Minutes of the Regular Meeting of the Arts & Sciences Council

Thursday, October 12, 2017

Call to Order

Anita Layton (A&S Council Chair): Hello. Welcome to the October meeting of the Arts & Sciences Council. We are super excited to have President Price join us today, so in his honor, I made up some trivia questions. It won’t take too long because I only made three. So which founding father of the United States is also a founding father of UPenn? (Benjamin Franklin). Next, who is not a Duke or UPenn alum? (Natalie Portman). Finally, last one, which one is false? The Penn Quakers football team holds the NCAA record or the most college games played; or We (Duke) claimed our fourth NCAA national championship title in the 2009-2010 season by defeating Michigan State. (Duke)

So that’s the fun part. We do not want President Price to think we all just come here and play so we’re going to get a little business done before we hear his speech. Let’s approve our September meeting minutes, which are on Sakai. So, any questions?

Micaela Janan (Classical Studies): I have one. I’m asking because the institution is erected to ask questions and sometimes we have a way of shaping the answers. Is ECASC at the moment the only body designated to gather information on possible curriculum reform?

Layton: The answer is no, but right now I want to focus on the accuracy of the minutes. The content of the meeting and the discussion, can we defer that to later in the meeting?

Janan: Sure.

Layton: Let’s do that later. So minutes … any other questions about the accuracy of the minutes? No? Then will somebody give me a motion? [A motion was seconded and the minutes were approved.]

So in President Price’s inauguration address, he talked about who we are at Duke University and who we want to be. He talked about how our new century calls for a university where the drive to discover is not held by disciplinary lodges, where philosophers would work side by side with physicians and physicists and mechanical engineers will team up with marine biologists and musicians—or mathematicians and musicians because I love working with John Brown as much as I love working with John Supko, who is not here. So no doubt interdisciplinary research is what Duke does best. President Price also talked about how our new century calls for a university that grounds its ambition and to serve the world with humility and to confront our own problems as readily as we do others and that is lovely place to be, and I would love to hear more about your vision and how we can work together to achieve Duke’s mission, which, as articulated by Dean Ashby last month in the Council meeting, is to advance knowledge through research and to provide a world class liberal arts education at a leading research university. So, President Price…
President’s Address

Vince Price (President): Thank you very much. The second bullet item refers to an address. This will be much more informal than an address to this body, and I hope you will forgive me for the informality. I appreciate the quiz about Penn. One of the stories I like to tell, having been provost at the University of Pennsylvania – I was the 39th provost of the institution. The presidency was created much later. Benjamin Franklin recruited the first provost to serve the faculty at the University of Pennsylvania and actually build the faculty at the University of Pennsylvania. It turned out that although the provost, William Smith, had written a paper espousing a philosophy of education very similar to Franklin’s, they did not see eye to eye politically. So when the provost landed on the ground, he cozied up to the Penn family, who were the proprietary owners of the colony, even as Franklin became much more democratically minded. They drifted apart to the point where the provost engineered the ouster of Benjamin Franklin from the trustees, but Franklin and the legislature imprisoned the provost and the provost had to teach from jail. So I used to tell people if I could stay out of jail, I would have bested the first provost. But I’ve done that and I’m no longer there. I am here and I hope I have saved the best for last in coming here to Duke.

I am thrilled to be here at Duke. I am thrilled by the faculty we have and the ingenuity we’ve demonstrated over time, and I simply want to say that, as I did in my inaugural address, I think we find ourselves in higher education at a moment where we are facing considerable pressures and challenges, but also looking at tremendous opportunity. Those opportunities will shape the way we teach, we learn, we discover, we heal and we serve. These are what I think of as the five critical core things that Duke University does day in and day out. And in creating Duke University, we were created out of Trinity College and although I’m the 10th president of Duke University, I’m the 15th president of the institution. And I love that configuration because we were as a university grown out of Trinity College and the arts and sciences have always been at the very center of that build-out, and this faculty is obviously the core of what we do at Duke University.

I do believe that the challenges that confront us by way of research challenges are centered around problems that will not, as I said in my address, yield too easily to disciplinary lodges themselves and will call for creative thinking across the disciplines. I also think that the challenges we have in redefining our education practices, as I said in my inaugural address, the system that became this glorious thing that we call the research university was invented in the early part of the last century and it admirably served the last century’s needs. We live in a new century. I think it calls for the same kind of creativity now that was mustered about a century ago in thinking about how the research university will look going forward. This is not a five year project, this is more like a 15 year project, but it will call upon a tremendous amount of creativity from the faculty to think through how we redefine a liberal arts education in the 21st century, how we rethink how we teach and we learn, how we best organize our faculties and our research resources around questions and driving discoveries forward and then how we translate those discoveries effectively to serve and heal society generally. So these are noble missions, they have always been noble missions and I am not coming to you with pockets full of answers about how we meet those challenges, but I do come to you excited by the idea that if any university community is well positioned to address those challenges and exploit those opportunities with true creativity, Duke University is that place. So I’m honored to be a member of this faculty and I’m thrilled to be here.

With that, let me just open the floor to questions. Now might be a time you can indulge your curiosity about the land where I came from, you can ask me questions to get a sense of my thinking of any issues of concern to you, or you can offer me advice, which I willingly accept and very much would like to have. With that, I will open the floor.
Reeve Huston (History): I’d like to extend gratitude to you for increasing minimum wage across the university. Second of all, even though you said you didn’t come here with a pocket full of answers, I’d love to hear your thoughts about the nature of the problems and the sort of possibilities that you see out there for changing the university structure (inaudible).

Price: Let’s focus on teaching and learning, the educational piece. So, as I mentioned in my address, I think one of the glories of US higher education in the latter part of the 19th and early part of the 20th centuries was a grounding of a lot of our practices in the philosophy of pragmatism and the idea that knowledge flows from our creative attempts to solve puzzles and problems and that our minds are open to new discoveries and new ideas and most open to learning anything, really, when we are confronted with a very interesting challenge or puzzle to solve. I think for a variety of reasons that the job of scaling education in the 20th century put us into this mode where we got into a lot of standardization of the curriculum and developing a system of taking students and moving them very efficiently through a curriculum and building a base of knowledge. But what it did in a way is take the oldest traditions of learning, which are still resident in the way we approach doctoral education, which are very much driven by research and discovery and kind of push those out and made them a little remote from the undergraduate experience. We’ve always done things to make up for that, I don’t want to overdramatize that, but I think with new technologies available to us now and the ability to provide access to information which is readily accessible now and doesn’t have to flow through a university professor in a classroom, and by moving to more of a curated exposure and mentorship model, like we actually have an opportunity to push the doctoral model down in the curriculum so that the students are confronted first by problems and not asked to sit still while we fill them up with stuff. There’s a reason for the logic of the latter system, but I think it’s less necessary now and so we have an opportunity to take these really bright inquisitive minds and expose them to problems – and in the humanities and arts, I think it’s material culture, I think it’s the things that human beings do every day, the kinds of things we built and art. You know, we start with the concrete, the real, the things that our students can get their hands around and then we invite them to puzzle over that, as we do I think very effectively with doctoral students, and let their research and interest in discovery drive the acquisition of knowledge. It has to be disciplined, because we want them to acquire a broad base of knowledge. I think now is the time to rethink whether we are fully deploying the opportunities we have, and I’m not talking just about electronic technology but all the technologies available to us, and to ask are we doing the best we can right now with those bright minds we have in our classrooms. So that’s a big project, and that’s a faculty project. You don’t want administrators making this stuff up, it really has to flow out of the work of the faculty.

Janan: In my discipline, which is Classical Studies, material culture means fairly specifically what is not text. How are you defining material?

Price: A wide variety of things. I do think that starting with artifacts, for example, of human labor and just asking how did it get to be that way? Why was it that way? How have communities done things differently over time? There are points of entry into historical questions, philosophical questions that I think are just more engaging when they are coupled with the here and now, to some extent, if we could bring the past into the present, that’s where most of our students are living. Some of them come to us with this deep drive to understand the past, but a little creativity of exploiting the things that they are puzzling over and asking them, “Okay, let’s complicate that picture a little bit and let’s ask where did that come from.” So there are many things in the present that are legacies of the past and they’re everywhere. They’re in our language, they’re in our architecture, they’re in so many things that we do, but they are invisible because they feel natural. So I think one of the projects is to take any of those things, some of those are practices, some of them are language and text, some of them are physical objects, archaeological objects, and then use that as a point of entry. I don’t have much by way of a well-rounded philosophy of learning or -- I do think learning science is going to be a burgeoning area, but I think if you take something simple – very few things in life are simple – and you ask someone to contemplate it for a little
while and you expose them to the complexities of it and work from that point outward, it’s a different mode of teaching. So that’s what I was trying to get to.

Janan: But right now in our political discourse, for example, it is certainly … one text is the United States Constitution so we may be training our students to analyze the text not just to (inaudible).

Price: I agree 100 percent. Absolutely. Don’t misunderstand me. I’m just using that as an illustration, not as a generic statement about (inaudible). But I think that the challenge is always to provide the requisite grounding in skills and a knowledge base that’s broad enough that it’s not so driven by a student’s individual curiosities but to capitalize on their curiosities to drive a wedge to provide that information as opposed to just laying that general body of knowledge and skillset out there and asking some students to fight through it before they get to the good stuff, which is a chance to develop their questions. That’s all I’m saying. It sort of inverts the pyramid of learning. You want the broad base but in sense the broad base comes from a narrow point of entry as opposed to let’s build it out and then let them eventually get to the questions they want. That was the more general point.

Alex Rosenberg (Philosophy): The priority you identified suggests to us that you attach some considerable importance to renewing the curriculum of the undergraduate experience. This is a subject about which we had a significant amount of debate with an unfortunate outcome. So do you recommend that we revisit this issue?

Price: I think that while not every member of the faculty should be preoccupied by this all the time, faculties as collective bodies should constantly be thinking about the shape of the curriculum and whether it’s meeting our needs. I think right now we are in a particular moment of ferment where it is appropriate for the greatest faculties to be thinking deeply about these kinds of things. I don’t want to let things like technologies start becoming the tail that wags the dog. It should flow from first principles but I do think that a lot of what we do, we do because we’ve always done it that way and it just doesn’t hold up to careful scrutiny any longer. I just believe that if we don’t take this seriously and think of it as a deep and noble enterprise as our precursors in Trinity College did at some early point and collectively as our colleagues did in defining what we now live with every day, then we will regret that within 15 years. So yes, I think we should look at it, but I don’t really want to weigh in, I’m not really knowledgeable enough to weigh in on specific debates that have been floated and discussed in this body. But it is a call for me just to ask you not to give up on the project just because it might have run aground on certain kinds of (inaudible).

Carol Apollonio (Slavic & Eurasian Studies): We just finished a very successful capital campaign and I know a lot of the institution’s energy was directed to fundraising. So now that that campaign is over, in what ways is the administration changing its focus?

Price: Campaigns are an artifact of development and it’s not over. You don’t want it to be over because this institution does not have the resources it needs. It does not. Relative to a lot of our peers, we remain under-resourced. I think we have to be creative about the full array of resources that we can bring to bear. I’m very interested in commercialization of intellectual property, which I think we could be doing better at this university, given the billion dollar research portfolio that we support each year. On development, I’ve talked to the team, the whole idea of a development campaign is to take your operations and lift them to a new baseline and I don’t want to see us backslide. In fact what I want to do is start planning now for the next big attempt to lift that baseline yet again. So that is something that falls to the president’s shoulders, that attempt to better resource the faculty and the student body so that the teaching and learning and discovery can take place at the level we’d like. In the short run, we’re going to be making some serious attempts to be investing in the sciences on this campus across Trinity, Engineering, the Health System. There are some real needs there that we have to address. But longer term, I want to think
carefully about how we can take the successes of the campaign and not declare victory but actually use that to say, “Okay, how can we leverage those resources to generate even more resources.” The campaign has been terrific and it’s great to come in at the tail end of a campaign, but the campaign was not a one and done by any stretch. We need resources, you need resources, let’s be clear, you need resources to do what you do. We need more money for financial aid and as our aspirations have elevated because of the campaign, so has the challenge of paying for those aspirations. So I have no intention of letting up.

Okay. Thank you so very much. Thank you again for all you are doing, thank you again for all you have done to put me in the position of arriving at a time when this institution is doing such fabulous things across the board. I can claim credit for none of it because I’ve only been here for three months but I can say it’s an inspiring place to be from my understanding today and I look forward to working with you going forward. I know these are indeed bright days ahead for Duke University. Thank you very much.

**Global Education Committee Bylaw Change**

**Layton:** Moving on, the next business has to do with the membership of the Global Ed Committee. A total feeling of déjà vu because we did this last time. Yes we did, but we failed to approve every word that needs to be approved, so that’s why we’re doing it again. The idea is that the Global Ed office takes care of students, not just Trinity but Pratt as well, and they report to the Provost office. So the thought would be to have the Global Ed Committee report to the vice provost and the academic deans of both colleges, Pratt and Trinity. So there’s a mirror symmetry between Trinity and Pratt. The changes are highlighted in all the text that needs to be approved:

**Committee on Global Education for Undergraduates:** The Committee on Global Education for Undergraduates shall recommend to the Dean of Trinity College of Arts & Sciences, the Dean of Academic Affairs of Trinity College, the Dean of the Pratt School of Engineering, the Associate Dean for Undergraduate Education of the Pratt School of Engineering, the DVPUE, and to the Council appropriate regulations for study away and foreign academic exchange programs. The Committee shall recommend guidelines for determining transfer credit to Duke for academic work done abroad. It shall approve academic changes (deletions, revisions, and additions) in study away programs that have been previously endorsed by Duke. It shall recommend new Duke-sponsored study away programs to the Dean of Trinity College of Arts & Sciences, the Dean of Academic Affairs of Trinity College, the Dean of the Pratt School of Engineering, the Associate Dean for Undergraduate Education of the Pratt School of Engineering, and the DVPUE following a careful review of detailed proposals. It shall review periodically all Duke-sponsored and Duke-approved programs overseen by the Global Education Office for study away in terms of changing educational and academic needs at Duke.

**Membership:** The Committee on Global Education for Undergraduates shall consist of up to twenty two members (ten of whom are ex officio): a Chair appointed from the faculty of Arts & Sciences at large; one faculty representative from one of the foreign language programs; two faculty members from each Division (Humanities, Social Sciences and Natural Sciences); one faculty member and one alternate from the Pratt School of Engineering; one undergraduate student and one alternate nominated by Duke Student Government; and ex officio members: the Director of the Office of Global Education for Undergraduates; three assistant directors of the GEO-U; a representative
appointed by the Dean of Trinity College of Arts & Sciences; the Dean of Academic Affairs of Trinity College; a representative appointed by the Dean of the Pratt School of Engineering; the Associate Dean for Undergraduate Education of the Pratt School of Engineering; the DVPUE; and a member of the Executive Committee. Members may serve multiple roles. The appointed members normally serve three-year terms, staggered so as to balance new and continuing members in any year.

The last part is what I didn’t show you last time, so any questions? None? Good. Motion? Second? Let’s vote. [The bylaw changes were approved.]

Committee on Faculty Teaching Development and Support

So the next business has to do with a proposed new standing committee on faculty teaching development and support. So two years ago, we had an ad hoc committee chaired by Mike Munger. Other members included Carol Apollonio, Owen Astrachan and Andrea Novicki. They did a survey and some of you most have participated and tried to find out faculty priorities with respect to teaching and teaching needs, what we think Duke does well, and what we think we can learn from our peers. So they had a report and a recommendation which is that we create a standing committee on faculty teaching development and support. So what I want to go through with you very quickly are the charges for this committee and the membership and then we can discuss. So these are the charges: basically to provide a faculty voice in evaluation and recognition of teaching; provide a hub for pedagogical resources; maybe become more involved in decision making when it comes to teaching-related planning; and develop channels for faculty-to-faculty interactions around teaching and learning. Now on to membership. The standard thing: a chair plus two faculty from each division. The second bullet point is new and different from all existing faculty committees. We feel like there should be a broad representation of all the faculty in Trinity that are involved in teaching, so ECASC proposed to ensure that the voting members include at least one tenured/tenure track faculty, one regular rank non-tenure track faculty, and one non-regular rank faculty. Ex officio: Arlie, Linda, and an ECASC member. Comments?

Rosenberg: Are ex officio members entitled or expected to vote?

Layton: No they cannot. They sit and advise and listen.

Chris Walter (Physics): Where is the evaluation and recognition now?

Layton: We have an assessment committee that is not very active right now, so this new committee can do some of that job. Recognition is a tricky question. I’m not sure any of the Arts & Sciences committees are directly involved in teaching awards. That is done in some other office. Maybe we used to do that. Ruth, is that correct?

Ruth Day (Psychology and Neuroscience): Well there used to be a teaching committee and it was constituted to take up a lot of different issues, then it slid into just being a teaching award committee for the distinguished teacher, then it sort of evolved and disappeared.
Layton: It’s still on the books.

Day: So would it come off the books if this goes in instead?

Layton: We should talk about it. How are the teaching awards chosen now? Is it from last year’s award winners?

Valerie Ashby (Dean): So the call for nominations are sent out from Arlie’s office and I believe that Lee Willard has been working with the previously awarded and maybe some other committee.

Layton: My recollection of the ECASC discussions was that we’re not sure that the committee is more qualified to figure out award winners than last year’s award winners. So this is something we should discuss.

Charlotte Clark (NSOE): I want to mention there’s also an alumni affairs teaching award.

Ron Grunwald (Biology): Just to clarify, the first bullet point refers to the evaluation and recognition of individual teaching activities by individual faculty or it explicitly excludes them because the former rests in APT and the dean’s office and departments to rank faculty. Is it the intention for this committee to weigh in on decisions (inaudible)?

Reeve Huston (History): My understanding from the ECASC discussions is that this is not that sort of committee. It is not empowered to make decisions. The purpose of the committee is to be an advocate for the faculty on issues of evaluation. So in other words I think there’s discontent about …

Grunwald: So let me just clarify this. Advocacy implies that there is an object of your advocacy.

Huston: Yes, so we’d be talking to those committees that make decisions about student evaluations, about teaching awards, about things like that.

Grunwald: So could you walk me through how that would work (inaudible).

Huston: We have not prescribed any method. We are leaving those methods up to the committee itself. This is a broad charge.

Walter: What is your thinking in terms of why it would be more effective (inaudible)

Huston: What we are doing is putting together a group whose initial job it is to figure out what its job is, and these are the broad definitions of what we want them to do. We want them to establish themselves as a center for conveying as essentially a mediator between the faculty as a whole and all the things that affect teaching, including evaluation and including the design of classrooms, which teaching technologies get support, etc. Like I said, it’s a broad mandate, one that will be made much more specific when they meet.
**Apollonio:** I would add there that certainly there was no discussion of a committee like this participating in a discussion about individuals. ECASC and Arts & Sciences Council is a representative body of our faculty and so this committee is being proposed in parallel to a committee we have to support research, as one of our core missions as teachers. So the idea is there are many areas involved in teaching at Duke where faculty voices we feel could be more effectively represented. So that would be our primary role on the teaching committee, not only to listen to faculty, learn what the problems are and perhaps advocate for them perhaps to the administration but also to serve as a place where teaching resources could be learned about because there are so many different offices at Duke that are involved in teaching and are scattered and a lot of faculty don’t know what they are. But the important thing is that we’re a representative body of the Arts & Sciences faculty and the point of the committee is to represent Duke faculty, but not about individual problems. That was what I think you were asking.

**Grunwald:** Yes and no. Where the rubber hits the road is in those committees, in those meetings where decisions are made and what goes into those meetings and the policy positions of how much should teaching count in evaluation, how should teaching evaluations be utilized in making decisions about individual faculty, and how should that be reflected, etc., etc., etc. But of course that plays itself out in APT cases, so what I’m wondering is, is there an invitation from APT, from the deans of Arts & Sciences to receive a position and if not, I worry a little bit that it’s a set up to failure. I’m just talking about this first point here. It’s noble and it’s admirable and expansion of advocacy on behalf of faculty, but it’s not (inaudible) about practice and policies.

**Apollonio:** Quite clearly, this committee would not be able to make decisions about tenure or promotion. I would talk about it being advisory and representative.

**Inge Walther (German):** I just wanted to emphasize to the extent that that Arts & Sciences Council is advisory to the deans, I think that would be appropriate if a body such as this decided that the deans might want to relook at certain evaluation criteria, they would have every right to do that in their capacity as advisory.

**Layton:** So I propose we go back to our departments, think about it, talk to our colleagues about the charge as well as the membership and in November, I will write up the bylaw text and we can vote on it.

**Update on Certificates**

Moving on, an update on certificates. So when we were attempting to revise the curriculum, we put a stop on new certificates. Now the big revision is no longer there, the moratorium is still in place. No one has proposed to change that. The key update here has to do with oversight of existing certificates. So the idea is that when certificates are up for review, which happens three years after they started and every five years thereafter, those certificates who appear not to meet certain standards, including but not limited to enrollment, must come up with a solid plan to improve or consider alternative ways to provide education.
Since I spoke of enrollment, I figured somebody would ask about that, so here is my chart. We have currently 29 certificates, two of them have a lot of enrollment, some not so much. This is enrollment, so it counts both juniors and seniors. The number of certificates with fewer than two students, there are six of them. So I don’t mean to pick on enrollment, it is not the only factor deciding whether a certificate should exist or not, but I bring it up because it does bring up the question of whether the certificate is fulfilling student interest, reflecting the interest, and whether it is a good use of resources and such.

So the key update is we are going to have a larger oversight on certificates when they come up for renewal. That is it. Questions? I’m going to refer them to the Curriculum Committee chair.

**Walter:** How often do certificates come up for renewal?

**Layton:** Three years.

**Jeff Forbes (Computer Science):** Yes, they come up initially after the first three years, then every five years after.

**Catherine Admay (Sanford):** I wonder what the criteria are that you use to evaluate besides enrollment?

**Forbes:** There are lots of them. If you look on the curriculum website, I’ll point you to the rubric that we give to certificates for self study. But part of it is also looking at are you achieving the goals you set out when you originally started the certificate, are you able to offer all the courses that are necessary for your certificate, do you have some sort of assessment model for your certificate that says that people are getting what they expected to get out of it. So there’s both looking at are you fulfilling the goals you had as a certificate and thinking about student interest and what these courses require for the certificate.

**Walther:** I’m just a little bit confused. This has always been the case. What’s changing now? The curriculum committee has always reviewed vigorously the certificates. Are you just reminding us that this happens or is there something new that’s happening?

**Layton:** So have certificates been asked to come up with a plan?

**Walther:** In the last 10 years when I was associate dean of curriculum, we always conducted reviews, so I don’t know what’s changing.

**Forbes:** So I’ll give my take from what the Curriculum Committee says. I agree that there have been quite a few that have come up for review. The question that Curriculum Committee members had was whether enrollment should be something alone that could be reason to encourage a certificate to provide alternate ways of education. So there was the idea that you could have a perfectly reasonable certificate but because you don’t have enough enrollment, could that possibly be a reason by itself where we should end the certificate. The Curriculum Committee wanted some guidance from the Arts & Sciences Council about that. If that’s always been the case, then I can just let them know.
**Walther:** I don’t know what kind of guidance you need.

**Forbes:** Because we don’t have a number up there, so a number would be nice but what we really want is a mandate saying that we should look at enrollment as something (inaudible).

**Janan:** As I understand the certificate, the certificate is meant to answer the desires of students for education such that it can’t be contained in a department, it’s by its very nature cross departmental. As I understand it, it also leverages classes that already exist, so where is the need for a certain critical mass of enrollment?

**Forbes:** Certificates have a structure, so certificates are not a bunch of independent studies. Certificates have a gateway, a capstone and a theme throughout. So the question is does that make sense if you have two students in the program. There’s also – this is above my pay grade but – questions about what the opportunity costs are for certificates in terms of running the certificate. Someone has to teach those courses, if someone needs that certificate as part of their program for graduation, as long as there is greater than zero students, you have to offer the course. So the idea that certificate courses are not distinct from other courses is not necessarily true.

(inaudible cross talk)

**Layton:** I agree with you that certificates provide an opportunity for students to take classes from different departments, but it’s more than that. They can always take those classes with or without a certificate. So it is credentialing, which some of us are trying to combat. They can always take those classes with or without a certificate program. So if there are only two students in a certificate program, it’s not clear why the program should exist. Canceling the certificate program does not deprive the student of getting an education.

**Walther:** I think my question to you, Jeff, is if you are soliciting advice from this body on what the criteria should be, then it should be formed as a question and not just a statement. This statement sounds perfectly reasonable to me and in fact the statement is how the Curriculum Committee has always operated. When we’ve asked certificate programs for their self studies, we’ve looked at all of these things together. We’ve looked at the costs, we’ve looked at … it’s all here, so I think this is a good reminder to everybody how the Curriculum Committee does its reviews and what criteria the committee looked at. So my question was just that if you need guidance, this should be formulated as a question for us to vote on or to come up with criteria that would be clearer to the faculty. Then we could work on that but this is just a statement.

**Layton:** I was under the impression that no certificate has ever been asked to stop.

**Walther:** No, that’s not true at all. There have been a number of them that have been sunsetted.

**Forbes:** They have been sunsetted against their will?
Walther: Well, it’s more of a discussion. There’s always been a discussion and usually when they have been sunned, the program has always concurred that that’s probably the best thing to do.

Forbes: I think we agree. This is more a question about sunsetting programs which are against it, even if they would like to continue.

Walther: Well, that could happen.

Day: I just wanted to comment that when Dean Walther was working on curriculum, she developed and refined a template that is on the website still, so if this discussion is going to continue in Council, it might be good to direct members to that template and see all the criteria and how they’re asked.


**Update on Faculty Union**

Moving on, our non-regular rank colleagues formed a union which reached an agreement with the university and there has been some confusion about the implications of the agreement. The Council is committed to transparency and information dissemination, so ECASC decided to invite representatives of the union to answer a few questions. So we have Mike Dimpfl from the Thompson Writing Program and president of the Duke Union, and we also have Larry Alcoff from SEIU, who have come to talk to us. Thank you.

Mike Dimpfl (TWP): Hi everyone. My name is Mike Dimpfl, I’m a lecturing fellow in the Thompson Writing Program and I’m standing here as president of the Duke Faculty Union, which is the Workers United Region of SEIU. We’re really excited to be here today, scholars and teachers and artists. I think we share your dedication to Duke students and to fully participating in the intellectual life of the university. I also want to say thank you to Anita for reaching out to Larry and inviting us here today. We know there’s a need to share this information with you all, our colleagues. I was happy to hear President Price’s remarks today, particularly around the question of how faculty resources are being considered in the coming years on this campus. I think we consider non regular rank faculty to be a group of people who merit some extra institutional focus in that regard, certainly among others, and we know that we share an idea that Duke is sort of a visionary place that might reimagine what it means to teach and learn in higher education right now. We’re hoping that you will help us hold the administration to that vision and make that the equitable and fair treatment of all the faculty here is a part of it. The collective effort that brought me here is historic. This is the first ever adjunct faculty union at a private institution in the US South in American history, and I want to take a moment to mark my gratitude not only for the chance to build a new understanding of what it means to work at Duke, but for the collective of individuals, faculty, teachers, artists, educators who are some of the most generous, dedicated and whip-smart people I know and who have made working here one of the most enriching experiences of my adult professional life. Stand up, everyone who’s in the union here please stand up and receive some applause for the work you’ve done.
Two and a half years ago, this group of faculty got together and decided to build a collective vision of what it meant to work here at Duke and to move non-regular rank faculty out of the margins of university life. Their goal was really to field not only their collective strength but a mechanism for communicating with the university administration. More than a year ago, we sat down with administration and began to hammer out a framework for that vision that we think marks a real critical turning point for this institution, for other institutions like it across the entire United States. The collective bargaining agreement that we’re here to talk to you about, at its most basic, improves and stabilizes our contractual relationships, it increases pay, and it secures the basic levels of (inaudible) that make our work more satisfying. We hope it pushes Duke to be the kind of vanguard institution that we know it desires. It was not a project born of anti-Duke sentiment or really contrasting desires of the value of this institution. Truly we know Duke to be a very singular place to teach, to study and to learn, and the membership of this union are absolutely committed to this university. We understand this project as one that produced not only an atmosphere of collective strength and collaboration with regular rank faculty. Larry Alcoff is here today. We really just wanted to have a conversation with you all about some of the details of the collective bargaining agreement. He’s going to run through some of the basics with you quickly. You should all have a sort of 12-point bit of information in front of you. I just want to say thank you and we welcome your questions and to be part of this dialogue, not only today but moving forward.

Larry Alcoff (SEIU): Thank you, and thank you again to Anita and to the Council for inviting us here today. We appreciate that. I’m going to focus more on the particulars of the agreement and what we achieved because I think there are questions among the faculty as a whole on how this plays out. So as Mike sort of outlined, there were three principle components to what we negotiated.

The first component was this whole question of being included in the life of the faculty, understanding that teaching faculty play a particular role in the university, it’s not the same as research faculty but its pivotal to the teaching and learning experience that students have at the institution and also it creates the conditions under which research faculty actually do research as well. So there’s a variety of things on this list that go to the question of how to include people and we’re very glad to see that the committee on teaching and learning included non-regular rank faculty in it because people who teach 1,000 or so courses a year at the university in Trinity have a lot to offer, from their experiential knowledge, their pedagogical knowledge, their physical knowledge about what works and doesn’t work in the classroom. They have a lot to contribute to the questions related to teaching and learning at the institution, so we are very pleased, and what you see at the beginning of this 12 facts are ways in which the university needs to resource those that do the job they need to do in the classroom, including them in the life of the faculty of the department, including them by providing them with computers in the same way that other faculty members who are here are provided with computers, not having to come out of pocket for expenses to teach their courses. While they are teaching faculty, we believe that all faculty ride on a two-wheel bike of research and scholarship as well as teaching, and so the importance of supporting their professional development, their artistic practice and their scholarship is important and it establishes not just what existed previously in terms of support for those activities, but also establishes an additional $50,000 for this group specifically to support their professional development activities.
The next part was how do we move past contingency, how do we get to the point where this group of faculty has a more regularized, predictable, stable employment relationship, but also we believe it’s better for students if their faculty is a stable faculty. We also think it is better for them and their lives, to be able to predict their lives and know that they have a job. It involves multiple aspects. One is it moves more and more people to long-term contracts so that people go onto three-year contracts, so they know they have a three-year appointment. The other thing it does is it moves more and more faculty away from sort of the piece work model of paying people only on a per-course basis. It establishes a salary structure for instructors, as well as for lecturing fellows, so that people can have salaries as opposed to working on a piece work basis. We don’t think that’s a particularly good model that any of us would design if we had to do it over again. It’s a scale and a model that rewards people with minimum salaries, with guaranteed increases each year for each faculty member. It also pays for overload teaching, so if you are teaching more than five courses a year, you’re entitled to an overload pay of an additional course or if you’re a person who’s assignment is generally a two-two load and people ask you to teach a fifth course, it pays an overload for the fifth course above your salaried amount.

It also stabilizes your teaching assignment so that if you’ve been here for three years, it looks back and what you taught in the past and it predicts the future, with it saying your next appointment will look like what you taught in the past. So if you were teaching five courses a year for the past three years, your three year appointment going forward would give you five courses a year for each year for the next three years. If you taught six courses in the last three years, you would get a six course appointment going forward. If you taught four courses, four; if you taught three courses, three. The point here is it uses the past as the prediction for the future, what moves forward and what your course assignment is.

The last thing it did, and this is partly moving to salaries and partly increasing the pay people receive even on the per-course basis, is lifting the bottom, investing in and paying people more who are the lowest paid faculty members at the university, so people who were previously paid on a per-course basis or a piece work basis are moved to a salaried basis in order to lift their standard and raise their pay. That was important to us as we moved toward valuing teaching in a meaningful way, like y’all’s committee is talking about, the meaningful way of paying people for the work they do. We still think, to be frank, that we have a long way to go on the road to valuing teaching in terms of how teaching faculty are compensated at the university, but this was progress. It was meaningful progress in moving people to higher pay, stabilized employment, salaries and off of piece work where we could, etc. At the same time I just want to add one little caveat and then open the floor to see if there’s questions in particular, we understand there will still be a need at the university for short term appointments, sometimes semester or one-year appointments to cover periods where you’re involved in search and you haven’t filled the slot yet, somebody on sabbatical, somebody on medical leave—we think there’s all kinds of ways and we understand that’s an important part of the institution and how it fills its gaps. But when people have taught here for a number of years on a semester-to-semester basis or a year-to-year basis, at some point it’s a little ridiculous to fire people 20 times in 10 years only to hire them again for the 21st time. At some point, people have a right to know they have a job, not just a gig, and Duke University can do that, and this contract makes significant progress towards achieving that.
So that’s sort of the details. We can answer questions, any questions you have over any of the details either on the sheet or what you’ve heard in your departments.

**Huston:** I just noticed on the fact sheet that some of the language is “will be” or “are” and some of it is “should.” Should I read the “should” things, like item one and two as norms that were put into the language of the contract but have no enforcement mechanism?

**Alcoff:** That’s a very good question. This is called the short hand of writing facts that are not in the contract. So what it says essentially is that people shall be invited to these meetings. We don’t expect to be invited to meetings where decisions are made around promotion and tenure, for example, or other decisions that would be inappropriate to participate in, but the idea here is to include people as part of your faculty and many of the departments already do this. It’s a way to expand best practices at the university. On the computers, it’s absolutely enforceable. People who are appointed for one or more years are supposed to be provided a computer going forward, which has not been the case at the university for them. They are supposed to be getting an option between a desktop and a lap top, a Mac or a PC, and then be under the same sort of policy as any other faculty member at the university who’s teaching here in terms of the replacement policies.

**Grunwald:** A couple of things. One is a clarification about that point in number one, “shall be invited to meetings, should participate in those decisions” does that mean as voting members of the faculty? I’m not talking about promotion or hiring decisions, I’m talking about policy, curriculum, etc., and if so what distinguishes regular rank from non-regular rank?

**Alcoff:** I don’t think the contract at this point addresses the question of voting membership or voting participation. I think that’s departmental decisions. I would argue that there is a way in which what is union contracted for non-regular rank faculty, particularly those who’ve been here for awhile who teach full time, is it made them more regularized because at least to the extent in which they are included more, they are paid more and their appointments are renewing appointments, and I think to that degree, it may change. We did not address questions of governance at all and we did not address whether departments … we left it to the decisions of departments and faculty as a whole how to address those questions if they choose to. So there’s nothing in the contract that compels voting in those meetings. There is something that says that people should be invited to participate and be allowed to participate.

**Walter:** This is a question for clarification. So my department, we don’t have many people who aren’t tenured faculty.

**Alcoff:** Which department?

**Walter:** I’m in the Physics Department. So we mostly have staff members and we do have lecturers. I’m just curious because we just went through our bylaws. I think things like “Instructor A,” “Instructor B,” I haven’t seen those terms, so I’m just curious if this is related in any way to this question. If you look at our bylaws, it’s very specific about who should come to what meeting and who should vote at what meeting. Are there new categories of people who have been defined that aren’t in the Faculty Handbook now. Basically, it would help me to know who actually is covered by this contract.
Alcoff: So the categories of Instructor A and B and including the Lecturing Fellow to some degree are creatures of the contract for the purposes of simplifying who people are and what they do. It does not replace their title that they may have previously held. I don’t know what it would be in the Math Department. People who are visiting assistant professors are still visiting assistant professors and that’s how they should be thought of for other purposes, but for the contract to simplify it in terms of length of appointment, compensation, we simplified it by putting people in three categories.

So what are the three categories? An Instructor A is generally somebody here on a short-term appointment, maybe a semester, maybe a year. They are replacing people who are gone. Sometimes when you are replacing somebody who’s gone for a year, your second year, your third year, before you know it, you’re here. But the initial intent of Instructor A is people who teach courses who are the principle faculty member teaching courses but without the expectation of long-term employment. Instructor B’s are people who do not teach courses. They lead labs, they lead discussion sections, they might just do tutoring or other instructional activity, but they don’t teach courses. Lecturing Fellows are people who are here who have longer appointments, who have been here awhile and who teach and design courses.

Walter: I guess my question is we have staff members whose jobs it is to be in charge of the laboratories, but it’s not clear to me whether they are people who are considered faculty who are covered by this contract.

Alcoff: If they lead lab discussions, generally they are supposed to be included unless that’s a very small part of their job.

Walter: I’m talking about people who are in charge of the lab program and the lab or the demonstrations in the lab, for example. But they are overseeing graduate students who are actually teaching the actual sections of the lab (inaudible).

Unidentified person: By way of comparison, in the Biology Department, we have a series of lab administrators who oversee that and are involved in training and equipment and purchasing and that kind of thing whose role is not primarily teaching.

Walter: They are helping design the curriculum but they are not actually teaching classes?

Unidentified person: Right.

Walter: So are they covered?

Unidentified person: No.

Walter: So staff is somehow a different category?

Alcoff: Yes.
**Grunwald:** Two points of clarification. One is that in the contract, it specifies that instructors should have a terminal degree. You don’t mention that in the fact sheet here. That’s significant, particularly for the Instructor B category where historically – I’m in the Biology Department – we hire outside of that category. So is that lock solid?

**Alcoff:** No, it’s not lock solid. So the way the contract is drafted, first of all anyone who is currently employed without a terminal degree does not lose their employment and continues employed. Secondly --

**Grunwald:** Does that include in renewal cycle?

**Alcoff:** Yes. It includes the renewal cycles so it can’t adversely affect anyone going forward. And the second part is the university, and in this case, that means the department, where the dean’s office has the discretion to waive the requirement on new employees in the future.

**Grunwald:** But not waive the other provisions of the contract?

**Alcoff:** No, not the other provisions.

**Grunwald:** So effectively the salary provisions.

**Alcoff:** You can pay more, you can’t pay less.

**Grunwald:** Understood. Can I just get one other quick clarification? In item number 9, and you mentioned this part about using the past as a predictor of the future, all well and good and that makes good sense, but the second sentence there where it says, “Unionized faculty are given preference to teach courses they designed or that they have satisfactorily taught in the past,” preference over whom?

**Alcoff:** Over other faculty members, particularly over other faculty members in the bargaining unit. So if there’s … generally speaking because a lot of folks, the adjunct faculty, they do fewer preps so part of the argument is you shouldn’t have people doing more preps than necessary. They are given preference to teach what they taught previously over other bargaining unit faculty members who maybe have not taught that course before. When I say bargaining unit, I mean unionized faculty. Likewise if somebody designed a course, then they are generally given preference for teaching that course as well.

**Grunwald:** So just to be clear, the contract doesn’t require giving them preference over non-bargaining unit faculty?

**Alcoff:** That is correct.

**Walter:** I’d like to follow up on that. In my department we basically have a rule, not a hard and fast rule, but the first order you can only teach a class for three years. So it’s to stop you from saying, “Oh recently in 1972…” you know, you don’t want the same person teaching the class indefinitely. So after three years you have to sort of go on to something else and someone else gets a chance. Does this override that?
**Alcoff:** It does for this unit of faculty. It does, yes.

**Walter:** But what does that mean? I teach the same classes as people who would be covered by this, right? And our policy in the department is that you’re not supposed to teach a class for more than three years. So does that mean that you should never give somebody on this contract a class because they can keep the class forever and just not …

**Alcoff:** No, hopefully not. That’s not the intent of that language. The intent of that language is if people have taught courses in the past, that if they want to keep teaching that course, they have the right to keep teaching that course if there’s not among other people in the unionized faculty. In the case of a course I designed, then the contract says people get preference for teaching the course they designed. It doesn’t mean that they will teach it forever though. I think that’s also a normal practice in most departments when you design a course.

**Walther:** I have a question about salaries. Are salaries the same across departments or are they different? Do Physics instructors get more than German instructors?

**Alcoff:** The contract establishes a minimum pay scale that goes up each year for Lecturing Fellows. So it has a 0-3 year rate, a 4-6 year rate, and over 6 years of teaching at Duke. Those are minimum standards. Nobody can be paid less than that. It’s the same thing for the Instructor A category. Zero to 3, 4 to 6, over 6. Likewise it has the same thing for the Instructor B category. Those are minimum standards that nobody can be paid less than. It’s an attempt to make sure that we lifted the bottom, because the key was to bring up the lowest paid up to that standard. In some cases where people were being paid piece work for teaching full time, it was for bringing people from piece work to a salary, which raised their standard of pay and gave them an annual income they could rely on. So the minimums in the contract are the same for Physics as they are for German or Philosophy. At the same time, because they’re minimums, the Physics Department can hire above the minimums in the contract, as can the German Department, and we would encourage both of you to do it.

**Unitelligible name:** Item number 7. I need to deliver a letter from the department recently to teach two courses and my service is instructor. I’m a full professor at least 25 years and I have been at Duke since 2005. Where would you put me? (inaudible).

**Alcoff:** So our goal in presenting this today, because it’s new, and we have to operationalize it together and we want to operationalize it in a way that works and is smooth folks, and there’s no question that in the initial implementation there have been some bumps. Some bumps are small and some have been a little bigger and rockier. So that’s an example where there are real bumps where somebody’s whose taught here for a long time at a longer pay where three years back would have been given more courses than he was given and should not have been reduced to an instructor status the way he was. So we know there are issues like that that exist in several departments. We’re having a meeting tomorrow with representatives of the administration. We hope in that meeting to resolve these bumps, to smooth them out. We certainly don’t want to be arguing and fighting about stuff that we already agreed to. We’d rather move forward together on the kinds of projects that you guys were talking about or the president was talking about in terms of a vision for the university in which this group of faculty can participate as fully as
possible. So we’re hoping tomorrow we can reach a resolution on a lot of these issues and work through the various bumps and we’ll be glad to report back at some point if the council wants that, so we’ll see how that goes.

**Unidentified person:** Just a couple quick questions. By the way, congratulations. One quick one to clarify things. How long does the contract go for and how many people are in the unionized faculty category?

**Alcoff:** So for the first question, it’s a three-year collective bargaining agreement at the end of June at the end of fiscal year 2020. Secondly, we believe – some people don’t teach every semester – there’s about 225 people this semester who teach here who are part of the bargaining unit. We believe it’s probably somewhat bigger than that given that there are people not teaching this semester but teaching next semester, so in the 250-275 range. People teach close to 1,000 courses a year in Trinity. I would point out real quick who some of them are and they teach in the programs if you want to think about the entry points into the minds of young people that can expand horizons, it’s things like music, it’s the languages, it’s the writing program, it’s the Center for Documentary Studies, where people teach a lot of the undergraduate courses that really do create a lot of the opportunities for that kind of expansive knowledge.

**Huston:** I actually have a question for both of you, which is what do you see as the major unresolved issue that you want to address going forward?

**Dimpfl:** I think that one of the major unresolved issues is in fact the relationship to regular rank faculty who are also lecturing fellows who also have similar teaching lives here who are primarily instructors. The PoPs are a group of people who on the one hand have their feet out in professional worlds and teach one seminar once in awhile and that category of employee has expanded to include people who look exactly like non-regular rank lecturing fellows, so I think that is one group of people we have interest in developing a much more foresaught area in collective strength. Personally, I think there are a lot of broader labor issues that touch down in North Carolina in very specific ways in terms of the power of an institution like Duke and the power and thinking that went into this kind of collective vision is that one of my hopes is that we turn our energies to internal strength and then look outward to see what kind of impact we can make not only here in Durham but across the state and the southern region more broadly.

**Alcoff:** I would add two things. The first thing, I think, is the relationship of the unionized faculty to the university that allows us to pivot forward in ways that solves problems, helps predict the future together and navigate through it in a non-adversarial way where we can, that doesn’t try to look for the “gotcha” moments in the contract or where there may be loopholes to try and do end runs about people’s rights. I think that’s an important part how we create the kind of relationship of trust and mutual benefit and respect moving forward together. It’s an important point, and I’ll be frank, I think that the notion of moving people who taught here more than six years on a per-course basis up to about $85-86,00 a course or getting people who teach full time here five courses full time and have been here over six years up to $52,000, I think that’s still a devaluing of teaching and of the work of teaching in an institution that needs to value and prioritize the important component of teaching and learning in the mission of the
university. So I think we have a long ways to go in terms of how much value is placed on teaching, how much support this faculty gets, and how to build relationally going forward so that we are solving problems and not trying to play games.

**Rosenberg:** North Carolina is unfortunately an open shop state. I’m interested in the question of whether you have an estimate of the proportion of those who will be benefitted by this contract who will free ride on it?

**Alcoff:** Does everyone know what that question is asking? So it’s a right to work, we call it a right to work for less state. It means that under federal labor law everybody gets whatever the benefits of the contract are and the union has a legal responsibility for fair representation of all bargaining employees and bargaining employees do not have to join the union or pay representational fees. That’s the law here and it’s the law in a number of states and I think frankly there’s some people in the White House and the Senate who would like to make it the law of the land. So the question really is how many people will get the improvements, the representation and the benefits of the union? Our goal is to really challenge people and to say that there’s a reason you should join and one of the reasons is a question of fairness to your co-workers, that riding for free means somebody else is paying for your representation whose one of your colleagues. We also think it’s important to recognize that that’s how democracy works. This may come as a shock to some of you, I did not vote for the president of the United States, but I still pay my taxes as a citizen of the United States because I live in a democratic community. I think that’s how we think of the choices and decisions that faculty have made as a union. Our hope is that we can, through persuasion and engagement with people, show the value of building an organization that people participate in fully and see the value of participating in fully.

**Rosenberg:** So that’s an aspiration, but you didn’t answer my question.

**Alcoff:** My understanding is we were about 75 percent, give or take, who had signed up already, but we are still working on it.

**Rosenberg:** Thank you.

**Janan:** Does the open shop law extend to say monetary benefits such as if a faculty member who’s not a member is in a legal dispute with the university, would you have to pay lawyer’s fees for them?

**Alcoff:** So if someone in the bargaining unit is covered by the contract and there is a dispute with the university governing a violation of their rights under the contract, under federal labor law, the union is obligated to represent them, including the cost of representation.

**Rosenberg:** Even if they aren’t paying dues?

**Alcoff:** That is correct. That’s what you call the free rider.
**Unidentified person:** This pertains to number 12. It says some unionized faculty are defined as full time with less than five courses. I don’t understand that. What do they do to be full time?

**Alcoff:** So there are some people who have been here before we started negotiations who were teaching less than five courses a year who were treated as full-time salaried faculty. They did not lose that status. Some of those folks play different roles in their departments. They might do additional work, like advising, or they might do mentoring or they might set up workshops or other programs. Others, because we represent a wide range of folks, some of them are engaging in their own professional or artistic practice. At the Center for Documentary Studies, for example, you should be an artist in your field. That’s what gives you value to the university, so that’s part of what they would do.

**Walter:** If I want to learn more, is this contract public?

**Alcoff:** Yeah, we can share this contract. I don’t know if it’s up on a website the university has [someone said it is] but if it’s not, we can share it with the Council and Council can distribute it to the faculty as a whole.

**Forbes:** The contract is public. It’s on the HR website.

**Alcoff:** The contract is public. I learned something new. Any other questions? Again, thank you for inviting us. I hope this helps clarify some of the confusion and hopefully we’ll be able to operationalize this more smoothly coming into the meeting tomorrow.

**Layton:** The meeting is adjourned. We will see you in November.