Minutes of the Regular Meeting of the Academic Council

Thursday, April 16, 2015

Josh Socolar (Physics/ Chair, Academic Council): Hi, everyone. Thank you for being here to start our meeting early. We have people trickling in but I think we should go ahead and get started. We do have a fair amount to do. When we decided we needed to start early, we had not one but two Master's degree proposals to fit into our agenda. Last week, we learned that one of those will be coming to you instead in the fall. I'll tell you more about that later. We still have a full agenda, but because that program is not on our agenda, we may have some unscheduled time to open the floor for a general discussion. We're always interested in hearing more from the floor about ideas for this year or next year. I'll start off with a couple of announcements. First, usually in April or May we hear reports from APC, UPC, GPC and the Athletic Council. Rather than having the chairs of those committees read the reports to you and take up meeting time with that, we will have them submit written reports which will be made available well before the May 7th meeting. We will just reserve some time at the May meeting for any questions you may have for them but we won't have them read the reports.

THE FACULTY SCHOLAR AWARDS & HONORABLE MENTIONS

Socolar: I would now like to recognize some impressive achievements of our undergraduate students.

The Faculty Scholar Award was established at Duke in 1974. It is the only Duke award bestowed by the faculty on our undergraduates, which makes it the most prestigious award a Duke student can get (laughter). Our Faculty Scholars Award Committee has selected two winners and two candidates deserving honorable mention.

I would like to thank the members of the Faculty Scholars Award Committee for their time and effort in reviewing the dossiers and interviewing the students in order to make their selections. They were:

Jimmy Roberts (Economics), who served as chair
Chris Dwyer (Electrical and Computer Engineering)
Caroline Bruzelius (Art, Art History & Visual Studies)
Cindy Kuhn (Pharmacology & Cancer Biology) and a member of this Council and
Carlos Rojas (Asian & Middle Eastern Studies) and also a member of the Council.

The following students were selected based on dossiers submitted and subsequent interviews by the committee. The students will receive a monetary

award and will be recognized at a reception next week. The winners are:

Connor Hann is majoring in Physics & Mathematics and working on the growth of icosahedral quasicrystals and problems in quantum many-particle systems. He plans to pursue a PhD in theoretical physics.

Jay Ruckelshaus is majoring in Political Science & Philosophy and working on Normative Political Theory, the Philosophy of Disability, and Political Party Linkage Mechanisms. Jay plans to attend graduate school and is hoping to stay in academics as a research professor in a political science department or in a law school.

And the Honorable Mentions:

Rachel Hennein is majoring in Psychology & Global Health, working on Global Mental Health and planning to pursue a PhD in global health or clinical psychology.

Stephen Ghazikhanian is majoring in Neuroscience, working on Functional Connectivity in Language-Related Regions of the Brain, and planning to study pediatric neurology.

The committee was truly impressed with the achievements of these students, and I would also like to acknowledge the excellent mentoring that three of them received in pursuing their projects. The fourth is my own advisee (laughter).

While we are recognizing student achievements, let's also congratulate our men's basketball team for their outstanding showing in Indianapolis. This event put Duke in the national spotlight, and I think we can be proud of how the players and coaches handled themselves both on and off the court.

ECAC ELECTION 2015

Socolar: Our annual election of members to the Executive Committee of the Academic Council will begin early next week. All Council members for the 2015-16 academic year will receive an email with a link to the ballot. That will come in the next week or so.

I am pleased to report that the following six Council members have agreed to run for the three open seats for a two-year term beginning on July 1st. This is alphabetical by first name.

Chris Woods: Medicine & Global Health
Constance Johnson: School of Nursing
Emily Klein: Nicholas School of the Environment
Grainne Fitzsimons: Fuqua School of Business
Josh Sosin: Classical Studies and History
Trina Jones: Law School

I want to point out that all six faculty members who were invited to run accepted the invitation, which I read as a sign that we have a healthy faculty governance system. These are not people who were looking around for something to occupy their time (laughter). I wish each of you the best of luck. The results will be announced at our May 7th meeting.

APPROVAL OF MARCH MEETING MINUTES

Socolar: May I have a motion to approve the minutes from the March 19th Council meeting?

(Approved by voice vote without dissent)

REMARKS FROM PROVOST KORNBLUTH

Socolar: Before we hear the proposal for the Master's in Analytical Political Economy, I want to clarify the situation regarding the proposal for the DKU Master's in Environmental Policy. During the fall, as that proposal was making its way through the approval pipeline, there was general agreement both that a launch date of September 2016, would require BOT approval this May and that there would be sufficient time for the MAC and APC to carefully consider the proposal before sending it to the Council. As it turned out, delays in the process made it impossible for Provost Kornbluth to feel fully comfortable with certain issues that came to light during the APC review. These have to do with projections of enrollments and the financial model being proposed. Rather than rush to meet the deadline, the Provost, APC chair, and the proposers themselves agree that it would be best to do a market analysis this summer and bring the proposal forward in the fall, even if that means delaying the start by a year.

The enhanced scrutiny of the proposal was prompted in part by the attention drawn to Master's programs by the report we heard last month from Dean McClain and the realization that you – the Council – would be particularly sensitive to issues of financial viability and potential external costs.

Provost Kornbluth does not believe, however, that it makes sense to impose a moratorium on new Master's programs at this time (and ECAC agrees). She is at DKU today, and she asked that I relay to you the following remarks.

"Over the summer, I will go through the graduate school report carefully in order to distill possible action items. In parallel, in consultation with ECAC, I will convene a small faculty committee to determine whether further fact-finding is required in order to develop a strong strategy for supporting Master's programs and students. Any required additional information will be collected in association with David Jamieson-Drake and his staff in the Office of Institutional Research. The committee will consider any additional information along with the Graduate School report and make recommendations for further action. These recommendations will be reviewed by APC in the fall and brought to the Academic Council for approval.

The proposed Master's in Analytical Political Economy has been fully vetted and endorsed by APC and does not have the complicating factors associated with the DKU degree. It is my sense that today is the right time to consider the merits of this proposal."

Socolar: Sally is sorry that she's not able to be here to answer questions about that but she did want me to let you know what she's thinking about how to proceed with general questions about the Master's programs.

PROPOSAL FOR A CREATION OF A MASTER'S DEGREE IN ANALYTICAL POLITCAL ECONOMY

Socolar: I now call on Professor Charlie Becker, from Economics, to present the proposal for a Master's degree in Analytical Political Economy at Duke.

Charlie Becker (Economics): Thanks Josh. I'll try and speak fairly quickly but it's a long proposal as you'll see. In addition there are other documents which you have

access to as well. And then there will be time to take questions. The Master's of Analytical Political Economy was something that began being batted around 4-5 years ago and it stemmed from the realization that Economics, in particular, has a large program that has been successful. This year the applicant pools were very large. We started reaching out several years ago to other departments to build joint programs and these have been very successful as well, a program in Statistics and one in Computer Science. And our hope was that we would be able to reach into a wider range than just the quantitative sciences. Political Science seemed like a fairly obvious choice to us because we had a sense that the interest was growing in the area. Political Science itself has its own Master's degree which has had a reasonably large applicant pool. Many of the people who go into the regular Political Science Master's are not particularly interested in the Economics or Political Economy side of it. Since that first proposal was sent to the Graduate School, what we found is that demand has risen rather than declined. My guess is that it's due to the events since 9/11. I'm not sure why but there's no doubt there's been a large increase. This year we've had 34 Master's students entering doctoral programs. Ten, so about thirty percent of them, are interested in Political Economy. We have students entering the PhD programs in Political Science here at Duke as we did last year, at Minnesota and at Texas. Others are going to Public Policy programs, they have a strong Political Economics component, there's a strong Applied Policy Economics program that Tulane started up. The programs that are like that are all closely related. There is no gap and that's where the interests have really taken off when I compare this to my students from 5-10 years ago. In terms of overall demand, not just within our program, these programs are highly selective. The combined Economics Master's programs, this year I actually had more than 900 applicants. So our admissions range from one out of 6 applicants to one out of 15 depending on the particular program but they're highly selective. I just finished the one joint with Computer Science and there are people with perfect GRE records on the quantitative side, and imperfect records on the verbal side, which selects primarily based on writing. There's a demand out there but yet the existing offerings so far fall short for a variety of reasons. To start with, Economics and Political Science are increasingly two sides of the same coin. I'm trying to think of an analogy today. If you're interested in economic development, basic economic policies, economic theory, econometric analysis, have given rise to fairly standard lessons. What happens is that people realize that these alone don't carry today. Understanding the way they're implemented, understanding political motivations, is actually more important. I think that's one of the reasons we see this rise in interest among our students. They feel that Economics alone is unsatisfactory in a way that students in Economic Development ten, twenty, or thirty years ago would have given a much shorter shrift to. Because of this blurring, there's a need to further integrate the programs, the course offerings, the advising, and that will lead in turn to the theoretical and methodical gains for students and faculty. At the same time, by bringing the departments together, we can avoid this incentive and provide the expansion of coverage of some of our practices. I'll get to that in a moment. And then there's simply the marketing case. I think that many of our students who are currently in our

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Economics Master's programs intend to go into a PhD and intend to go into "industry," that is, not PhDs, that is either domestic or international development jobs, who find themselves hampered by their absence of a Political Science background. There's a suspicion, quite recently, that they might be choosing applying to Political Science PhD programs because they are afraid they can't get into an Economics program or some other reason. It's not truly their first choice because after all they're in an Economics program. They also tend to lack certain skills and awareness that many employers are looking for. So on the one side, I think there are weaknesses in the current set up. At the same time, Political Science is becoming much more technical both in terms of mathematical modeling and statistical technique, and econometric technique over the past fifteen years. There's demand on that side as well for people who have more rigorous mathematical training and good Economics background. Again, I'm finding these were not things I have an insight into. PhD students in Political Science are coming over and saying they would like to do their Master's in Economics, and I realized there's some market force out there that's driving it. And then, like I said, there's a variety of career paths out there also. The case is that first, by having the joint program we will provide a better signal. There's also this incentive program. Namely, so far, we've been placing people into doctoral programs in Political Science by leaning on the Political Science department and it's not clear how much work they'll do for free for forever. So just in case, I think really arranging dual advising is really important in this. And finally, from the Economics side, we've been extremely successful, it's not a secret, I couldn't imagine when I came here a dozen years ago that I'd be involved in a

program with 900 applicants for a Master's degree. However, economists don't like there to be a single monopoly so we've attracted a lot of competition. There are about 8 or 9 Master's programs that have started up in recent years and we simply need to stay ahead of the game. The programs in Statistical Science with Computer Science have contributed a lot to this, especially the new one that just started at Columbia University. I think to be competitive we need to be one step ahead. Duke's unique advantage over every other university is we're truly interdisciplinary. No other school can really copy what we do but we have to take advantage of our strengths. So MAPE is designed to solve all three problems. What we're not about, I really want to emphasize this, is simply finding new ways of increasing Master's program enrollment or increasing revenue for either department. in fact, because of rising competition elsewhere, Economics will gradually ramp down its core programs to some extent as these other programs come on to maintain a fairly constant or slowly growing total enrollment package. If we simply wanted to increase enrollment, we have 800 students who aren't admitted, many of whom are qualified. In terms of the program design, it's fairly simple. We have a lot of objectives. It's a four semester program, possibly with some summer either internships or additional work in the field or research at Duke. The analytical skill acquisition that we want people to gain is a good background in economic theory and political modeling, gain theory and econometrics and statistical techniques. It's a mix of empirically oriented courses and theory courses in Political Science, at least one I teach in Economics, and it would also include research experience. Economics has expanded greatly. We have a program where a very large percentage, my guess is

about two thirds of our Master's students will eventually work as research assistants or as TAs. By the way, it's not just Economics. Public Policy and Business and Global Health are also major employers of our students. And then the other thing we want to be our focus, we will have people going into industry. And that's actually good because people in Political Economy need to have some experience in the real world so getting them out for a couple of years is a positive. Ultimately, though, we're aiming on successful, top quality PhD placement for the students participating in this program, at least for most of them, not necessarily all of them. Requirements: standard Master's degree, 30 credits, 12 in each program; that is a Graduate School rule. Given what we're requiring of them, it would be impossible to imagine otherwise. Political Science would include core graduate foundations courses in analytical methods, empirics, some electives. Economics would be core econometrics, at least two semesters of econometrics. And at least, if not more theory classes. The word thesis is a slight misnomer because I don't think we have theses anymore. A major research project would be conducted during the fourth semester and would be jointly supervised. Again these elements are already happening for existing students in both departments. And then as the program becomes solidified, we envision a likely joint seminar that would be co-taught. Faculty participants: there are a lot from both departments. The finance logistics: this is a small program. We're talking only about 5-7 students per year. I guess the example that comes to mind is the joint program with Computer Science which is also severely constrained. It's not financially oriented. As of this morning we have 6 students entering from all over the world. 5-6 was the target. We're not looking for a wide program, we're looking

for a really high quality program that will ultimately further enhance our departments' and university's reputation. Innovative, of course. Revenue sharing: we anticipate that 50% would go to the Graduate School, each department would share 25% after financial aid, operational costs split between the departments. If we do this, we just have enough. The bottom line down here is that for year one, hopefully 2016-17, the Graduate School would get net revenue about $90,000 and the Economics and Political Science departments would each get a total of $1300. So the 50/25/25 split just covers cost of the first year. It becomes slightly larger because you have second year students staying. The Graduate School's net revenue would rise to, actually it's gross, they must have a few expenses, to $166,000, in year two, and Economics' and Political Science's net would rise to $6,000. Not doing this as a cash cow for us. The program can cover its costs immediately, I'm confident in that, we have no trouble generating good applicants, we know the demand is there. It's not going to generate noticeable surpluses to either school, that's not our objective. However, it will generate a substantial, not vast, but a real $100,000 here and there and it does add up to real money. Contribution to the Graduate School and Arts and Sciences. That's really it. I have additional slides, I can answer your questions, I can tell you more about what topics are covered and why it's important.

Karla Holloway (English): I'm wondering, you mentioned some programs at Columbia and you also mentioned that this has been talked about for several years. And so since some outside perspective is always helpful, I'm wondering if you've had a department review, and what it said about expanding Masters programs, both

for Economics and Political Science. Sometimes these outside reviewers comment on potential future directions for departments. So what is happening for Economics and Political Science in this regard?

Becker: I can't speak for Political Science and unfortunately Pablo Beramendi isn't here so I can't speak to that. We had a review in Economics four years ago and they were happy with the idea and indeed endorsed the expansion. Keep in mind we were reviewed by economists. Our department strongly endorsed this because we've found that Master's students have enriched our program in so many ways. They're really excellent research assistants, making them more available, more students available, and our department has grown substantially, although our PhD student body has shrunk slightly. So it's important in that respect. And then they've been highly successful. When we look at our PhD placements this year, we're astonished by it. We have two people going to Stanford, two to Chicago, one to Harvard. It's not all Economics. A lot of business fields, Public Health, Health Economics, Political Science placements at Minnesota. We have eight people staying here at Duke of our 34 and they're not just in Economics. There are people going into Finance in Fuqua, in Nicholas School, Political Science, and Statistical Science.

Holloway: Just in the way of follow up, unless I misheard the report, some commentary about these rigorous reviews that these departments go through, the amount of time spent with them. It might be helpful when we get these new programs to see what reviewers had said about potential expansion so including that kind of reflection in the report could be helpful. I think it's certainly been

rigorously reviewed with the appropriate bodies, one more commentary in that regard.

Kathy Andolsek (School of Medicine): I'm curious, given the attempt to expand the opportunities for interdisciplinary work, what the thoughts are from Sanford, particularly from the Master's of Public Policy group, or perhaps Fuqua, with some of the Health Sectors Management group, in terms of opportunities for classroom time, courses, mentorship and research opportunities. The second question is with concern to student indebtedness levels and the cost of tuition for a two year Master's. It may have been on that spreadsheet that I missed but the amount of scholarship support that you will provide?

Becker: We don't have letters from Fuqua or from Sanford. The Director of Graduate Studies at Sanford I believe was Charlie Clotfelter until recently. Sanford is a major employer of our students and I guess Charlie Clotfelter was the director and he and Sunny Ladd have, for many years, hired our graduates for a year or two, sort of post-Master's. So I think that we have a very healthy symbiotic relationship with Sanford. I think Fuqua even more so. We don't have letters, being that Political Economy doesn't really interact with Fuqua. We don't have a clear number, but I believe that 30 or 35 of our students are working at Fuqua. We're really dependent on them. This is small enough that it's not going to impinge greatly. Our students serve as TAs and RAs across the professional schools with a very close relationship with Global Health. I'm meeting with John Bartlett and some of his associates the week after next to talk about how our students can become involved in some of the DGHI new initiatives. It's been a wonderful opportunity for our students.

They've been super helpful. I think this is providing goods insofar as the rest of the university cares about Political Economy. In terms of financial aid, we anticipate average tuition waiver of 33% in these forecasts. We give a lot of financial aid. Our goal is to make sure people can somehow survive Duke tuition. At the admissions level, this can be heartrending. We get these letters and stories from people saying, "My parents earn $250 a month. What can I do?" We have people in our current Master's program who are on full financial aid. Scholarship, not loans. Full tuition waivers, plus the opportunity to work. We have people whose official addresses are (for one person) a refugee camp. We have people who are not documented who are on full financial aid. So we do make a really strong effort at that and we get a certain amount of pushback from the higher levels about how much financial aid we give and they can address that but that's a real deep concern for us because we're trying to get the very best and brightest in. Indebtedness is not as big a problem in Economics and I believe this will be the case in Political Economy because salaries are fairly high when people get out. I would anticipate that if people go into research, their median starting salaries right now are about $50,000 a year. If they go into industry it will range from $70,000 to $100,000. So it's not a ticket to wealth. Most of the people we admit could have worked or gotten MBAs and gotten much wealthier but it's not about poverty. We're committed to making it so that they do not leave here hopelessly indebted.

Josh Sosin (Classical Studies and History): I'm intrigued by the idea of taking advantage of pairings with other departments as the need seems to emerge in particular with the commitment to not

raising the total number of students but have commensurate reductions within both departments to accompany the new endeavor. So I wonder whether you have in mind whether it's even possible to be strategic about potential future pairings or whether you're comfortable being opportunistic? I'm struck by your comment that it sort of crept up on you how obvious and urgent the need was. Do you imagine expansion and contraction along with changing demand?

Becker: The first of these joint programs was with Statistical Science. And when I say opportunistic, that sprung up when I was bicycling along out there by Jordan Lake and I discovered that the grad students in the departments were holding a joint picnic. I thought, "Oh, maybe there are some synergies here that I didn't know about." And that program this year had 220-some applicants so I don't see it contracting. The joint program with Computer Science is smaller but again the applicant pool roughly doubled in its second year. So don't see it contracting either. I'm not authorized to say this, so this is me speaking, not Political Science or Economics.

Richard Brodhead (President): Uh-oh… (laughter)

Becker: I think shrinking our core and expanding this takes advantage of Duke's inherent interdisciplinarity. I think it will be a lot of fun. I think as a competitive economist we beat our competition, which I like, because no one else can begin to imitate it, but also just involving a larger number of faculty. It's not every program at this university and there must be some programs that are not swamped and could use additional research assistants and so on. The hard parts are getting our

interdisciplinary programs with different schools outside of Arts and Sciences. It would be really cool to do one with Nicholas School, for example. It's a greater effort. If we can figure that out that would be wonderful, partly because of my own background, I would love to figure out a way to do something with some of the languages.

Grainne Fitzsimons (Fuqua School of Business): How do these students compare with students accepted into your PhD program? Why do students apply, if they plan to go on to PhDs, to a Master's program and accumulate some debt rather than just go directly to the PhD? I'm just trying to understand.

Becker: Some of them want to go to programs other than in Economics. In fact, close to half of our students will go to non-Econ PhD programs. So we have people going to accounting PhD programs at Stanford, Chicago, and Harvard. If you go to finance or accounting or something like that you get paid twice as much with a PhD as in Economics. So those people have financial incentives. Plus they have different interests. We also have some people who want to go to Economics PhD programs who believe they can be placed at a university above Duke. That doesn't always work out but our best placements are at higher ranked departments. We have a large number of people who come in and they are really bright but they have some hole. Either their English is lacking and they have no presentation skills, or they have great quantitative skills but they have no research background, or they've done a lot but they have holes in technical areas. There's some hole there.

Don Taylor (Sanford School of Public Policy/ ECAC): I can give an example. So in Sanford, one of the candidates didn't get the job, did this program and then got a PhD in Public Policy at Harvard. So it was a student who didn't have a lot of economics background but was learning some economics to be competitive to get a PhD.

Becker: She's a good example. So when she first wrote, she had almost a tabula rasa type slate because she had been a general Liberal Arts major and we rejected her and told her to go back and take some math and apply again and she did.

Jane Richardson (Biochemistry): It seems as though a lot of the things we're hearing, particularly from you but then with some of these other programs too, make me think that Duke ought to try to invent a mechanism in general for doing joint programs that don't have to be a separate program that can reach out in much more flexible ways to a variety of departments. It wouldn't be an easy administrative thing but it seems to be what we need.

Socolar: I hope Sally (Kornbluth) will read the minutes! (laughter)

Becker: I'm not disagreeing. In fact, that's not my decision to make but one of the things I really hope that we have in the next couple of years would be joint admissions and the possibility of applying to several programs with the same list of priorities. There are clear efficiencies there to be gained. More synergies; maybe that's something that can be worked out with the Graduate School rather than making it a big institutional thing.

Richardson: We have some of that at the PhD level.

Garnett Kelsoe (Immunology): I'm just

curious; it's a small program so practically this is not an issue but if the recruitment, if I understanding it correctly, it's a sort of zero-sum gain. There's no total increase in new students. The revenues are split between the two departments and the Graduate School, which is fine as long as both programs symmetrically lose students to the new program. But if the asymmetry pushes strongly to one program or the other, there is a revenue loss in one program compared to the other. Is there a mechanism for dealing with that or is that just not really an issue?

Becker: I don't think it's a real issue, because Economics is much larger I think we would make sure Political Science didn't take the hit…

Peter Feaver (Political Science): Could that be reflected in the minutes?! (laughter)

Brodhead: I think your recollection will be enough. (laughter)

Becker: We had this incredible run of both job placements and PhD placements this year and we want to build on that. If we find that the President of the University tells us that from now on, maintenance costs for our building fall on us, then we'll think about finding some other ways of raising revenue.

Socolar: Thanks very much, Charlie. I'll remind you that this is a two meeting issue. We'll vote on this at the May meeting. I mentioned earlier the slate for the ECAC election, and I think everyone is here now so I'd like the candidates to stand just so you can see who they are. Trina, Emily, Constance, Grainne, Chris, and Josh, would you stand? (applause)

BIANNUAL UPDATE OF THE SALARY EQUITY REPORT FROM THE ACADEMIC COUNCIL'S FACULTY COMPENSATION COMMITTEE

Socolar: The next item on our agenda is the Faculty Salary Equity Study which is conducted by the Council's Faculty Compensation Committee. The Provost's office has provided salary information for this study every other year since 2002 (though ECAC chose not to do the study in 2010-2011 because salaries were frozen in 2009 and 2010).   For the 2012-2013 study, the FCC, led by Merlise Clyde and Dalene Stangl, developed a new statistical model for analyzing the data. A slightly modified version of that model was used this year.

The members of the FCC this year are:

Chair Jerry Reiter, Statistical Science
Merlise Clyde, Statistical Science
Sunny Ladd, Public Policy
Patrick Wolf, Biomedical Engineering,
Jon Fjeld, Fuqua School
Pat and Jon are also members of the Council.

Fan Li, Statistical Science, also deserves substantial credit. She was recruited by the committee to help with the data analysis.

Jerry and Merlise, the floor is yours.

Jerry Reiter (Statistical Science): We're going to present the results of the study with two speakers. You'll have to listen to me, unfortunately, for the beginning, and then Merlise will come up and finish the analysis. My goal is to introduce the big picture and Merlise will get into the details of the analysis. As Josh mentioned, every two years the Faculty Compensation Committee is charged with conducting this

salary equity study and our goal is to look for evidence that average salaries of Duke faculty members differ systematically by race and by gender. I do want to point out that any salary equity study results, whether they're this one or two years ago, should not be interpreted in a causal way. This is purely descriptive. This is essentially reporting the news and shining lights and waving flags. We are not saying for any finding that this is evidence or lack of evidence that there is some sort of discrimination. We can't make any sort of causal claim because the data don't support those kinds of causal claims. It is just a descriptive picture of certain groups simply making more or less than other groups. Josh mentioned the members. I'd also like to thank Kim Harris, of the Provost's Budget Office, for being part of the committee ex officio. The data that we used in the study are basically all tenure track faculty. The data were given to us by David Jamieson-Drake and Kendrick Tatum (from the Office of Institutional Research). We're excluding faculty who are in primarily administrative roles or who left the university during the year. So if there's a faculty member whose role is more than 50% administration, they are not in this analysis. We're looking only at tenure track faculty. That's the data we have. We don't have data on research faculty or professors of the practice. We do want to thank David and Kendrick for being willing to work with us doing a bit of data cleaning and looking for odd values in the data, strange salary amounts and telling us reasons for those. We were able to make decisions as to whether to include that as a valid observation or not. Just to give you a snapshot of the data, here's what the sample size looks like. You can see this broad brush that we have looking at the gender ratio by rank that we seem to have more imbalance as we go up the ladder.

Looking at the race categories, these are all self-reported by rank. The main thing I'll point out here is the really small sample sizes for Black, Hispanic, Native American, or two or more. Those small sample sizes actually led us to make a statistical analysis decision where we essentially combine all those individuals into one multiracial group with the label "underrepresented." This is a break from previous salary equity study analyses. In the past, Asian, Black, Hispanic, Native American, and two or more were all lumped into one category. But we felt, looking at the data and given the decent sample size for the Asians and the interest with the diversity committee that it was worth breaking it out. You'll see some different results after we break it out compared to what we've seen previously.

Socolar: Can you just remind people which faculty are included in the study on the Medical side? It's not the Clinical people.

Reiter: Right. There is something here called Clinical Sciences. Those happen to be the folks in Biostatistics and Bioinformatics but it's not the Clinical Science folks. 969 is a number in your head. This is gender by division and the story here is that it's a fairly consistent percentage across the divisions, about a fifth or a fourth or so. The notable exceptions are the School of Nursing, which has 83% female faculty in this study, and Humanities is close to 50/50. In terms of race by division, it's a fairly consistent story. If you look at the counts and percentages, the percentages are all hovering around 80% or so Caucasian, and then, as you can see, the small sample sizes for the underrepresented groups. That gives you kind of a picture of the data that we're analyzing. What's going to be our overall analysis plan? The question of interest is, is there any evidence in the data that average

salaries are differing systematically by gender or race? And by salary here we're talking about 9 month base pay or 12 months for Basic Science or other divisions or departments that have 12 month appointments. So every salary is on the same scale. We're excluding all supplementary pay for department chairs, etc. We're going to break out the analyses separately by assistant professors, associate professors, and full professors. We made that modeling decision because the relationships are quite different when you look at the different ranks, for example. Just the uncertainty and the variants and the spread in the salary amounts are quite different for different ranks. So it doesn't make sense to lump them all together into one big analysis. We're going to do the analysis using regression modeling and this will be my last slide before I hand off to Merlise. Regression modeling, for those of you who are unfamiliar with the idea, is essentially used to predict an outcome from several factors that we think could explain what that outcome is. In this case our outcome is salary and we'll talk about what factors we're including in the model. We are not just going to compare group averages. We're not just going to look at the average salary for male professors and compare that to the average salary for female professors within a given rank. The reason why we're not going to do that is because it's a terrible way to do the analysis (laughter). You can make up all sorts of illustrations why that is the case and here is one I just wrote down which is actually true. Let's suppose that there are more men than women in large departments, departments with lots of faculty, where those faculty happen to earn higher salaries due to market conditions. Well then, if we compare the average salary of men to the average salary of women, we'll be confounding the effective

department hiring practice and market conditions with potential gender differences in salary. So just looking at the averages is not such a good idea. The Chronicle of Higher Education, for those of you who read that article comparing male and female professors' salaries, looked at averages. So don't look at that table, it didn't work. Not for the male/female anyway. So we're going to use regression modeling to ask questions like, among faculty members with the same background characteristics, do women tend to make more or less than men? Among faculty members with the same background characteristics, do underrepresented faculty tend to make more or less than Caucasian faculty? Those are the key questions that we're going to be interested in, trying to control for these other variables using regression modeling which Merlise will now take us through the modeling strategy as well as the results.

Merlise Clyde (Statistical Science): This podium hasn't gotten any shorter (laughter). Just a little bit about the statistical methodology that we're using. As Jerry mentioned, we're using regression models and in all the models, the variables we're considering are the gender, so an indicator of male or female, we have race indicators, and as he mentioned before, we're breaking this down into Caucasian, Asian, or underrepresented groups. In all the analyses we're using the Caucasian and males as the baseline or reference group. We include indicators for all the departments, we have variables for the time in rank that the individual has spent here at Duke, and one of the variables that we include is the rank at which the individual was hired. So we found that last time we did the analysis that was very important. That is, individuals who tend to be hired in, say, as a full professor, but

there was a salary differential compared to people who had been promoted from within the university. We have indicators for whether or not someone is a department chair and then also indicators for whether or not someone was a distinguished professor. The methods that we're using are a variation on regression models. They're called random effects models, basically allowing for variation among the departments. We use a log transformation of salary which is kind of a standard method, particularly for economics. We use logs of salary data to make assumptions make more sense. And we're using a robust regression technique because there are salaries for individuals that may be larger than can be explained by typical Gaussian or normal distributions, some that might be smaller. This allows us to estimate, say, the average or typical salary without having those individuals influencing the analysis and we don't have to go through and systematically check for those values which can introduce more subjective bias in how we would do the analysis. For the assistant professors we have a total of 181 individuals. The independent variables that we're using at this stage of the model include the gender, the race, the department, and then the rank at hire. There are individuals who have come in as lecturers, some have switched from maybe being a POP to a tenure tracker or vice versa. So we're looking at those variables as well. As one might expect, there is a lot less variation for assistant professors. This model explains about 97% of the variation in the log salaries so it does a pretty good job of accounting for salaries. We have two ways to explain our results for gender and race. So for those who like statistics with pictures, they can look at the top part of the slide and for those who like numbers, you can focus on the bottom part. I'll go

through the graph here at the top. What we're interested in here are the percent differences in salary. On the X axis we have the percent difference in salary because zero is the magic number. We would like to have no differences. Everything is perfect, there are no differences between men and women, and there are no differences between any of the races, so that's what we're shooting for. The dots here represent our best guess or best estimate based on the data. So if you want to see the actual number for that, that's down here in the tables. In terms of the estimate for the underrepresented group, our model is saying that there is 0.8% less in terms of salary but there's uncertainty. This model is not perfect. We don't have everything included in terms of measures of productivity; we don't know the number of papers the individuals have written, the grants, the number of books, so there's a lot of variation that the model can't account for. In terms of uncertainty, we're more or less 95% confident, or we would say 95% probability that the difference in salary can range from as low as -4.2% up to 3.5%. So they could earn 4.2% lower up to 3.5% higher. So there's a range of values for the underrepresented group. The main point is that, if you see zero in the interval, we're doing okay. That's what we're looking for. For Asians, we're finding in this case for the assistant professors that Asian salaries tend to be, on average, higher than Caucasian salaries. All of these are compared to the Caucasian group. Again, when we go back and look at this, it turns out, we don't have a real reason for that, but when we go back and look at different groups, there may be indication that in one of the departments there are a larger number of Asians that have higher salaries and that may be driving this effect. Again, after this analysis is done, the Provost's office goes through and looks at more

details. We're not worried about having a larger salary, what we're worried about is systematic underpayment. In terms of females, the number here is roughly 2%, or 1.6% lower. The interval goes from -3.7% up to 0.7%. So we're not finding any sort of systematic difference due to gender or race with the underrepresented groups. We've repeated the studies over several years and so this is just taking the percent difference plots and then flipping them on the side. So what we've got is for the analyses from 2012, 2004 up to 2014, we have our interval estimates. Here is our best estimate of what the difference in salary is. Here is our interval for the zero line, indicating where we would like to be. So the numbers have not changed that much from the previous time we did the salary study but we still have intervals that include zero in there. But again, what we had before was about 3.7% up to 0.7%. For race, the previous studies combined all of the racial groups; African- American, Asian, Hispanic, all into one group as non-Caucasian. Those were all lumped together and so the plots systematically indicated that the non-Caucasians had higher salaries, although, again, there is no real significant effect there. Now what we've done is we've broken them out into the two groups. So we have two separate interval estimates for race. For associate professors, we have a larger sample size. We have 226. We have the same types of variables as we had before. This model explains 84% of the variations; not quite as good as the assistant professors. There tends to be more variation the higher we get up into rank as might be expected. As we had before, we have our interval estimates up at the top in terms of the pictures and now we have the estimates down here at the bottom. Estimates for female starting here are fairly close to zero. For Asians, the intervals are including the zero line here, and now underrepresented actually have on average around 6.9% higher in this case. Again, these are small sample sizes. We only have 22 individuals that are in this group in here. Again, it's above the zero line. Similar in terms of trends: here we have from 2012, we can see that, in terms of gender, the female salaries have increased. It looks like it's getting closer to our zero line. There are similar uncertainties as we have had before. What we'd really like to see is that these intervals are just kind of noise, with nothing going on systematically, things going up and down in variation there. For associate professors, here again is the trend plot that we've had for over time and these are all combined groups of Caucasian and non-Caucasian but now we have them broken down by underrepresented and Asian. For full professors, this is a combination of all full professors and then we will break this down by full professors and then separate out the distinguished professors. We have 562. This is the largest group in the university. We have the same variables as before, except for now that we've added department chair and distinguished professor as indicator in here. 76% of the variation can be explained by the log salaries. Similar to what we had with the associate professors, what we're seeing is that for underrepresented groups, there is a market premium, there are higher salaries in the underrepresented group. There doesn't seem to be any real difference between Asians and Caucasians and for females versus males, the intervals still include the zero line. In terms of the trend, one of the findings that we had in 2012 was that there did appear to be a difference between males and females. So the line here was below zero. This has now moved back up. So that's a positive finding that we had this time. For full professors, these numbers aren't going to be

comparable to those but we can see that having underrepresented groups and then the Asians broken out; grouping them together was probably masking a lot of that previously. If we separate out distinguished professors from the rest of the full professors, there are 251. This is another one of the things we did last time. It hadn't been considered in the previous studies. This model explains 73% of the variation log salaries. We don't need to include the indicator of whether they're a distinguished professor now. Underrepresented groups, here we have on average about 15% higher than Caucasians. The interval is still fairly wide. There's a lot of uncertainty in our estimates. So it could be anywhere from 2.8% up to 28.5%. we only have nine people here, so everyone talks about big data (laughter), there's still a role for small data. Here we have Asians, again very close to zero so no real difference here. And then females, very little difference in terms of distinguished professors between females and males. If we look at the full professors without the distinguished professors, there are 311. This explains 68% of the variation. This is probably the noisiest group that we have. One can imagine some of the faculty here have been here for 30 years; their salaries are all over the place. This is the hardest job in terms of fitting the data here. When we look at the underrepresented groups, there is virtually no difference here between the underrepresented groups and Caucasians in the full professors without the distinguished professors. Most of that difference between the underrepresented groups and Caucasians is being driven by our distinguished full professors, it looks like. Here again are Asians; this seems lower than what we had before; a fairly wide uncertainty measure here. Here we have the female professors, this is down to -2.4%, but fairly wide uncertainty also.

Looking at summary, we really are not finding any sufficient evidence in any rank to find that the average salaries differ systematically for men or women after we adjust for the available background characteristics that we have. Once we account for the departments, time in rank, and these other factors, we're not finding any systematic differences. That doesn't mean that individual salaries aren't different in that there are individuals who may be paid lower. That's a separate analysis that is done after this. What we're looking at is the average trends across the university. The FCC finds that there is some evidence at the associate and full professor ranks, that the average salaries are higher for our underrepresented groups' faculty members than for Caucasian faculty members after we adjust for the other independent variables. At the assistant professor rank, average salaries are higher for Asian faculty members than for the Caucasian faculty members after adjusting for the available background characteristics. There are lots of different reasons for why there can be differences. Teasing all of that is beyond what we can find in terms of data. There still can be lots of other factors. This is, as Jerry would say, our reading of the news that's in the data. At that point I'll stop.

Socolar: Questions for Jerry, Merlise, or Fan?

Roxanne Springer (Physics): I have a question for Merlise. In almost all the years, except for the one in 2012, the whiskers overlap with zero. But what I see is that the median is almost always below. So I want to ask, what's the probability, given that you would think there should be just as many above as below, that in fact I think I only saw two in the ten years for all three cohorts.

Speaker: Could you repeat the question?

Springer: Really?

Clyde: The question, if I can get this correctly; Roxanne's point was that she's noted that the median estimate is below zero systematically.

Springer: It would be like if you tossed a true coin, what's the probability that you could throw that 30 times and obtain 28 that are heads.

Clyde: So in this case, with associates, we have some that are above and below. At some point, these are not independent because faculty that are here, some of these are still in this cohort. Some of the individuals that may have been in this group, though may have exited this cohort and are now full professors. Answering that precisely of what's the probability, are we seeing something systematic, I'm not going to put a number on that. One of the things that we had intended to do when we started this at the beginning of the year with the FCC was to do a longitudinal analysis. That could get at that question by using repeated data for getting at this sort of systematic effect; are increases over time different? In terms of uncertainty, we can't just multiply these intervals together and come up with probability because they're not independent intervals. Some of the same individuals in the data are used repeatedly across the years, particularly with the full professors.

Dalene Stangl (Statistical Science): One of the questions that I had the faculty ask me over and over again is, since there is no sampling in this data, what are these whiskers representing?

Clyde: We do have a population. But we're fitting a model. So the model is not perfect. Think about: data = model + error. Some of that error comes about because we don't have data on faculty productivity or other factors that go into the salaries. So there is some of that that gets into, we can think about sort of random variation that the model is not capturing. So this is kind of an average that gets at part of that.

Stangl: The question that the faculty has asked me though is: If this is a random sample of 800 faculty or however many it is, and it truly was a sample, would we come out with the same length on those whiskers as we are in the sense of the population?

Reiter: I'll add to what Merlise said. Now the social scientist in me comes out. This is of course a real issue in Social Science analysis which is, we try to fit models to censuses. This is a census; this is a population. Social scientists do this all the time and they're always fitting standard errors on these sorts of things. What we're doing is thinking about this data as a hypothetical realization from what we could have done. Who Duke could have hired; what could have happened with promotions. That's how you think about it as a random sample. In a sense of context, it's the only way you can. If you're going to have standard errors. Otherwise, you're right, these are just exact point estimates. I think, at least as a process, potentially, is there systematically going on? Is there a process that's happening that we're trying to discover? To me that's a question about, if you think about some hypothetical super-population generating this data, what do we see? What's the likelihood that there could be?

Clyde: Just another way to think of it: If you took all the data, if you were to go back and randomly assign gender and race to each of the individuals, we could try to do that type of analysis, that gets to be very complex to try to do one of these randomization types of methods to look to test for differences. Instead, we use a model to approximate that. So that tends to be pretty close results.

Holloway: This is the humanist in me coming out. Can you help me understand what it means to have aggregate categories of underrepresented and Asian that include both men and women? And then a category of gender which is just women. So to compare gender to underrepresented which could have both men and women in it, how should I look at that and understand that since you could fit in both categories?

Clyde: We're trying to predict the salary. We're trying to say, what is the effect of being male or female on your salary? Everybody in here hopefully can be classified into being either male or female or identify that way as either male or female. We can also have all the different racial groups that we put in. So if everyone fits into this cross-classified box that Jerry had at the very beginning, you can think of that. For gender, if males do earn more, that may add, say 2.8% to your salary. That's basically what some of the findings were for males. So if you're male, you might get 2.8% more. If you're in one of the underrepresented groups, then maybe you got 15% more. So basically, when you take your base salary, what these effects are doing is an additive or multiplicative model in this case, you would just be multiplying and getting these effects added. Or on the log scale you would be adding. You're getting additional bumps for each of these

different effects on there. If that makes any sense.

Harvey Cohen (Clinical Sciences): When you do the analysis for male/ female or for Caucasian/ underrepresented, do you control for the other? Is the analysis for race a control for gender?

Clyde: Exactly. Like Jerry was saying, we're not just taking comparing straight averages, we're adjusting for the gender, we're adjusting for the racial groups, we're adjusting for the time in rank, we're adjusting for the department, all of those. So, it's a multiple regression.

Warren Grill (Biomedical Engineering): In past surveys, there was a significant effect of time in rank to the detriment of faculty who had been here for some time.

Clyde: And that's still there.

Grill: And the fact that there's attrition going on and recruiting faculty at higher levels. How big is that effect now?

Clyde: I don't have the numbers here, that's still a pretty big effect. In fact, one of the things that I should add is whether or not there's an age discrimination in the studies. Right now the committee's charge is to look at gender and race but time in rank is still, at all of the different levels, having a negative effect. So the longer you're here, the lower the salary tends to be. It goes down. Basically, people who are hired more recently tend to have higher salaries.

Alex Rosenberg (Philosophy): It's hard to extract from looking at the graphs, the trend, particularly for gender. Can you comment on the trend over the period since the studies began of the spread

between women's salaries and general salaries?

Clyde: One of the things is that at this point in time, the methodology changed. So it's hard to say whether or not the variation here is due to the methods changing versus there being something systematic that's changed within the university that has led to narrower intervals.

Nan Jokerst (Electrical & Computer Engineering): Thank you for a really wonderful amount of work that you've done and great data. The Chronicle of Higher Education published some gender based salary differences and I know, Jerry, you said we brought this up in ECAC, but I've had young female assistant professors come to me and the Chronicle published data that says they're paid 82% of what our male faculty are paid and that puts Duke in the lowest 10% of over 1000 universities. That embarrasses me for Duke. Do you have any hypotheses about what could be the cause of this? Do you think that data is true? I would like to fight this data if what their data has is incorrect.

Clyde: If we just take averages, it's 85%. Aggregating, ignoring the departments, ignoring any of these other factors, that doesn't take into account the different ranks.

Reiter: We haven't looked at some of these other factors like at Columbia and Harvard and all those other places. But some of those examples that I mentioned where, Charlie, you'll have to forgive me, but the Economics department has 80% men. I don't know if that's the case in other universities, maybe Charlie can speak to that, but if that's not the case in other places, Economics and Arts and Sciences tend to have the highest salaries, everyone

can guess that. But if that's not the case in other universities, I don't know. That's a complete speculation. I really don't know. And I don't know the quality of the data that's coming out from these places. My answer was going to be no, I don't have a hypothesis.

Jokerst: Is that something that in future years we could try to investigate? Or is that beyond what the data would allow you to look at?

Clyde: We can look at, we can try to replicate what is there in their study and try to see if we can get the same numbers. But comparing and saying, what do the other universities have, that's data that we wouldn't be able to have.

Jokerst: I mean more from a demographic data standpoint if we do have our highest paid faculty with our lowest percentage of female faculty, understanding where those numbers are coming from I think would be very nice.

Clyde: I think I did an analysis last time of looking at that. So there definitely are differences in gender across departments. And that's related to salary. That is something that trying to get more women in certain fields, higher paying fields, would help with that.

Grainne Fitzsimons (Fuqua School of Business): Do your control variables interact with the main predictors of interest, gender and race? I'm just curious because that's something that might speak to Nan's question potentially. Do you group them into categories? High- or low-paying departments, something like that. Maybe you could construct an interaction term?

Clyde: A lot of it is with the sample size and trying to be able to fit different effects by department by gender and such. It's one of the things that we could potentially do with the random effects models and given a little bit more time, maybe version three of the model next year will look at that. We tried to explore some of that previously and didn't see some of those interactions. But it's something we can continue to work on.

Nancy Allen (Vice Provost, Faculty Diversity & Faculty Development): I was just going to comment on Nan's question. The way David Jamieson-Drake and Institutional Research can explain some of this. There are fewer women in Economics, Law, Pratt, Fuqua, etc. That's what brings it to the 80%.

Jokerst: Thank you, Nancy.

Springer: Despite the caveats, as long as the caveats are provided, I would like to see all of these aggregate averages because you already said, we're not supposed to draw any conclusions about the salaries. But the fact on the ground is that we have a lot of disparity on campus, for whatever reason, in the Economics department, the Nursing department, whatever it is, it's useful information.

Reiter: Could you clarify? Do you want to see the averages, the grand average, or by department?

Springer: I want to see the averages you were belittling at the beginning.

Reiter: Oh, the 85%. It's 85% for assistant professors. That's the average female salary divided by the average male salary. It was less for the others so we focused on the assistant one. We'd be happy to give those to ECAC.

Socolar: If people have questions about the data or if you want to make a query that wasn't discussed here, send them either to Sandra or me, and I'll relay them to the committee and they'll either get the number or tell you why they can't.

Stangl: Will the model be made public as they have been in the past?

Reiter: We will send the presentation to ECAC and make it available to ECAC if they so desire.

Stangl: The actual regression coefficients have been made public in the past.

Reiter: If you want them, we'll give them.

Carlos Rojas (Asian & Middle Eastern Studies): To follow up on Nan's point, when we had the presentation on hiring, comparing Duke with peer institutions, the 85% is meaningless to the abstract as a single number, but that would allow us to compare with peer institutions more effectively in this model which is impossible to compare with anything because you don't have any comparable data and you're not doing the analysis of other institutions the same way. So that's why I think counting that number would allow us to do a more straightforward institution by institution comparison for how we're matching up. You wouldn't expect there to be great disparities in terms of the related weighting of gender in different departments across peer institutions if you look at a large enough sample.

Clyde: We can probably provide the averages by divisions because that gives a little bit more information that would be relevant but when we start to get down to the department level, then we start to get

into privacy issues so we're not going to get there.

Reiter: We can certainly compute those. I would caution, though, not to interpret those averages because there is so much other stuff that could go into those and just looking at them by themselves is risky. It might be fine, but it might be really terrible. I agree, there's a lack of data and that's a problem. But looking at something that is a bad statistic, I don't know is necessarily a solution to the problem.

Richardson: I think what Nan was pointing out originally is that it's a problem for us to talk to people about this. We ought to do something about seeing whether it really is a serious problem at Duke or whether there are other factors that we could use to explain it or justify it to somebody else. That may be very hard to do, but it's something we ought to try.

Reiter: I think this idea of making the model available and open to the public scrutiny is a good idea and that's essentially what we're trying to do at least for Duke. You're right, we can't do it for other universities. I don't think we'll ever get that data. We can't get data from Columbia on their individual faculty salaries.

Clyde: We can't get their salaries but we could probably get a data science student to scrub all the faculty names off the web and count how many there are in different divisions and then impute salaries for them and add them up... (laughter)

Reiter: She is now off the committee! (laughter)

Speaker: I actually found the report very interesting, thank you for doing it. I think

part of the subtext is that you asked a specific question which is, controlling for differences across the departments and salary, controlling for various other things, men and women. But I think the questions are saying, there might be other questions we want to ask. In particular, we want to ask, what does Duke look like compared to other institutions? Extricating what questions each analysis is answering might help.

Tal Burt (School of Medicine): In clinical trials there are non-inferiority studies which statistically significantly demonstrate that there is no difference. Is there one here? You showed that you did not find a difference. It may be that you simply have smaller numbers. But that does not mean that there are no differences. Is there a way to do a non-inferiority analysis?

Reiter: I'm not sure. I'll have to think about that. I will say that I like your point a lot. When people see non-significant effects, they often say no effect. That's the wrong way, that's technically wrong. We can't really estimate the effect accurately enough to rule out whether it could be positive or negative. Where is it? It could be anywhere. That's kind of the way I like to think about these things. That's the way I interpret the results. The number suggests slight negatives, but it could be anywhere. We just don't have enough data. I don't know how we get around that power problem.

Burt: I may have missed it in the data but we can combine, for example, women and underrepresented, which were consistently on the one side. Would that increase the power?

Reiter: All assistant professors are included in the assistant professor model,

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all associate professors are included in the associate professor model, so we're not pulling away certain groups to estimate these effects.

Burt: So, it seemed like the Asian group may have been an outlier in the sense that they were higher. So if you combine them in the whole underrepresented group, maybe it defines all the women in the other groups.

Clyde: The previous analysis did combine the underrepresented with the Asians, but they're going in opposite directions. So then it makes it look like, it's hard to know. Is that group higher because of Asians or is it higher because of underrepresented? You'll get a tighter interval possibly, but it could also be wider because you're combining things that are in opposite directions. It may look like there is not a significant effect.

Socolar: I'm going to suggest that if you have questions about the data or ideas about a different way to query the data, send those to me. If there's one last comment of a more general nature?

Helen Solterer (Romance Studies): It's a political and conceptual question. This is a salary equity study which is crucial but reflects only tenure rank. Coming from a department that represents a larger and growing number of non-regular rank and non-tenure on contracts, I know from colleagues across the university, this is true across divisions. I'm curious and personally would really militate for a salary equity study that represents the full work force here at Duke.

Socolar: We're going to have to move on. Thanks very much Jerry and Merlise (applause).

Clyde: I will say that there was a query about doing a similar study at the School of Medicine for the Clinical faculty so I think they're going to follow up with doing that.

REPORT FROM THE ACADEMIC COUNCIL'S OMBUDS REVIEW COMMITTEE

Socolar: I thought we might have a little extra time but it looks like we're going to be hard pressed just to fit in the last item on our agenda. I hope we don't have to rush it. That is, last spring, some members of this Council indicated to ECAC that they were uncomfortable with the structure of the Ombuds office. There was some confusion over the proper role of the Ombuds in helping faculty to handle grievances. Last fall ECAC formed a committee consisting of Professors Kathleen Smith from Biology, Tom Metzloff from Law and Rich Burton from Fuqua, charged with reviewing the Ombuds position and the relevant language in Appendix N of the Faculty Handbook. So Kathleen will now present to us the committee's report and we will have some time for questions.

Kathleen Smith (Biology): As Josh said, the committee was Tom, Rich, and myself. Tom has served as the Chair of the Faculty Hearing Committee for some time, Rich actually was Ombuds at one point and I've just been here a long time and didn't know anything about any of these processes (laughter). We definitely brought different experiences to the committee. As Josh said, our general charge was to compare the position at Duke with other institutions to make recommendations for necessary modifications and to look at a couple specific topics such as, should there be more than one of them? What are the issues for formal training and the issues of confidentiality? Our report was made

accessible to you so I'm not going to go into huge detail but maybe mostly talk about some primary recommendations that we made. We spoke to a lot of people at Duke. Josh, as you know, sent out a letter to the faculty in general asking for feedback anonymously. We received a variety of responses from very brief to very detailed and helpful responses. We also spoke to Ombuds at several other universities. We did some extensive work on the web about how it's structured at other institutions. So I think we have a pretty good idea about that. Our findings, generally: the Ombuds position at Duke is very different from virtually any other university, including most of our peer universities. I would say it's a very rare institution that would have a University Ombuds who is there to be an Ombuds for all members of the institution. So faculty, staff, and students go to a central office that is professionally staffed and run in a coordinated manner. At Duke we have a situation where we have a Faculty Ombuds who is appointed by ECAC and formally reports to the President, we have a Student Ombuds who works with students and reports to the Office of Institutional Equity, and then there's a Medical Center Ombuds who, in various places, is either there for faculty and students in the Medical School or the students and all post-docs at the university. It's not terribly clear. She reports to the Dean of the Medical School. So we have many different ones reporting differently. At the same time that means that there are many populations at Duke that have no access to Ombuds resources such as employees, staff, it's not clear. The Ombuds at Duke currently and also the Ombuds position as defined virtually universally are very different from what Appendix N describes. Appendix N has that position as a very formal, entre into the faculty hearing process. It has limited jurisdiction, it has a

very limited set of duties, quite formalized. In general, the role of an Ombuds is much broader than that. I'll talk about that in a second. Finally, I think the most fundamental question is, is having an Ombuds a good idea? I think our finding is, yes, that's true. We think that that's very positive. Our recommendations are, first of all that we can continue to have a Faculty Ombudsperson. I want to say, by that we mean, we want an individual who is a faculty member and it's currently defined as a faculty member or recently retired, which we think is fine to continue that. But someone who is a faculty member who can view serving as an Ombuds as a colleague and can deal with fellow faculty members as a colleague. The Ombudsperson is appointed by the Academic Council rather than the administration, for example, reports ultimately through the Academic Council, so really someone who is grounded in the faculty. We think that's a good model. We like that. We feel that Appendix N needs to be rewritten. We feel the Ombuds position in all its roles should be completely separated from the faculty hearing process. We feel that the Ombuds is, to some degree, an informal process, that the Faculty Hearing Committee is a very formal process, and that those two should be quite separate. We feel that the Ombuds should feel free and in fact it should be mandated to discuss a wide variety of issues with the faculty and take a wide variety of strategies to help resolve issues. The Faculty Hearing Committee is very formally defined to revolve around issues of academic freedom, discrimination, and due process. That is inappropriate for the Faculty Ombuds role. So we really feel that Appendix N needs serious rewriting. We think that our attitude towards the Ombuds and the way it is written in Appendix N, when it comes to rewriting that, should really be more in

line with not only the typical descriptions when you read virtually any other university's general description of what an Ombuds does, it should be written in line with that. I will say, in practice, in terms of talking to people who have served in that role, that is much more the attitude about how the Ombuds functions. Just to give you examples, in most places, you will find descriptions of what the Ombuds does and does not do. That's the best way to understand what's going on. For example, one commonly sees descriptions such as, the Ombudsperson is a confidential, neutral, and independent resource. He or she listens, discusses options, gathers information, explains policy, refers individuals to proper university resources, facilitates conversations, consults with university officials about trends, makes recommendations for institutional change when necessary, serves as a neutral party in mediation and conflict resolution. The words we hear again and again are informal, confidential, neutral, independent. We feel that's a really good description of having someone as a resource available to the faculty. It does not, and this is also important, make decisions about who's right or wrong, offer legal advice or psychological counseling, participate in grievances, testify, serve as a place to put the university on notice for claims and I'll come back to that, or serve as a particular advocate. An Ombudsperson is not an advocate, it is a neutral party that can come and look at an issue from a fresh perspective and we hope have the training and resources to resolve it. We feel that we definitely need to formalize the expectations for training, participation, professional organizations, interactions across the university, record keeping and reporting. This has been a position that sort of flies by the seat of your pants, there are no records kept, so each

Ombudsperson has kind of defined it on their own. So we need to formalize those expectations. It's not clear to us whether that should be formally part of Appendix N or some kind of best practices or contract document that happens when the person is appointed. Earlier I said something about the Ombuds does not serve as a place to put the university on notice for claims. That's language that is in virtually every university Ombuds office and that's because virtually every university Ombuds office defines that office as a confidential source for discussions about issues including sexual harassment. We've discussed this with the University Counsel's office and have been told that it is possible to have language that keeps the university protected legally but also defines this office as a confidential office and we feel that that is appropriate and we recommend that. When we define the formal Appendix N and the formal language, we'll work with the Office of University Counsel to define that language. Definitely the website and other material need to be changed to make it visible and accessible. Right now it's impossible to get information. If you look at the Ombuds, you would go to Appendix N and, I'll tell you, I would never in my life figure that you would go to the Ombuds for the things you're supposed to go to. So we need a website that is easily accessible, explicit, clear on what they do and don't do, what they can help you with, how to get in touch with them, and so forth. We need someone or some place in the university to keep this maintained. Right now the Ombudsperson doesn't do it. That's not a skill that everyone has. There have been suggestions from people that there should be more than one Faculty Ombudsperson appointed for diversity purposes and I will say the committee itself is agnostic with regards to this. We understand the issue that certain

populations may feel it better to talk to one or another kind of a person. But we also see the problems in trying to cover diversity, how to go about doing that. So that's something that we think should be explored. We do feel that the position needs to be something that is promoted a bit more, actively recruited, seen as something that is important and well supported, so we can get really excellent people. My personal view is that someone who has the right experience, the right empathies, the right judgment, will be very good in serving virtually any population and be very accessible. We need to really make sure we recruit people that can serve that office well. Finally, I think we really believe it's beyond our particular charge, but we would recommend that the university consider the issue of a University Ombudsperson office. We feel that having someone who can serve informally before formal mediation is required, before formal processes kick in, is a good idea. We feel that one of the problems we have right now is that there are some overlapping responsibilities, some unclear responsibilities, and with a central office that could proceed through the Ombuds, we think the university and all its employees would be better served. That, however, is beyond what we were asked to do. We do feel that if such an office is established, it should continue to be a Faculty Ombudsperson that would work in coordination with that office and would really remain as a colleague with other faculty. We did not draft language for Appendix N at this time and we understand there is other discussion of this topic with the Faculty Diversity Task Force which will be making some recommendations and I know that we'll have continuing discussions here and it seemed premature for us to come to you with a draft now before there is a chance for discussion.

That is sort of the outline of what we have recommended and I'd be happy to answer questions.

Springer: You referred to the Ombuds at Duke as him or her, is that really true demographically? What have been the demographics?

Smith: It could be either.

Springer: But has it been?

Smith: I don't know, actually. There are not even clear records of who has been the Ombuds. It probably has been male most of the time.

Springer: You don't have those records, Josh?

Socolar: I don't have official records. The ones I know of have been Rich, Jeff Dawson…

Cohen: You can find it if you search the Academic Council minutes going back. The Ombuds has made a report to the Council at some point during their service.

Socolar: And each time one has been appointed, it's the Council that votes.

Smith: Again, we are looking forward rather than backwards.

Springer: I do think it's important to keep that sort of data so that we do appropriately recommend.

Smith: That would be part of the record keeping, so that it is done. The kind of records, we feel that obviously it should be completely anonymous and confidential, but there should be aggregate records kept in terms of the types of cases so we can

identify trends in problems, centers of issues, recommendations can be made for particular departments or schools, or types of issues that keep coming up again. That's one of the problems of having three individuals. Because, for example, in conversations with the Ombudsperson for students, John Blackshear, he says that a vast majority of his cases are graduate and professional students and involve claims against faculty members, some of which are quite disturbing. And his reports go to one place and don't get integrated into an office. So if there's a faculty member being crappy to his colleagues and to students, we would lose that information. So we need better records and we need better coordination.

Socolar: Kathleen, thank you. I think I'm going to hold discussion on this. We will have a report by the Diversity Task Force in May that is likely to touch on this topic and it's clear that the committee has provided enough evidence that we need to consider this position seriously and there will be ongoing work on it next year. It's not exactly clear which faculty group should work with which University group to figure out if there should be a University Ombuds office and so forth, but it's something that will certainly be on ECAC's and the Council's agenda next year.

EXECUTIVE SESSION FOR HONORARY DEGREES 2016

Socolar: I will now call our meeting into Executive Session for our last agenda item: the presentation of candidates for Honorary Degrees in 2016. This means that all those who are not members of the faculty must leave the meeting.

(The remainder of the meeting was conducted in Executive Session)