about this university curriculum is that it might work better if it is more of a model that you're speaking about where you're incorporated into something that is ongoing. And you don't have to develop a course that's going to be for undergraduates or something like that. And there are lot of logistical obstacles I think that might be, you know just as you say from even class hours, and so...

Beale: When we bring in a speaker, whose class might they also go to that so that you could double-dip? I will say right now we're trying to talk our faculty into doing capstones for our students, right? And it really incurs a big opportunity cost. Where can we get multipliers as opposed to designing incentives that undercut things that our own students want from us?

Boatwright: I absolutely agree ... there's a lot going on at Duke and to my mind one of the things that the QEP could do that would make a huge difference to faculty and for undergraduates is to have a better clearing house to we could know what's going on.

Beale: There are probably synergies that we could achieve, when we figure out how to do it, rather than designing added incentives we're going to give particular faculty going one direction or another.

Kasibhatla: But I think the flip side is that we also have to be careful about, for example, opening up professional courses to undergraduates. This will cost them too. So I think we have to look at this in much more detail.

Barbara Shaw (Chemistry): With respect to the practicalities, at least since I've been here several new science buildings have been built, ... they're very sparse on what I would call adequate or good classrooms or lecture rooms. And so in Chemistry we were

very fortunate, we had 2 large lecture rooms that were very excellent for hearing and speaking, and then we had 4 others. And now we're really limited, and ... and you may or may not be able to get a spot close to you, and so you have to think about the physical layout, and what's available to various departments, and what are the constraints, even when you have a new building like French Family Sciences, there are lot more constraints there than there were in Gross Chemistry.

That's my own personal example and I think a number of people might agree with me.

I also think that this clearing-house idea is particularly important. For example, if in the classes that I teach, I try to find out what a seminar speaker who will be speaking in the Medical School in Biochemistry or in Biology during the semester... I try to do this and literally it becomes challenging, even with having e-mail and the web to figure out, to say what's going on in medicine, in the medical community.

I did this earlier this week, and I have to go to four or five sites to figure it out. I knew there was something there, but there wasn't any one site that had everything that was going on...so communication is extremely important. And having facilities that you can just go to and talk quietly, not where you're in a big hallway or room with lots of noise, but where you can actually have discussions at levels which allow everybody to hear and everybody to speak.

Nancy Short (Nursing): I guess I'm going to speak more as an alumna than as a professor. When you spoke of the themes at Harvard, including social justice, a red flag went up in my mind. The red flag being that it almost encroaches on a political agenda, and I would hate for any students at Duke to feel that if they had a differing opinion then therefore they were labeled as being socially divergent, so that whole theme, social justice, environmental justice, it to me, it's fraught with danger, a slippery slope.

Kasibhatla: The Harvard course is actually about *justice*. It's the whole concept of justice and how thoughts about justice have evolved. It's much broader than a narrow, political agenda, and I think that's the way we perceived it.

Boatwright: Yes, and I was thinking of bringing that up so as to say that we have looked at that and thought we should do it, but rather of its unifying effect, that there is this course that all students have gone to, and now, evidently, for many Harvard students, that's one of their core identities, that they've gone to this course. Now, I'm not saying that...

Kasibhatla: Well I teach about the environment, and you're open to take anything you want and any position you want, you should be able to argue it.

Boatwright: But your understanding, your worry...has also been brought up in the QEP discussions: Well, what happens if a student doesn't want to go abroad, does this mean that the student is not a global citizen and thus should not be at Duke? And so

we have to be very wary about prescribing what *the* Duke student should be...

Nancy Short: I think it has been little more than a year since this group exploded over the lacrosse case and there were many of us in the room at that time who felt that we could not speak what was on our minds because we might be labeled sexists, racists, whatever was the term du jour, so I think that it is a slippery slope, and just want that to be on record.

John Staddon (ECAC/Psychology & Neuroscience): When this matter came up in ECAC, there was a concern, perhaps more philological than philosophical, about the term *ethicality* – you might want to defend that... But what was not really pursued was the matter that the Nancy Short just raised, which is whose ethics is it and exactly what is going to be taught and so forth?

Boatwright: Ethicality, I thought, is kind of like “truthiness”!

John Staddon: Could be! But I do want you to address the more serious question, which is how would you propose to teach ethics to undergraduates? It’s a classical subject, an important subject, but it’s very critical how it’s taught.

Boatwright: Yes, and this is something that has been brought up in one of the sub-committees, that we still need to process, how that’s going to work; and also *identity*, how you’re going to teach about it. One could make the same caveat as has been made, so we are aware of that and I think it’s an important thing to keep in mind.

Michael Gillespie (Political Science): My question is, and this is after 25 years of trying to get undergraduates to come to lectures which seems ... I found this one of the most difficult things to do at Duke. I go to other places to give lectures and all kinds of undergraduates show up, and I always ask them how do you get undergraduates to show up, and at many places they actually require them to go to 4 or 5 lectures a year.

I think if we ever actually intend to get undergraduates involved in intellectual life of the kind that we’re all involved in, I think it’s going to have to be a little bit like the draft; we’re going to have to draft them to come for the first 4 or 5 a year, and they might actually find that they enjoy it after that. But requiring it seems to me to be something we should give some thought to.

Boatwright: There is a lot that is offered at Duke. There are many, many offerings here, and many talks and many seminars and lots of opportunities for service, but it has to be something that induces the students to go to them – or forces them, in your model!



Josh Socolar (Physics): I’m struck a little bit by the term “Quality Enhancement Plan” and how that sounds a little different to me than “Re-imagining Liberal Arts Education.” It seems that the committee has focused on what I would call curricular developments and not so much on what I would take the term “quality enhancement” to mean. Quality enhancement would be things a little more along the lines with what Barbara [Shaw] was talking about, what facilities do we need, how can we assess how well we are doing even in the things that we think we’re doing well in, and, you know, what do we need to do to improve the education even without changing Curriculum 2000?

One of the things that strikes me as a little bit odd about the description of what the committee has been doing, is that it says there have been extensive conversations with groups of faculty, staff, and administrators, but it doesn’t say anything about students and whether they’ve been involved. I mean, it says students are on the committee, but it doesn’t say if there have been focus groups. And so I guess I would just encourage the committee to ask students about what would have been better in their sophomore year, what things would have helped them more, and so forth.

Kasibhatla: A couple things. One, the QEP: I think the phrase comes directly out of SACS, but it’s supposed to be a broader subset so I think we are in some sense doing what the spirit of the plan is supposed to be.

The second issue, and this is what – you know I’ve talked to a couple faculty groups now – and when I talk to the students, the students are excited about the potential of what we’re talking about. I don’t get that from the faculty yet. I haven’t got that from any faculty. I guess I have a question. Is this exciting, is this an exciting direction or not?...

Socolar: I have a comment more in the spirit of re-imagining liberal arts education; it’s a question



about getting professional-school faculty involved. I would be inclined to try and get them involved more in the *early* undergraduate years, the freshman and sophomore years, rather than a capstone kind of experience, the idea being students should have this kind of exposure and learn about these sorts of issues while they still have time on campus to pursue them and al-

low it to inform their choices of courses and their conversations on campus, rather than just doing it spring semester of senior year and then disappearing.

Kasibhatla: Anecdotally, From at least from our school's perspective, we actually asked Bob Thompson if we could get some data on where are professional faculty involved, what types of courses, etc...

Boatwright: But also, as somebody who was involved with second-year subcommittee, certainly one of our feelings is that it would help students to have a better sense (you know I'm in a dead language! I'm in history) to have a sense of the histories of disciplines, to have a better sense of what a discipline is, which also could be enhanced by, as you say, some input about what the professional schools – the issues they are actually grappling with – rather than reinforcing the idea that people are pre-professional and should move on and get a job. So, a substantive input from the professional schools would help to do that.

Amy Abernethy (Medicine/ECAC): Hopefully 3 efficient comments. One is, as School of Medicine, in fact I am excited and for several reasons. One is that I think that there is a great opportunity for cross-talk among the professional schools in the university and actually cross-talk in a way because we're both close to each other as well as because I don't think we understand very well among the schools what is going on and how it works.



And so the second comment is that I'm excited for the opportunity, for example, for the School of Medicine to understand better about how the University works and how that's important to the school and how the school works and is important to the University and I think that's also important to the students because there are great opportunities there.

One example I always give is committee structures, which don't actually make a lot of sense to me in the School of Medicine, and yet they are very important within the university.

The third piece that I'd just like to point out is in Medicine the words "quality enhancement" are for me associated with benchmarking and data,. So I'd really like to see as a part of this an evaluation process that would fit around it, so that you know what's working and what's not working, and that you are always starting off with the process of figuring out what's helping the sophomores and how to improve it.

Kasibhatla: In fact that's part of the SACS requirement. It has to be.

Boatwright: It has to be intrinsic to it.

Monty Reichert (Engineering) In the School of Engineering there is a social-science/humanities requirement for the students sort of go around and sample different parts of the university, during course selection. And there's also a lot of opportunity for doing in-depth stuff in terms of the undergraduate research – Pratt fellows program.

But, I don't see a lot of opportunity for things like sort of just walking around the campus and nibbling different parts of the university. And so this idea of some type of menu that students are presented with to sample from, like his idea of going to see lectures. Now doing this through a class is an interesting idea. I've done it cynically before. There's a good lecture coming in and I tell students if you write something up you get 5 points and then all the premeds and pre-laws show up and that's it. So there should be some other way to do this and have them sample from sort of menu; did you discuss this?

Boatwright: Not yet, not in terms of the logistics.

Kasibhatla: One thing I've heard anecdotally from students is that if we can relax the requirements then they would be more apt to...I don't know, but that's what you hear(!)

Barbara Shaw: Relax the requirements, apropos the idea of students being able to choose among 10 seminars that interest them. They have to go to 3 – they look right up. That must mean I go to all 10, – they have to write up 3 – so I can understand. But I do that. I go to every one I've assigned. And say you need to...and students tell me that they really like that.

There's another example of something happened recently which was the Medical School itself had three researchers who talked to the group on the Center for the Research on Aids. And they actually had a cross-talk about what happened during the clinical trial. What were the problems that came. They even had a person with Aids there. And this was ...my students, undergraduate students in this case, every one of them said this was one of the most valuable, seminars they ever went to because it actually did have at the elements that you would want it to have – realism a real problem, not only just science, but sociology and discussion. And the discussion was very much a part of that particular report...And I think that's a very exciting way to be introduced to an area without having to understand everything about it.

McClain: Thank you very much. Now Judith [Ruderman] has passed out the e-mail addresses of the members of the committee. I would like to encourage you if you have other comments and other questions to send e-mail to Tolly and Prasad. This will be coming back to Academic Council so you will have another chance to see a more fully developed proposal for the plan.

Strategic Plan for Duke Athletics

Next we have the strategic plan for Duke Athletics and it was distributed with your agendas. Director of Athletics, Joe Alleva is here to discuss the plan, and hear your comments. Some of you will remember that Professor Michael Gillespie, who is chair of the Athletic Council, came to the Council in November with a preview of the plan. So Joe...

Joe Alleva (Athletics Director): Thank you Paula. It's good to be here. The last time I was here I did talk about basketball tickets. That was the last time I was here. I really appreciate the opportunity to be with you today. To have the opportunity to review the document. You know, we all have the pleasure of being at an elite institution where academics and athletics exist at the highest level. We should all be proud of that because we are all on the same team.



We've tried to engage as many people as we could in this process. We want to engage your input and get your feedback as we move forward here with this plan. The plan is important for us as we move forward to maintain the excellence and the things that we're really good at right now and try to get better at the things we're not so good at.

I look at my job in a lot of ways...I know Peter's sitting over here...you know Peter's job is to attract the best faculty, to have the best facilities so we can attract the best students to this campus. My job is to try to attract the best coaches and have the best facilities so we can attract the best student athletes to this campus. In that regard, that's what this plan is all about. As we move forward and integrate for the future and try to have the best athletic department that this university

can have. So I encourage your questions and look forward to them...

McClain: Well let's start with a couple of things that came up at ECAC. One had to do with the changes of the funding: what's in the proposal about how athletics is funded?

Joe Alleva: Well funding is obviously quite important because when you ask me what kind of athletic department can we have I'll say well how much money do we have and I'll tell you what that can buy. And unless you have been living in a closet you'll know that the funding for athletics has gone crazy in the last 10 years. Coaches' salaries, there's literally an arms race in that regard. And it's about market value. If you're going to have a really good coach you've got to pay the market value for a coach. And with facilities also. You need to have quality facilities to attract quality coaches, to attract quality student athletes.

Part of the plan will be a look at how we finance athletics and how we pay for it and what kind of university investment is made in athletics.

Currently, the largest portion of the funding comes from Trinity and Engineering. I think part of the model would be to distribute those costs over the entire university, because I think we can agree that athletics benefits everyone, from the Medical Center to the Law School, all around campus. So I think that would be part of the plan and that's still up for debate.

Questions

Charles Clotfelter (Public Policy Studies): This is a very interesting report. My copy had a couple of blanks and one of the questions that just follows that question of how crazy have these increases been. One of the numbers is how much salaries have increased since '02. That would be an interesting thing for us to know. And I have a question about the penalties related to "reaches" and "stretches."

Joe Alleva: Let me explain to you how the admissions process works. Currently each coach has a certain number of spots in a year. It's based on the squad size. So let's say the squad has 32 people on the squad divide that by 4 so the coach would probably have about 8 spots. Now let's say there is an outstanding athlete out there and this young man or young lady might be a little bit below the requirements. It would be a stretch or a reach to get into school.

The coach really thinks that the young person can make it and Christoph [Guttentag] feels that way. That person could be admitted. But under a penalty. If it's a *stretch* which is the furthest, the coach would have to sacrifice two spots therefore the coach would only be able to take in 6 athletes that year instead of 8. That's a severe penalty to a coach. And that's something that I think we need to look at I think down the road. That's what that's all about.

Clotfelter: And what about coaches' salaries?

Joe Alleva: Coaches' salaries have gone crazy. I mean you look at coaches at Alabama and Florida,

their football and basketball coach is making \$3-4-5 million.

Clotfelter : I'm seeing that, but do you have, – just so that we would have some sense – an idea about what the inflation is and what faculty salaries are?(!)

I mean on p. 16 there's one of the blanks has to do with those salaries have risen in total by more than blank a year. I assume that there is a percentage in there. What are we looking at?

Alleva: We're looking at millions of dollars. We're looking at some big numbers in the tune of 8-9-10 million dollars since 2002.

Kasibhatla: One of the big issues is the time commitment, the increasing amount of time commitment in terms of not just the games, but practices. From a strategic perspective could you speak that issue of time commitment vs. time commitment for academics or...

Alleva: The time that student athletes can spend on their sport is dictated by the NCAA. And there are requirements that our coaches have to fill out forms on how much time each sport spends each week in season and out of season. The biggest change that I've seen over the years is that there is no off-season anymore. Athletes are practicing their trade all the time now. And there is a large commitment to that. One of the things that we have found was that when there were no time commitments – the NCAA just put these time commitments in the off season 7-8 years ago – and when there were no time commitments kids were doing things on their own all the time.

For example our soccer team may not have official practice with their coach, but they would get together and get in their cars and travel to other schools and play scrimmages. Well we found out that that was not the best way to do it from a liability standpoint and all sorts of reasons. It was better to have the coach involved, but limit the number of hours that the kids would participate. Any kind of changes in that regard would have to come through the NCAA. And the ACC has been very integral in establishing those rules and those regulations.

Kasibhatla: But from a strategic perspective does it make sense to think about investing a lot more of academic support or trying to say there will be one day which is a complete non-sport day?

Alleva: There is a non-sport day. That is part of the rules. One day a week you cannot have any practice. For our teams it's usually on Monday. Monday is usually their day off for most of our sports.

Kasibhatla: Academic support?

Alleva: We have really increased academic support in my department tremendously. In fact when I took over we basically had 1½ people. We've got almost a dozen people now in the academic support area for our athletes.

Warren Grill (Engineering): The report refers in several places to "increased flexibility in admissions" but then says that's not a change in admissions stan-

dards. So what does that mean then – flexibility in admissions?

Alleva: I think part of it has to do with the question I answered for Prasad, with the spots and the reaches and the stretches, we have no interest in lowering the academic admissions requirements for our student athletes – none at all. There is no part of this plan will ask for reducing the standards of admissions for our student athletes.

Grill: Then what is the flexibility you are asking...

Alleva: For example, I described the spots, let's say I'm a coach on the tennis team and this year I only need two players, but I have 4 spots. Well, could we have the flexibility to use those two spots on another sport where this year there may be an abundance of good players that we have a chance to get. That's the kind of flexibility we are talking about. Right now that flexibility does not exist.

John Aldrich (Political Science): It seems like there sort of 3-part division to your mission, as I understand it. The revenue sports and maybe the high-profile spots you're saying non revenue sports. Then a category sort of general-recreation physical education for everybody. now it's listed as Olympic sports? Is that all the other sports?

Alleva: We used to call them non-revenue sports. We've gotten more politically correct and we call them Olympic sports now. But you are right. There are 3 groups we are looking at here. We are looking at the Olympic, sports, the revenue sports and we're looking at 90% of the student body that are not intercollegiate athletes, not varsity athletes, but they want to recreate. They want to play intramurals and club sports and just recreate. We have to do a better job of taking care of their needs also. And that's a very large part of this plan.

Aldrich: So that's one part and sort of the revenue sports versus the non revenue sports – how do you strike a balance? I assume there is a huge demand for resources, for salaries and everything else, into football and basketball and so on. How do you plan to strike a balance with the non revenue sports and then other...

Alleva: Well non revenue sports basically have two big needs. One are facilities and two are scholarships. We have a number of our sports that don't have scholarships. Now if you were an Olympic sport coach and you didn't have scholarships and you wanted to compete, the first thing that you would want is scholarships. If you had scholarships you would want quality facilities. And those are the two main criteria.

In most of our sports we're pretty good, we're pretty darn good. And those sports have good facilities right now and they have scholarships. As we go forward I would love to give scholarships to more of our teams. And, obviously, improve facilities for more of our programs. That's going to depend on our ability to generate the funds, to do that through fundraising. We've made a significant investment in football.

Hopefully, we can start putting people in the stands and we can generate some revenue for football that will help all the other sports.

Monty Reichert (BME): I think the flexibility that Warren was referring to is the reach and stretch quota that a given coach has. Particularly I'm thinking of football. Does football have reach and stretch latitude to go after 12 people, 10 people 2 people? And if they do have the opportunity to go after 10 people does that mean that there is sort of some zero-sum so they have to recruit higher qualified people to make up for the lower qualified people and how do you really balance the selection?

Alleva: I think it's about 5-6 years ago we went to the Board of Trustees and we talked about football and how we could make a difference and how we could try to get more student athletes here that could compete at the ACC level. And obviously what most of our competitors do is they open the door academically to any football player who can play football. We haven't done that. But 5-6 years ago we went to the Board of Trustees and we said look, we're allowed to get 2-3 players down here at the stretch level. Let us take some more at that level and they said OK. We didn't lower the level, but we were just allowed to take some more at that level.

And those kids have done well. They are graduating from school. They are passing their classes. And I believe that's the right thing to do. We just have to do a better job in the sport of football getting more kids here that can play ACC-caliber football. We haven't done a good job of that. We haven't gotten enough talented players that can actually help us win games. And I think that's about to change.

Reichert: Is there a number?

Alleva: There's not a number for football. There really is not a number for football. There is not a set number.

John Staddon: You spoke about the inflation of salaries of coaches in revenue sports. That presumably is driven by revenue generated by the sport. And, if this inflation is regarded as unfortunate or undesirable, presumably you could change that by restricting the revenue level of the ACC or NCAA. So my question is (and I think I know the answer), is there any move or suggestion at all of restricting in some way the magnitude of the total industry?

Alleva: No, not really. I have fear though in the future that we are so reliant on television contracts. Television determines so much of what we do and pays a lot of our bills. As television is flooded with more channels and more cable networks, I'm concerned that television contracts will in fact go down in the future. That they will not be as ludicrous as they are right now. And that will be a signal we'll have to cut back, but right now there is no movement to curtail. Because you have to remember that those revenues help pay for all the sports that don't have any revenues coming in. They definitely trickle down.

Charles Clotfelter (Public Policy): I have a question for the Provost. It seems like a potentially big thing in things in this proposal is a one-to-one match that the University will come in to match contributions to athletics. How do you imagine that working? What kind of effect will it have on the university?

Provost Lange: That is the proposal that has not been drilled down on, not been thoroughly examined, and therefore is not currently being proposed, except through this draft. I can't give you an answer because those are the questions I have been asking. Not in the sense of asking and not getting answers, but now that this proposal has gone forward those are precisely the questions we are asking. How will this work, where will the money come from, where the feedbacks from dedicating money to that with respect to other things that we're trying to accomplish, not just in my area, but in the university more generally. We have to do all that work as we have always done it in the past. We intend to do with regard to this proposal as well.

Alleva: Charlie, the best way for athletics to survive in the future is to have it endowed. There is no doubt that that's the way to go. And the more we can endow it the less we have to rely on the university for their investment in it. And there is no doubt in my mind that that is the way to go. It's just a matter of how we are going to get there. But we've got to go toward endowing our program.

Kasibhatla: Could you give us a sense of how the Faculty Associates program is working – how effective it has been?

Alleva: I think it's been excellent. I wish we could get more members of the faculty from Trinity College and perhaps from Engineering. We have a lot of faculty from the professional schools that have been involved and they have built outstanding relationships with our student athletes. I think it's a good program. I think it's evolving and growing and I think it will get better as we go forward.

McClain: Thank you Joe. If you have other comments I encourage you to send them to Joe or to Michael as you read through the document and you find things that weren't already answered.

Campus Safety Update

The last item on the agenda is an update from Richard Riddell, vice president and university secretary, on campus safety. After our last Academic Council meeting Professor Andolsek from Clinical Sciences approached me about the issue of campus safety, and in light of the events at Northern Illinois, ECAC thought it important to give you information on Duke's safety plans as soon as possible, as opposed to waiting. We had it scheduled for later in the spring. Several exhibits were sent to you earlier today and Richard has a PowerPoint.

Richard Riddell (Special Assistant to the President): Thank you Paula. Thank you for the chance to speak to you a little bit. My topic is in a way a little broader than just campus safety. It has to do with

emergency management at Duke. As you know I am not the safety officer or the security officer at Duke. I invited Aaron Graves to join us today and he was not able to, but I'm grateful that Larry Moneta from Student Affairs is here who is very much involved in some of our efforts over the last year and continues to be. And I see Geoff Mock here from the communications area. Although he is not the person most directly involved, he may have something to add in terms of how we communicate about things.



Let me start and I'll spend 5-10 minutes on this so there is some time to ask questions. I'll just tell you a little bit about how we're set up now to deal with emergencies that have to do with safety – and other things too. This all goes back to I think some lessons we learned over the last couple of years on how are we set up to do this. When something happens at Duke, who gets involved and who manages it and who makes decisions?

One of the things we learned in the last year (I say *we*: the senior administration has been looking at these things) is that we did have an emergency plan at Duke. It is about that thick and it was over in the police office and it's actually very interesting. But we recognized that one of the things we needed to do was come up with a plan that everyone bought into – to develop a culture of responding to emergencies as well as to document it, as a manual would.

So last Fall, the senior administration, under President Brodhead's leadership, has taken the initiative: let's put together an organization that we think makes sense for Duke in terms of how we manage things. It was really based on a few basic simple ideas. In the most severe crisis at the university or an emergency the President would lead the effort to manage that, to make the decisions, working with senior leadership.

Then there was the next thing. Not everything needs to involve the President and the senior leadership. There are other crises. In fact there are many in a sort of the middle area that require collaboration across the University between student affairs, police, communications, sometimes the legal office. How do we manage those?

And then the last thing was, well we have other things that happen all the time in units whether it's the School of Medicine, the hospital, library perhaps that can be managed within that unit and require no collaboration outside of that.

What we discovered was that we needed a way to keep track of these things at these different levels so that when something needed to be escalated we could do that quickly and bring resources to bear that would help manage it.

So we came up with this idea of the Emergency Management Organization. And it was informed to a certain extent by the NIMS (National Incident Management System – you may have heard of it) that was developed by the Pentagon and the Department of Homeland Security after 9-11 and has been increasingly adopted by cities and counties and corporations as a way of organizing themselves to respond to emergencies.

In our system which, is described in the document that was shared with you, the leadership team is chaired by the President. (Aaron Graves has arrived so we can get some issues on Campus safety and security in a minute.) That team is kept informed when something is happening. And that team is the one that takes charge in top-level kinds of emergencies. The emergency coordinator, which is my role, has been described as like an air-traffic controller – someone who has to take charge of making the call on when something gets elevated from one level to the next level of crises. And that was my role, partly because I work closely with the President on a lot of things and I could keep him informed as that was going on.

And then we have the emergency management teams, which vary depending on the situation. So if it's a situation, as we had recently, an incident involving a graduate student we would get Larry [Moneta] involved, we would have Aaron Graves involved, we would have David Jarmul from communications and a number of other people.

Here are the 3 levels that we have been using. We put this in place in November and I looked through my e-mail. We've had about 11 incidents since then that I've been involved in and almost all of them are at level 2, which requires cooperation across the university to manage the situation. They have ranged from things that you have certainly heard about. I mentioned the tragic graduate-student death recently. Things like the Law School IT-web problem when someone hacked into the Law School website. That was managed by Tracy Futhey from OIT working with the law school. And it required that kind of collaboration, communications got involved as well.

And then we have things that happen at level 3. One incident was when the Student Health Center reported 14 cases of food poisoning back in December. That never rose to another level, but was something I think Larry informed me of at the time and we said OK that looks like that's being managed properly.

Now in order to manage incidents at the local level we needed local people to be in charge. So we created an Emergency Management Council, which consists of people with broader responsibilities. People I mentioned, security or student affairs, but also people in the units. So we now have a Council and we distributed the membership of that to you on the web. People from the different schools, different major units like the library, the Nasher. Also we're beginning to expand beyond just facilities. For instance, the American Tobacco campus needs someone down there to be in charge when something happens down there. So we're gradually building this up over time. And that Council does the sorts of things that I put on the screen.

Alright that's the end. I'll just tell you a couple of things that have happened recently to increase our ability to respond to emergencies. Some of these things get a lot of attention in the press and I wanted you to know where we are on it. As you probably know, we have put a lot of energy in the last year into increasing the communication to the campus about what to do in an emergency. You probably all got a brochure (I think it was about 2 months ago Geoff? A little before that?) about the emergency website that we now have: Emergency.Duke.edu. You can go there anytime and if there were an emergency that would be the place to go to.

We now have an agreement with Stanford University to host each other's emergency sites when the other's goes down. So if something happened at Duke and we lost the ability to mount the site, Stanford would immediately kick in. The equipment there would take over and we could run our site from Stanford and visa versa.

You may be aware of the Clary Act which is now something that new requires universities to make timely warnings to the community when criminal activity is happening near on campus. We have set up a system for that and it has been activated a number of times since November, and the campus gets very simple alert notices by e-mail.

We are in the process of getting text message capability so that people who want to be informed in an emergency by a text messaging can do that. We probably will have that ready sometime this summer. In the meantime we have upgraded the emergency servers in OIT so that we can get out a mass e-mail within 15 minutes of making the decision to send it. We are in the process of making that even shorter to about 5 minutes and we are close to that.

Sirens and loud speaker systems have been looked at, studied and a decision was made to go ahead and install these at Duke. In the next few months they will be put up around campus. These are I think of as a sort of wind power – you know people think wind power is great as long as you don't put one of those windmills in your backyard. Some of you may have the same reaction to these sirens because they are on 50 ft. high poles. And there will be a couple of them

over in athletics. I think Joe knows where those are going to be. There will be one across the street from the Duke Gardens. And those 3 because of the design of them and the typography will be the ones that service the west campus quad. So there will be no 55 ft. poles up closer than that. There will be one over on east campus I think in the parking lot near the Brodie gym. And there are a couple in the Medical Center going up. And these will be able to of course be a siren, but also be a way to get messages to the community from a centralized place.

You can also do this by zone so that only west campus gets information and not east campus if there is something localized. Why don't I stop there and since Aaron and Larry are here open this up for questions that you might have about safety and security and how we manage these things.

Questions

Kasibhatla: You said the Management Council is to look at issues that might lead to emergencies. So in that context the issue of whether we can provide the enough mental-health services for students, whether we have the capacity to provide these. Does that fall within the purview of the council?

Riddell: It absolutely does. That is the kind of thing that could be brought up and it would be my responsibility to take that back to the people responsible for it and see where we go. Larry is here and it is his area that CAPS is under so do you want to say anything about that?

Larry Moneta (Vice president for Student Services): I'll say a couple of things. There have been a couple of pieces in the campus paper in the last few days that would suggest that we don't have sufficient capacity and I want to directly address that and say it is not the case. The notion of waiting lists that seem to be more something we have dealt with here over the last couple of years we have urgent-care open appointments every day. There is not a wait for anyone who needs care. There are probably a half dozen people in this room who in this week alone who are aware that we were able to make that happen.

We have capacity issues we have flexibility, we have practitioners on call. I'm not concerned. I would be the first to run up to the Allen Building if I felt we in inadequate capacity to serve our students. So, I want to assure you that we do have that capacity and very good relationships with the health system, the psychiatric unit, the Williams ward, to move students in and out as necessary.

Michael Gillespie: Richard, can you give us some idea of what the sirens would be used for? If we hear sirens could we assume that there is someone with an automatic rifle on one campus, or what should we think about this?

Richard: Well that's why there will be loud-speakers with them, because just the siren going off what are you going to do? Aaron has been working closest to this. Do you want to say anything Aaron?

Aaron Graves (Assoc. VP, Campus Safety & Security): Utilization of the siren would mean that we



would have the siren provide ring tone to get attention and then we would follow that with a brief message and that message would be recycled from time to time to make you aware of what is taking place, what immediate action you need to take, if any, and also once the situation has been resolved, we would utilize the siren to say the conditions have cleared and you can resume your normal operation. So the brief message get your attention and inform you what to do.

Lynn Maguire (Nicholas): I notice that the emergency person for the school is the dean, and I thought well that is good but the dean is out of town about 90% of time so how would that work.

Riddell: Every unit manager has designated a back-up. So the back-up would be on duty when the dean isn't there. There is a back-up to me, there is a back-up to Aaron. There is a back-up to everyone in the system. I must say, when we started this I was pleasantly surprised at the number of deans that stepped forward and wanted to be the people that were right on the ground in managing these things.

McClain: That concludes the business for our February meeting. We are adjourned and I will see you in March. Thank you.

Respectfully submitted,

John Staddon
Faculty Secretary, March 14, 2008

