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Minutes of the Regular Meeting of the Academic Council

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May 11, 2000

The Academic Council met in regular monthly session from 3:45 -5:15 p.m. on Thursday, May 11, 2000 in 139 Social Science Building with Professor Robert **Mosteller** (Law) presiding.

ANNOUNCEMENTS

Chairman **Mosteller** announced that an Alumni Admissions Forum would be held on June 23rd. The Forum was designed to acquaint high school students and their parents with the college admissions process, and the Alumni Office invites members of the faculty and staff who have children in high school this fall to attend the conference.

Next, he reported about the status of the Commons Committee. He explained that along with Tallman Trask and Peter Lange, ECAC set up a small implementation committee with two faculty representatives, Mike Munger (Political Science) and Christina Williams (Psychology/ECAC). The implementation committee met recently. The plan was to begin this summer to refurbish the Faculty Commons dining room and the three adjacent rooms. The purpose of the refurbishing was to restore the quality and appearance of the large dining room facility, which historically was called the ballroom, and to make the three adjacent rooms more amenable to small group gatherings. The alterations would be funded using the Provost's subsidy for the Commons. The food service would be substantially upgraded either in a sit down or buffet format. Whether the provider of the food will be an outside entity or within Duke was still up in the air. Because the subsidy was not going to be used to defray food costs, the price of the meals would be somewhat higher. A system will be set up to facilitate easy scheduling of the meeting rooms with faculty having priority and of the ballroom for larger events. It is believed these actions are consistent with the report of the Commons Committee. This is seen as an effort to test the facility to determine how many faculty members are interested in using a facility that is better in amenities and better in food, albeit with a somewhat higher price. It is hoped use of the Commons increases, and guided by the experience gathered over the next year, it will be clearer how to move forward with other changes in the Commons. The process of refurbishing would start this summer, and it should be finished in time for the fall.

TRIBUTE TO ROBERT MOSTELLER

In order to mark the occasion of the end of Prof. **Mosteller's** term as Chair of the Academic Council, Prof. Randy **Kramer** (NSOE/ECAC) made a brief presentation. Noting in particular Bob Mosteller's many think pieces, he concluded by saying "in commemoration of all the thinking that you have done on our behalf, I would like to make a gift [he unveils the Rodin "Thinker" statue accompanied by laughing and clapping from the audience]; this reads: 'In appreciation from the Duke Faculty to Professor Robert Mosteller, Chair, Academic Council, 1998-2000.'"

Both President **Keohane** and Provost **Lange** added their own words of high praise of Professor Mosteller's tenure as Chair, noting his diplomacy, sense of perspective and lasting contributions to the ongoing project of faculty governance. Peter Lange capped his tribute by quoting an excerpt from the Congressional Record, wherein Senator Patrick Leahy thanks Professor Mosteller for his expertise and counsel over the years to many members of the Senate Judiciary Committee.

In his reply, Prof. **Mosteller** said that he was touched but not really in a good position to respond that it is probably the case that most of these kinds of comments are heard at a funeral and that he was happy that it was not. "This is a very pleasant job that I've had, indeed a much more pleasant job than I imagined it would be. It's pleasant because of all the faculty members who work so hard. The administrators that we work with that are excellent, but we are lifted up by and we represent the faculty, who put in an inordinate number of hours on countless committees and in largely thankless tasks. When one gets to work in this job, he or she basically is the beneficiary of all that work. The legitimacy the Chair has is a result of the legitimacy that you, the faculty, earned for the position. So today I want to thank you for the work you have done this year in every way in faculty governance. Also, thank you Peter, Nan, thank you Randy."

APPROVAL OF EARNED DEGREES

Diplomas dated May 14, 2000

| | |
|--|-----|
| Trinity College of Arts and Sciences Dean | |
| Robert Thompson, Jr. Bachelor of Arts | |
| Bachelor of Science School of | 849 |
| Engineering | 401 |
| Dean Kristina Johnson | |
| Bachelor of Science in Engineering Master of | 190 |
| Engineering Management School of Nursing | 14 |
| Dean Mary Champagne | |
| Master of Science in Nursing | 58 |

| | | |
|--|--|------|
| Nicholas School of the Environment Dean | | |
| Norman Christensen, Jr. | | |
| Master of Environmental Management | | 85 |
| Master of Forestry | | 3 |
| Fuqua School Business | | |
| Dean Rex Adams | | |
| Master of Business Administration | | 323 |
| Divinity School | | |
| Dean Gregory Jones | | |
| Master of Theological Studies | | 19 |
| Master of Divinity | | 81 |
| Master of Theology | | 10 |
| School of Law | | |
| Dean Katharine Bartlett | | |
| Juris Doctor | | 190 |
| Master of Laws | | 71 |
| School of Medicine | | |
| Dean Edward Holmes | | |
| Master of Health Sciences | | 61 |
| Master of Health Sciences in Clinical Research | | 12 |
| Master of Health Sciences in Biometry | | X |
| Doctor of Medicine | | 93 |
| The Graduate School | | |
| Dean Lewis Siegel | | |
| Master of Public Policy | | 38 |
| Master of Science | | 62 |
| Master of Arts | | 67 |
| Doctor of Philosophy | | 101 |
| TOTAL | | 2729 |

Prof. Tina **Williams** (Psychology EXP/ECAC) made the usual two motions, namely that 1) the candidates for degrees during the Spring term, as presented by the deans of the University's schools and colleges, be approved by the faculty and recommended to the Board of Trustees, and 2) that the Provost be authorized to make such adjustments to the lists of candidates for degrees as may be necessary to assure that no candidate for a degree will fail to have his or her diploma awarded in a timely fashion, or that no candidate will receive a degree for which he or she is not fully qualified.

Both motions **passed** unanimously by acclamation.

RESOLUTION ON PH.D. IN BIOLOGY

The following resolution was voted on by Council following its discussion at the previous meeting on April 27:

WHEREAS, on July 1, 2000 the Botany and Zoology Departments will merge into a single Biology department, and

WHEREAS, the Executive Committee of the Graduate Faculty, with the

support of Dean Lewis Siegel, has approved creation of a Ph.D. Program in Biology with a further review of the Program in the next two years to examine remaining issues after a merged departmental faculty and common administrative structure begin to operate, and

WHEREAS, the Academic Priorities Committee has recommended approval of the Ph.D. Program in Biology, and

WHEREAS, the Provost has endorsed the resolution of the Academic Priorities Committee, and

WHEREAS, The Academic Council Executive Committee, finding the review process to be sound and proposal well documented, recommends approval,

BE IT RESOLVED, that the Academic Council endorses the establishment of a Ph.D. Program in Biology effective July 1, 2000.

The Resolution was **approved** unanimously by voice vote.

DISCUSSION AND VOTE ON MASTER PLAN RESOLUTION

Professor **Mosteller** explained what the resolution does. "The first paragraph speaks to what the Committee on Facilities and Environment did, and [the Chair of CFE], Jeff Dawson, will talk about that. It basically approved the Master Plan as its working document. Then the next 'Whereas' ties into three paragraphs from the trustee resolution. The endorsement is specifically proposed as to those the paragraphs. One of the key elements is the third of the indented paragraphs, which tells how the plan only has limited reach. It is intended to be broadly illustrative and decisions about options to pursue will be made through the regular processes. The endorsement of the principle and goals does not imply approval of any of the specific details illustrated in the plan. That's an important limitation in our judgment. The next 'Whereas' clause deals with the monitoring of the Plan as it goes forward with two different committees. The first is a broad oversight committee that also has some capital planning focus and has three faculty representatives who are designated by position: the chair of PACOR, the chair of CFE, and the ECAC member of the Buildings and Grounds Committee. Then there is a continuing role for committee on Facilities and Environment with respect to the more detailed work of siting and architectural appropriateness." Promising to return to discussion of the resolution's final paragraph, Professor Mosteller interrupted his exposition to permit Professor Dawson to explain the work of the CFE.

Prof. **Dawson** gave three 'bullets' to summarize the identity and role of his committee. 1. It is an advisory committee to the president. 2. It's a mixed committee. It's a committee of faculty, of people representing the facilities and management group and of administrators. 3. It has a long history of involvement

with new projects and its primary role over this period of time has been to look seriously at questions of siting, building siting, once a project is approved. Its second concern is the physical appearance of both the building and surroundings. Those are really the two main charges that CFE has had historically. He explained that in the Committee there were many concerns regarding the first draft of the Master Plan and the role of CFE vis a vis the administration and the implementation of the Plan. After all concerns had been met, CFE endorsed the Plan and will use it as a reference point in terms of all its deliberations. It is essentially approving the mechanism by which the Master Plan will be implemented.

The Chair then explained the rationale for the final paragraph of the Resolution, namely that the Plan moves from an aesthetic point of view and does not take into account the importance of accessibility to work space so that the various constituencies can perform their duties without harm or hindrance. The faculty is putting down a marker concerning the importance of accessibility.

The ensuing discussion revolved around the point of adequate faculty input in important planning documents and specifically around the question of informing affected units on campus about imminent changes to their buildings or surroundings. CFE assured the questioners that through it, the faculty had a mechanism in place to be informed and consulted and that CFE wasn't endorsing any specific plans. In particular, two members of the Chemistry Department voiced their disapproval of the way parking lot construction plans next to their building were handled involving among other things the elimination of many stately old trees. There simply had not been adequate time for the affected units to consider the plan. In response, EVP **Trask**, Council Chair **Mosteller**, and Prof. **Dawson** pointed out that there had been many opportunities for Chemistry to be informed and consulted including three public forums in the fall concerning the Master Plan.

After lengthy discussion about faculty consultation and endorsing principles rather than specifics, Professor Peter **Burian** (Council Chair Elect) introduced the following motion:

"BE IT RESOLVED, the Academic Council supports the efforts to develop a master plan, the general purpose of the plan without endorsing specific projects contained in the plan document. The faculty further expresses through the resolution the strong concern that further development of the plan should recognize the importance of accessibility of the campus to the success of the university's mission, especially for those whose duties require their presence outside the normal working days and hours. ••

After some further discussion, Prof. Burian accepted the following friendly amendment offered by Prof. Barbara **Shaw** (Chemistry):

"This process should include consultation with faculty impacted by specific decisions related to the implementation of the plan."

The **Chair** assured all that he would work with those who had helped with the wording of the motion that it was exact. The motion was **approved** unanimously by voice vote.

VOTE ON POLICY ON INTELLECTUAL PROPERTY RIGHTS

Referring Council members to the recent e-mail messages concerning Intellectual Property Policy, the **Chair** proceeded to explain the resolution and why it is crafted as it is. It is "Be it resolved that the Academic Council approves the Duke University Policy on Intellectual Property Rights dated April 5, 2000 as circulated for discussion at the April 27 meeting and supports its implementation." The part he wanted to explain was the proviso. The proviso reads: "If by July 15, 2000 either the University administration acting through the Provost or the Academic Council acting through its Chair gives notice that the policy should be considered further before it is implemented then such implementation shall be postponed and the policy submitted for further committee review during the fall semester."

The reason for this was that this is a relatively complicated area and the Provost wanted to have consultation broadly with a group of individuals who could point out whether there were serious flaws or oversights. It was his sense that we should get it right to begin with. There's a process to amend it, which could be done in the fall, but it would be better to have it right to begin with. So if there are serious flaws, we should reconsider, but it shouldn't stop the process. Therefore, it should be approved now. There may be nothing found that would stop it.

If nobody finds a serious flaw that should require further consultation then it will go into effect July 15, and there won't be any need to come back here in the fall. It would mean that Council would need to start over; it could not be voted on then and there.

The adoption of the Resolution was moved and seconded; it **passed** unanimously by voice vote.

REPORT ON BLACK FACULTY DEVELOPMENT

The **Chair** asked Provost **Lange** to present his report on the "Strategic Plan for Black Faculty Development."

Peter **Lange** referred the audience to the Report which had been sent out with the materials for the session. He proceeded to highlight its main provisions.

He reminded the membership that the Academic Council committed the

administration in 1993 to a strategy of doubling the number of black faculty (then at 44 members of regular rank) by 2003.

Pointing to the first graph projected on the overhead, he said that Duke had gone from 44 regular rank black faculty in 1993 to 79 [at the present time]. Measured in total faculty, Duke was slightly ahead of a path to the goal that the institution set for itself in 1993, which is doubling the black faculty by 2003.

After noting the contributions made by the black faculty at Duke and nationally, he turned to significant areas of concern, the first one being demonstrated by the fact that the increase in black faculty by 35 represents largely non-tenured faculty. Duke needs to redouble its efforts to hire tenure and tenure-track black faculty. Also, he stressed that the increase in the black faculty had not been sustained across the university. While the College of Arts and Sciences and the Divinity School had done quite well, other schools had done less well. The pools in some departments had been stronger and therefore the efforts made had been more successful. Diversity was part of the University's strategic plan and it is included in the charges to the schools. Each dean was encouraged to pay heed to the reasons why recruiting more black faculty under the initiative was met with greater or lesser degrees of success and to letting the administration work with them so the results could be improved in those schools where the results had not been as good. Cathy Davidson, Vice Provost for Interdisciplinary Studies, had been given the additional assignment of monitoring and assisting with recruiting efforts. Diversity had been added as a category of excellence when the Provost asks for external reviews of departments, schools and programs. That will be built into the charges in each external review. A new so-called 'walk down' policy had been implemented as part of the initiative. In specific cases where a dean makes a compelling case, the three-year walk down was extended to a five-year walk-down. To explain the jargon, the Provost said that under the initiative, when a Black Faculty Strategic Initiative appointment was approved, the first year was paid by the Provost's office and then there was a 'walk down' on the salary for the school. For the smaller schools even the three-year walk down proved sometimes difficult to manage in the context of a rather small budget. Hence, there was an extended possibility of a five-year 'walk down' rather than the three-year 'walk down,' so that the salary could be introduced over a longer period of time. Duke began a post-doctoral program under the initiative this year, supporting three black post-doctoral students per year, one designated in the sciences or engineering, the other two open. Currently, there was one in Mathematics and in September, there would be post-docs in Political Science and in African and African American Studies. Also, it was anticipated that the John Hope Franklin Institute for Interdisciplinary Studies would make the retention and recruitment of black faculty one of their many goals, or rather render assistance in that endeavor. There had also been aggressive recruitment efforts on the graduate and undergraduate

student levels, especially in fellowship and merit scholarship awards competitions. This year, for instance, three of the nine University Scholars were African Americans and those were among the most hotly recruited students in the country. All of these initiatives together were designed to help recruitment, to recruit and retain the best faculty in the country and to create a community at Duke that is supportive of diversity and understands diversity as a measure of academic success as an institution.

The **Chair** thanked the Provost and, because of the lateness of the hour, decided to take up the last agenda item, Dean Siegel's report on sponsored research, at the next meeting of the Council in the fall.

He concluded the meeting by thanking members for their efforts: "today was a lively meeting. That's the way Academic Council meetings should be. We ought to figure out what is the faculty's interest and to . try to press it in a way that we feel is appropriate. I appreciate you staying with this and getting a resolution together today. Have a good summer. Peter Burian will be your leader in the fall." [Clapping]

Submitted for consideration by the Academic Council,
A. Tilo Alt Faculty
Secretary