Minutes of the Academic Council
Thursday, May 11, 2023

Erika Weinthal (Chair, Academic Council / Nicholas School of the Environment): Welcome everyone. Thank you for being here today. This is our last meeting of the academic year, and the last meeting for me as Chair of the Academic Council. To begin, I am pleased to share the names of our five colleagues who were elected to the Executive Committee of the Academic Council and who will begin their terms on July 1st. I feel like I need a drumroll. **Adrienne Stiff-Roberts**, Pratt School of Engineering; **Tyson Brown**, Sociology; **Cam Harvey**, Fuqua School of Business; **Allan Kirk**, School of Medicine/Clinical Sciences; **Josh Sosin**, Classical Studies & History. *(Applause)* They will join **Karin Reuter-Rice** from the School of Nursing and **Mine Cetinkaya – Rundel** from Statistical Science and our incoming Chair **Trina Jones** from the Law School. *(Applause)* And with the election of these new members to ECAC, we say goodbye to those whose terms end in June, and whose terms coincided with mine. So, I want to thank them for serving with me: **Keisha Cutright**, Fuqua School of Business; **Scott Huettel**, Psychology & Neuroscience; **Thea Portier-Young**, Divinity School; **Barak Richman**, Law School; **Deondra Rose**, Sanford School of Public Policy. *(Applause)*

The Academic Council process for the Faculty Scholars Award was completed last month. Undergraduates in their third year are eligible for consideration for this award, which is the only faculty-endowed award at Duke and was established in 1974. Thirty nominations were received from across various departments with members of the Faculty Scholars Award Committee reviewing all the dossiers and selecting a subset for personal interviews that were conducted on April 27th. I am pleased to share the names of the following students who were selected to receive the award, which also includes a monetary amount. **Julia Leeman**, majoring in Neuroscience and Music; **Marcos Catao**, majoring in Economics and Mathematics; and **Margaret Wolfe** who is an English major. All three intend to pursue a Ph.D. in their respective fields of study, and thus our warmest congratulations to these students and our best wishes for their future academic endeavors. *(Applause)* I also want to thank our colleagues who serve on the selection committee. The feedback we always receive is that this is one of the most rewarding committees one can serve on at Duke.

I also want to give one other recognition --it's always nice to start with the good news. We have three faculty who were recently elected to the National Academy of Sciences. They are **Emily Bernhardt**, Biology; **Drew Shindell**, Nicholas School of the Environment; and **Anne Yoder**, also from Biology. *(Applause)*

We will move next to the Honorary Degree candidates proposed for

Commencement 2024, whose names were circulated to Council members via Sakai, followed by a vote via Qualtrics. I just want to note that most of them were approved except one. If you were in attendance at last month's meeting, which was in executive session, you should be aware of who that might be. The results of the vote were transmitted to the Honorary Degree Committee, where these nominees will be discussed at their meeting over the weekend.

APPROVAL OF THE MINUTES OF THE APRIL 20 ACADEMIC COUNCIL MEETING

With that, we turn to the minutes from our April 20th meeting, which were posted with today's agenda. Are there any corrections or edits to the minutes? May I have a motion to approve? A second? Thank you. Any opposed or abstentions?

[Minutes approved by voice vote without dissent]

APPROVAL OF EARNED DEGREES

Weinthal: One of the main items for today, which is why we have a packed room, is in accordance with the university bylaws. I will now call on the representatives from the various schools, Trinity College, and Duke Kunshan University for the recommendation of approved candidates for the various degrees to be awarded on Sunday. These lists will be forwarded by the Provost's Office for approval by the Board of Trustees at their meeting tomorrow.

Divinity School
Dean Edgrdo Colón-Emeric

Master of Arts in Christian Practice	2
Master of Theological Studies	22
Master of Divinity	88
Master of Theology	2
Doctor of Ministry	33
Doctor of Theology	2

Fuqua School of Business
Dean William Boulding

Master of Business Administration	707
Master of Management Studies	216
Master of Science in Quantitative Management	295
DKU – Master of Management Studies	47

The Graduate School
Dean Suzanne Barbour

Doctor of Philosophy	210
Carolina Duke Program in German Studies – PhD	2
Master of Arts	147
Carolina Duke Program in German Studies – AM	2
Master of Fine Arts	17
Master of Science	372
DKU – Master of Science	22
Duke-NUS Integrated Biology and Medicine – PhD	5

Nicholas School of the Environment
Dean Toddi Steelman

Master of Environmental Management	195
Master of Forestry	3

Sanford School of Public Policy
Dean Judith Kelley

Master of International Development Policy	18
Master of Public Policy	107
DKU – International Master of Environmental Policy	30
Master of National Security Policy	8

Pratt School of Engineering
Dean Jerome Lynch

Bachelor of Science in Engineering	273
Master of Engineering	92

Master of Engineering Management   60
DKU - Master of Engineering   29

School of Law
Dean Kerry Abrams
Juris Doctor   234
Master of Laws   83
Master of Laws, International and
Comparative Law   20
Master of Laws, Law and
Entrepreneurship   7
Master of Laws, Judicial Studies   19

School of Medicine
Dean Mary E. Klotman
Doctor of Medicine   117
Doctor of Physical Therapy   91
Master of Biostatistics   48
Master of Health Sciences in Clinical
Research   15
Master of Science in Biomedical
Sciences   39

School of Nursing
Dean Vincent Guilamo-Ramos
Bachelor of Science in Nursing   77
Master of Science in Nursing   97
Doctor of Nursing Practice   25

Trinity College of Arts and Sciences
Dean Gary G. Bennett
Bachelor of Arts   546
Bachelor of Science   752

Duke / DKU: Dual Degree
Interim Provost Jennifer Francis
Bachelor of Arts   110
Bachelor of Science   166

TOTAL DEGREES EARNED: 5452

[Candidates for earned degrees approved by voice vote without dissent]

Weinthal: Congratulations to all the graduates!

Next on our agenda is to hear from the Chair of the Academic Council's Faculty Compensation Committee. Amy Herring, from Statistical Science, is here to present this year's work of the committee regarding their analysis of faculty salaries at Duke. Council members were directed to a Box site last Monday in an email from me where you were able to review the report in advance of today's presentation. This analysis is typically conducted every three years or so, and the information that is presented here today will then be shared with the Deans through the Provost's Office. So, I'm going to turn it over to Amy to lead us through the data.

SALARY EQUITY ANALYSIS FROM FACULTY COMPENSATION COMMITTEE

[For report and slides used in presentation, please go here: https://academiccouncil.duke.edu/secure/resources/faculty-compensation-committee-salary-equity-studies/]

Amy Herring (Chair of the Academic Council's Faculty Compensation Committee): Thank you so much. I really appreciate having the opportunity to share this work with you. This was a committee and we really benefited from everybody's advice, including historical advice from prior committees. I know that Josh [Sosin] and Carla [Brady] are here. Are Sophia [Santillan] and Sarah [Bermeo] here, too? Yes! Thank you all so much. *(Applause)* I also relied really heavily on Merlise Clyde, who has done many of these analyses in the past, to be sure that we have continuity of the modeling strategy and things like that through time. Then also, just a short shout out to Mine Çetinkaya-Rundel, and Jordan Bryan, both in the Statistics Department,

who helped make my visualizations much more palatable and also helped me out with a little bit of coding.

With that, I will get started. I think you probably know better than we do our committee charge. I just wanted to remind you of that. We will focus today on the salary equity study. Although we do have some recommendations about other data that we think might be interesting, also related to compensation, but not directly related to salary. This is the slide that ECAC hated and I'll tell you on their behalf that they told me to take it out. *(Laughter)* But, as a statistician, I can't talk about any data without making sure you understand what the data are. The Provost's Office very generously provided us with this data. Kendrick Tatum gave us data on the 2022-23 fiscal year, academic salaries for both tenure track and non-tenure track faculty. We also had data available on the tenure track faculty from 2018-19, so we will be making some comparisons with that year. Everything has been converted to a nine-month equivalent for purposes of presentation and for modeling. Just so you know who's included, we have records of almost all, so 94%, which is 979 now of our tenure and tenured track faculty members and 478, which is 85% of our non-tenured faculty members. If you remember previous years report you'll know that's considerable growth on the non-tenure track faculty ranks. People that aren't in the data set are not there for good reasons related to their salary. So, you're on leave without pay. You've negotiated a retirement agreement and you're in part of that phased retirement agreement. You've taken on a major administrative role. We also do not include in this report School of Medicine clinical faculty who

are analyzed separately by the School of Medicine.

In terms of some of the equity factors we looked at - we tried really hard to get some of the better data that we're collecting now at Duke on gender. So, if you remember, starting in September of 2020 you were able to specify your pronouns and your gender identity in Duke@Work. Which you may not know, what I didn't know at the time, is when you go do that, you also have to, on a separate screen, make that available for public release. So only seven individuals had made their data available, not including me. Kendrick [Tatum] walked me through it, so I know how to do it now if anybody wants to do it. *(Laughter)* But, we're stuck with binary gender as assigned in the system. So, we're not able to go any deeper than that, unfortunately. But, hopefully people will go and pick their pronouns and two years from now we'll be in a different place. So, using that gender as assigned, 39% of our regular rank faculty are female, 61% are male. We see big differences across track. So, on the tenure track, only 32% of the faculty are female. Non-tenure track faculty 54% are female. So, big differences across track with respect to gender make up. Race and ethnicity data can also be updated in Duke@Work. I think you've got like five race categories and two ethnicity categories, and you can click as many boxes as you want. But, because of small counts of some race and ethnicity groups, we did what people have done in the past and combined groups for the purpose of analysis. If I make a group too small, we'll never be able to see a difference with that group because maybe it's a group of two. So, anybody who clicked any affiliation with a group that's historically underrepresented was classified with that

group. So, if you said you were White and Black, you were classified as Historically Underrepresented for purposes of this analysis. Of the remaining individuals, if you noted you had some Asian ancestry, you were classified as Asian, and then everybody else is in a category of Non-Hispanic White. So, that's how those race categories are broken out. They're mutually exclusive.

So, using that - 73% of our regular rank faculty are Non-Hispanic White, 15% Asian and 11% from Historically Underrepresented Groups. We don't see really massive differences across tracks and the race and ethnic composition of the faculty. Virtually the same percentage from Historically Underrepresented Groups on tenure track and non-tenure track. On the tenure track we have a higher percentage of Asian faculty members and on the non-tenure track we have a higher percentage of Non-Hispanic White faculty members. But, these are not nearly as marked differences as we see with gender.

Any questions about the basic demographics?

Mark Anthony Neal (African and African American Studies): I've got an intersectionality question. What do the numbers look like for Historically Underrepresented Groups that are female?

Herring: I'll have to get it to you later. It's not super small. So, none of the groups that I used in the equity analysis are super small. I think I have gender and race, but not the intersection in the report. But if you email me, I can get you that.

That's one thing I wanted to note. If you have the report downloaded, some of these labels are going to be a little small. So, you may want to get it so you can blow it up on the screen for certain things. We're going to look at some demographics. We'll look at how things have changed over time on the tenure track with respect to demographics. And we had lots of fun playing with these data. There's a 53-page report that you can peruse to your heart's content.

I wanted to start off with something a little bit different, just talking a little bit about composition of our departments by track. For the most part, these are the smallest administrative units we could get data on. You'll notice in Fuqua we've broken out the tenured and tenure track faculty by division here. But, you can see up at the top, for people who need glasses like I do, that's the School of Nursing - is composed predominantly of non-tenure track faculty. That's the kind of light salmon pink color and the darker brick color represents tenure track faculty. And the point here is that there's a lot of heterogeneity across our units in terms of the composition by track inside a department. So, you can see some groups, DGHI for example, all their primary appointments are on non-tenure track lines. Other groups, people affiliated with the marketing group in Fuqua are all classified as tenure track. There are also figures like this broken out by department for race, ethnicity, and gender in the report.

What I want to talk about here today in terms of composition by gender is just looking at changes over time. So, for each unit - this is, in the bottom left, Humanities. The bar on the left represents 2018-19 academic year, the

bar on the right represents 2022-23 academic year. Female on top, male on bottom. So, what you can see is this is percentage, so we're looking at the composition of the faculty now. So, compared to 2018-19 a higher percentage of Humanities faculty are female now than four years ago. What we see for the most part, is a little bit more diversity or holding steady, maybe some small losses if you look at Nicholas [School of the Environment] in terms of diversity. An increase in diversity in the School of Nursing.

We did the same kind of exercise for race and ethnicity. If we go back here to Social Sciences, this is a very big unit. The other thing to note is that some of these units like Divinity are really small, so while it may look like they've had a big change in diversity, the actual number of people isn't that large, but on a percentage basis it's a nice size change. But, Social Sciences is big, so here we see in 2022 academic year relative to 2018, much higher percentage of faculty members from Historically Underrepresented Groups there. So, that's how you would interpret these. Again, for the most part, we see either holding steady or maybe small increases in diversity relative to four years ago.

Now we'll talk a little bit about the equity study and the methods we used there. As you know, there are a lot of factors that affect someone's salary. Perhaps the biggest factor here at Duke is what department you happen to belong to. So, if I look at the tenure track faculty and put only department in a model for salary, that explains almost half the variability of salary inside tenure track lines. If I add rank to that – Assistant, Associate, Full, etc. - over 80% of the variation explained. Any kind of equity analysis that we do has

to account for these known factors or it's really meaningless because maybe different departments have different compositions with respect to gender, with respect to time and rank. So, the first thing we do when we do an equity analysis is we adjust for these known factors that we know should affect somebody's salary or we know do affect somebody's salary. These include the department or division, whatever the unit we have for you is. Your rank, your time in rank, whether you hold a distinguished professorship, what your rank was when you were hired at Duke. So, people tend to be paid more if they're brought in at full professor than people who come up through the ranks. For example, differences by rank vary across departments. In some departments there may be a bigger jump Assistant to Associate, in others there's a bigger jump Associate to Full. In some departments there's a difference, Distinguished Professor versus Full Professor. And in other departments, there's not as much of a difference. We account for all those factors and once we've done that, then we look at the residual variability in salary and we see what's left. Can we explain any differences by some of these equity factors? Can we explain them if we look at race? Can we explain them if we look at gender? Can we explain them, this year, if you look at citizenship status? That's the first part. We also were able to get, thanks to Kendrick Tatum and the Provost's Office, data from AAUDE on salaries at peer institutions. What we were able to do is take this average salaries from our private peer institutions and see how each of our departments, divisions, or sometimes schools - it sort of depends on the best level of data we could get out of AAUDE - how we compare. Are English professors at Duke underpaid relative to

their peers? It's sort of a flawed analysis because we don't have all the great data that we have up here in terms of time in rank, things like that. But, we do have them broken out by rank. So, for the most part, with the exception of the School of Divinity, which has a slightly different set of peers, we're able to compare everybody to this sort of set of Duke peers. They may not be, in my case, the best peers for the Statistical Science Department, but is the best we can do, kind of at a broad level. So, that'll give us some information there. The other really important thing to bear in mind is none of these analyses adjust for additional factors that are likely related to salary. Things like excellence in research, excellence in teaching, quantity of teaching, quantity of mentoring, quantity of service. We just don't have data on those and putting on my APT hat I can say even at that level it's really hard, within a department, to come to agreement on what metrics we want to use, whether we can even measure those things well or not. So, we are not able to adjust for those factors, and I want to just say that, any differences could be related to factors such as those and we can't say anything using these data about that. So, we have to be a little careful about what we say about the data.

In addition to doing the equity analysis, we also use the model - we took out race, we took out gender, we took out ethnicity and we took out citizenship and we predicted somebody's salary based on all these factors up here. Then we looked at what their actual salary was and if the actual salary fell more than one standard deviation below what was predicted. If that's you, then your unique identifier, because these data were blinded, is now with Kendrick Tatum in Institutional Research and that information is going to be shared back with the Dean or other appropriate manager. They've been given the predicted salary as well as your actualized salary. That's what I know so far.

First, I want to start off with the non-tenure track faculty and I'll walk you through this. The first thing I want to point out is here on the right, the colors of the boxes correspond to the ranks. And the thing to note here, that's very important to keep in mind, is we don't have many lecturers and instructors, and we don't have many senior lecturers. So, 20 and 21. We also, if you'll note, if you are a non-tenure track faculty member, you may notice we've had to do some collapsing. So, for example, we collapsed Track V Professors with Research Professors, with Professors the Practice and so forth. So, there's a lot of heterogeneity, as you know. And as you may recall, actually, even within a rank such as Professor of the Practice, there's a lot of heterogeneity as was pointed out in the non-tenure track faculty report that complicates our assessments, but it's just something to keep in mind. If I move ahead, we have six combinations represented here. Race, ethnicity and gender represented. The vertical line is the median salary predicted by the model for Non-Hispanic White men. And then if you look down the Y axis, you'll see comparators. So, for example, Non-Hispanic White females, females from Historically Underrepresented Groups, Asian females, males from Historically Underrepresented Groups and Asian males. That's what's plotted. The other thing to note on this plot in particular is the scale is really big. 1.0 means 100% of the salary, the predicted salary of a Non-Hispanic White male. 0.6 a 60% of the salary. 1.2 is 120% of the salary. The bars

are wide. So, if we want to look at these boxes, what these boxes represent, I'll start with this one since I'm short and it's the only one I can reach. So, these are Asian men who are Full Professors. The vertical line in the middle of this box is their median salary. So, you can see it's shifted to the right of the median salary for Non-Hispanic White men. The colored part of the box is the middle 50% of the distribution of predicted salary, differences between Non-Hispanic White men and Asian men. This is the 25th percentile and 75th percentile like you would see there. The length of the whiskers encompasses 95% of the predicted distribution. With that in mind, the way I interpret this plot is that I would call your attention to the women. Now I've highlighted the area that's representing salaries that are fractions less than one of the median salaries for Non-Hispanic White men. You can see a lot more mass than I would like to see of those distributions below the vertical line representing Non-Hispanic White men. We see a couple of exceptions. Actually, I think very encouraging exceptions.

Assistant professors - a couple of things to note are that we do have small groups and some have very heterogeneous groups. If you look at the very lightest bars representing the Lecturers and Instructors, those bars are really wide, indicating a lot of variability in salary. We only have 20 Lecturers overall, so not a very big group. What I want this plot to look like - the happy group for me in this plot, would be men from Historically Underrepresented Groups. There you see the vertical lines inside those boxes, which represent the median salaries all really close to the median salary for Non-Hispanic White men. That group makes me very happy. But, I'm less happy,

especially about the groups of women represented here.

Are there questions about how to interpret this?

Norbert Wilson (Divinity School): The vertical line - is that for each one of those groups? So, when we see a Lecturer that is a Non-Hispanic White female, we're then comparing that to White males who are Lecturers?

Herring: The predicted salary after I adjust for all these factors related, time and rank and things like that. Yes. So, everything is a difference between your group if you're in one of the five groups on the left and Non-Hispanic white males.

Tenure track - this was a separate model. A little bit about the model since Merlise [Clyde] is here. This is a robust regression model - it's got T errors, it's got variances that depend on rank, the outcome is log of the salary - very similar to the models that Merlise did in the past. So, if I look at tenured and tenure track salary, the first thing I want to note is that the scale now is much better. I'm not having to go down to 60% to get all the bars in. At the bottom is maybe 85% and at the top is a little bit over 120%. Here we looked at four ranks, Assistant Professors there were 169 of those, 220 Associates, 340 Professors, and 250 Distinguished Full Professors here. So, there were five Distinguished Professors at lower ranks, not enough really to analyze. So, two trends…. There's lots of things going on. We could spend a lot of time on this plot, but I wasn't able to get an hour of your time. I'll point out two things. One, again, up at the top, Non-Hispanic White women, we see a lot of mass below that vertical line at 100% of the salary of Non-

Hispanic White males. A lot of variability in some of the other groups of women on the tenure track. So, wide bars, although you could point to a lot of mass sitting here with the Asian women at the Full and Distinguished rank. But then for men from Historically Underrepresented groups, we see the opposite trend. So, we can see right here the medians, for example, for Distinguished Professors, almost 10% more in salary than Non-Hispanic White men. That's what we see on the tenure track.

We also looked at citizenship. I believe this was Sarah's [Bermeo] idea, and I'm glad we did it. So, there's a lot going on in this one plot. The White Box are non-tenure track faculty, the Carolina Blue box...sorry, didn't look like that on my screen. *(Laughter)* The tenured and tenure track faculty. The vertical line is for U.S. citizens, and so the top two boxes are for Non-Citizen Non-Residents, and the bottom two boxes are for green card holders. What we're seeing here is some tendency for lower salaries to be paid, not as definitive as some of the things we saw before, less than citizens.

We also did an analysis of the people whose names went to Kendrick Tatum to be given to Jennifer [Francis] and then distributed to the Deans, people who were in that lower salary group. What does that group look like? If you're predicted to have a salary and your actual salary is more than one standard deviation below that. So, people overrepresented in that lower salary group include non-tenure track women.

Speaker: How big was that group?

Herring: It's maybe 10-15%. I'd have to go back to look at it exactly. But, not humongous. It's what you would expect sort of based on the T.

So non-tenure track women are overrepresented there. Meaning that they're 54% of the non-tenure track faculty and I think something like 65% of that lower salary group. So, they're the higher representation there, which is bad. People who are lower representation in that group, which was good if you're that, non-tenure track Asian faculty, tenured and tenure track faculty from Historically Underrepresented Groups, and faculty who are neither U.S. citizens nor permanent residents. So again, if there's a problem, we haven't adjusted for productivity, for teaching, for service and things like that. But if there's a problem, it's not just in the tail or the bottom part of the distribution.

I also looked at time in rank because I know from what I've heard, there are questions about things like compression and we can't look at compression directly in these data. But, we start off with non-tenure track faculty. In the column on the left are our Lecturers, Instructors and Senior Lecturers and the columns on the right are the Assistant, Associate, and Full Professors. The vertical line represents people in that rank who've been in the rank less than four years. So, sort of new in the rank. If we look at Lecturers and Instructors, we see that people are pretty much making about the same salary, whether they've been in the rank less than four years or more than four years. If we look at Senior Lecturers, we see a slightly different trend where people who've been in the rank longer tend to be making less than people who are relatively new in the rank. If we move to Assistant Professors, people who've been in the rank more than four years are

making more than people who've been in the rank less than four years and similar trends at the Associate and Full Professor level. I'm sorry I can't give you more time with these figures.

Tenure track faculty, Assistant Professors, top left. I was not very surprised by this seeing what market values we're looking like in Statistics, but people who've been in their rank four years or more are making slightly less than the newer hires. But, look how tight those error bars are, the scales going from .8 to 1.2. So, really what this is telling me is there's not really a lot of variability in what our Assistant Professors are making within department across time and rank. In the Associate Professors plot, which is the top right, I think we see trends also that aren't terribly surprising to people. Up to a certain point, people tend to make higher salaries with longer time in rank, but at some point, that effect goes away. It may be that factors related to promotion are also related to salary. So, that's what we see with the Associate Professors. With the Full and the Distinguished Professors, we see somewhat similar trends where newer faculty in the rank are making less than more senior faculty in the rank, only up to a certain point. And then this is 24 to 32 years in rank at Full. So, that's after you've been promoted to Full, 24 to 32 years in rank you start to see a lower salary than the newly promoted faculty. Similar kind of trend for Distinguished Professors, but not as market there. So, I think that's probably not a surprise, compression has been a concern, but we can't look at that directly here.

Manoj Mohanan (Sanford School of Public Policy): Could you compare across the ranks? Like the Assistant Professors with the Full and Associates?

Herring: How salary varies by rank?

Mohanan: Yes, I mean one of the concerns about compression was that folks who've been here for a long time, the increases have not kept up relative to say the increases in the junior market within a department.

Herring: Oh, I see. You know that's very local, I would say. What I noticed anecdotally – yes, the coefficients are all positive, like the rate coefficients were positive so you would expect Associates to make more than Assistants and Fulls to make more than Associates and so forth. In some departments they are really strict, so that there's no case where an Associate Professor makes more than a Full Professor, but in other departments that is allowed to happen. It just depends…that's a local thing.

Speaker: I don't know if you're able to get this from the data itself, but longitudinal data, in terms of people's salaries and whether there's an adjustment over time in terms of…

Herring: In terms of a longitudinal analysis, the big challenge for that is that we don't have the full life history of people, you know? So, if I'm sitting here and I'm not happy with my salary and I'm grumpy, maybe I leave. So, we don't have that. We have all this informative censoring and longitudinal data that we can't track because they've departed from Duke. I think if we had multiple years of data from people at Duke, what we see is really, really high correlation year to year in the salary because it's getting increases (except for retentions) usually on a percentage basis. So, one thing the committee is recommending is broader

data on aspects of compensation. It would be nice to know, for example, who's getting retentions, are there differences in that. But we don't have those data. It's a good point.

I want to talk a little bit about the peer analysis. I can only show one plot in the interest of time. So, I went with Arts and Sciences Assistant Professors because I think our Assistant Professors are very important. They're our future and Arts and Sciences is big, so try to make as many people as happy as possible. The division in green is Natural Sciences. The lighter salmon color is Humanities, the magenta, the darker color, Social Sciences. These are comparing to AAUDE peers. If there's not a line there was nobody in the dataset. Maybe they're on leave, or maybe there's nobody in that group. The line at one represents Duke salary equal to the salary on average of our private peers. Less than one, Duke's paying less. More than one, Duke's paying more. So, if we look at our first department at the top there, African and African American Studies, the tenure track Assistant Professors are making right at the mean of their private peers. If you go down to the next department with faculty at the Assistant Professor rank in the tenure track in Biology, they're making maybe low 90% on average of the private peers. If you keep going down, Math, Econ making considerably more than the average salary of our private peers.

Vince Price (President): Are these cost of living adjusted?

Herring: These are not cost of living adjusted. All I have are the averages for each group. So, no cost of living adjustment whatsoever.

Joel Meyer (Nicholas School of the Environment): Quick follow on that – our peers, can something generally be said about whether they are higher or lower cost of living on average than Durham?

Herring: I don't know now, today… *(Laughter)*

Price: From another institution, I've seen the data. The adjustment moves Duke up, because most of them are in more urbanized settings.

Herring: They tend to be California, New England, Chicago.

These are for all the ranks, for all the units. You can find them in the report.

Just a summary, key findings. In terms of equity across tracks and across rank, salaries of women, particularly Non-Hispanic White women, often lag behind those of other groups and in some cases, they lagged markedly behind. Among tenure and tenure track faculty, salaries of men from Historically Underrepresented Groups are notably higher. And then across the tracks, there's this tendency for salaries of U.S. citizens to be higher than those of green card holders and Non-Resident Non-Citizens. In these cases, the differences are not combined to the lower salary ranges but persists more generally. In terms of recommended actions, we recommend that the lower salary individuals that have already been provided to Institutional Research be followed up upon. I can tell you right now some of that is just going to be noise around appointment lengths that are not very easily discerned in our systems. I see people nodding. Appointment lengths are kind of a hot mess. That's a technical data term for

those. *(Laughter)* I think it's important to carefully evaluate salaries across the range, not just the lowest outliers, given what we're seeing. And it would be nice to have some sort of reporting mechanism. I'm not on Academic Council, but a reporting mechanism back to Academic Council so that you can follow up on what actions were taken. The committee recognizes that nine months salaries are not the whole story. We don't have information on a lot of factors, things like startup packages, things like space, factors that could influence somebody's earning potential down the road. And so, it would be nice if we had this data. Then we had several data quality recommendations. And I think in the interest of time, I won't go through them all, but big things are appointment links. Big thing also would be the heterogeneity within a title like Professor of the Practice and non-tenure track faculty, because different units use those very differently and we can't tell who's who in this database because everybody has the same title. So that's all I have and I'm happy to take questions.

Jennifer Groh (Psychology and Neuroscience): In previous reports, there's been actual salary numbers broken out by department and rank. Is that planned to be in this report?

Herring: Department drives salary, right? So, that's one of the biggest drivers, particularly on the tenure track, a little less so on the research track. The reason I haven't broken it out that way is because it's so heterogeneous. I generated a plot that you see in all the reports. I looked at statistics, I'm like, "Oh my gosh, we've fallen off the cliff!" And then I thought about it for a while and we had two Distinguished Professors retire. So, we

went from being near the top to kind of like middle, middle low. So, that's going to be really variable year to year. So, we didn't do that. What we did instead was use that AAUDE peer comparison because in some sense, I don't know how actionable it is to address the fact that a classicist makes a different salary from an accountant at Duke. So, we handle that through the peer comparisons.

Groh: I hear you, but it's very useful for the individual faculty member to figure out whether or not they are, you know, where they are.

Herring: I would push back and say it's actually not as useful as you would think, because of net variability in faculty composition - rank, time in rank, distinguished status, etc. It would be useful if I could give you the predictions broken out by department, time and rank, those factors. But that's more data than we were allowed to share. It's so heterogeneous because people are coming from all over the place, in terms of like compositions of departments and things. But, I can tell you they're not huge changes by discipline from what you've seen in prior years reports.

Karin Shapiro (African and African American Studies): I know you just briefly mentioned in the report that the mechanism, maybe this is a question for Council, but how will we know how we look next year and whether the women in non-tenure track positions have improved?

Weinthal: So, my sense is that next year's ECAC will probably delve into the report. We had the report presented later this year. And so usually there is a follow up discussion, I presume that will happen

and they will determine what type of feedback to bring back to Council.

Shapiro: So, this committee reports every year?

Weinthal: Approximately every three years. It's a lot of work and we are indebted to Amy and the rest of the team for their work on this report.

Herring: I can say that I talked to Jerry Lynch [Dean] in Engineering and they are kind of doing their own equity analysis, planning to do something based on these results. So, looking just kind of at the differences maybe between the actual salaries and predicted salaries. This is one thing I recommended, I don't know what they'll do for all faculty members. The model's not perfect and it's going to under predict or over predict in particular for very small groups. If you've got one or two Assistant Professors, it's not going to do a great job, in places like the Law School it's pretty good, because they're big numbers.

Weinthal: I know other schools are also looking at the data. My school has. So, I feel like this report is going to feed into the work of a lot of other parts of the university.

Thank you, Amy. *(Applause)* Thank you to the rest of the committee.

VOTES CONDUCTED FOR THE REVISED FACULTY HANDBOOK

Weinthal: With that, we're going to turn to the Faculty Handbook and we're going to move to the relevant votes for the segments of the revised Faculty Handbook that was presented at last Academic Council meeting. In your email

from last Monday, you should have received the updated Handbook and a memo outlining changes that were made to the Handbook since the last Academic Council meeting on April 20th. The way we envision this part of the meeting going today - we will have three votes take place. The first vote will be on the technical revisions that were made. Most of this, as we discussed, had to do with updating information regarding different offices, different programs, correcting information that was outdated. At times we moved information, such as information about APT processes into a separate appendix to try to make it accessible there and update that information. There is a new Appendix E, which is the material on Intellectual Property and Consulting information that was left out of the Research Policy Manual. It was still in the Handbook, but we moved it to a separate Appendix so it would be easier to find. We've included a list of acronyms. We went through all the links, we fixed weird formatting. So, that's the first vote.

The second vote will be on the necessary revisions to what was the former Appendix N, which is now Appendix F, which deals with the the Office of the Ombuds. It also includes the Faculty Hearing Committee. We are only voting on edits to the Office of the Ombuds section.

Then the third vote is on a document on Faculty Expectations Regarding Consensual, Romantic or Sexual Relationships between faculty and graduate and professional students. This was also on the Box site.

I'm going to open it up for questions. But before I do so, I want to ask Ed Balleisen,

who's our Vice Provost for Interdisciplinary Studies, to respond to a question that we received yesterday about updates to the description of the UICs, which are the University Institutes, Initiatives and Centers.

Ed Balleisen (Vice Provost for Interdisciplinary Studies): This is a section that underwent, I think, a relatively large number of adjustments. And that's because the practice has changed so much over the last 15 to 20 years. We didn't used to have Initiatives. We now do. We've had a lot of non-tenure track faculty move into the interdisciplinary realm. You may have noticed from Amy Herring's presentation that DGHI has a significant number of non-tenure track faculty, can only appoint non-tenure track faculty. Other changes include the degree to which engagement beyond the walls of the university has become crucial to the work of the UCIs and to the presentation of what the UICs are in university strategic documents. The work of the review committee, just a couple of years ago that thought through our strategy with the UICs, was a committee that was close to 20 faculty engaging with assessment of those units. Also, the significance of shifts in how we do searches for senior leaders under the Christie Rules. There is now a much clearer understanding that the Provost's Office works closely with ECAC in thinking through an appropriate search committee that provides the right kind of balance between those who know things contextually well and those who are a little bit outside of it and can provide some perspective. A further change that notes that when we have an external to the faculty member of a search committee for UICs that typically tends to be the Chair of the Board of Visitors for UIC.

They don't all have them. But for example, DGHI does. In the recent search for the DGHI Director did include the Chair of that Board, as we do in the case of searches for Deans and Boards of Visitors. Quite a lot of shifts there. Also, there was a provision calling for any search committee to have three people from the faculty body of the UIC. This was very ambiguous. The UICs, each one of them defines faculty in very different ways. Some of those are more or less anyone who's in the area unless they opt out. Others define core faculty or affiliate faculty. Given the close coordination with ECAC around search committees and this attention to the right kind of balance in order to provide the perspective needed in those situations, all of this led into the revisions that we offered. More than happy to answer any further questions about it.

Weinthal: And this is in chapter one, which is basically the description of different units at Duke. So, it doesn't pertain to anything that relates to an Institutes or Centers bylaws that deals with their internal governance. That is left to the Institute Centers and Initiatives.

Thank you, Ed.

For the votes, I just want to clarify that only Council members are able to vote. We have a lot of other members of the university here today. I'm going to start with the technical revisions. May I have a motion to approve the updates or revisions which qualify as technical in scope? Thank you. A second? Thank you. Any abstentions? Any no's? Thank you. *(Applause)*

[Technical Revisions to the Faculty Handbook approved by voice vote without dissent]

The second vote, which is the former Appendix N, now F. We're going to get used to all the new lettering, or at least some of us will be familiar with it. This is regarding the updates to the Office of the Ombuds only. May I have a motion to approve the revisions made to the Office of the Ombuds section in what is now Appendix F, formerly N? May I have a second? Thank you. Any abstentions? Any no's? Thank you. Those revisions are approved and Jessica [Kuchta-Miller] is here. *(Applause)*

[Appendix F - Ombuds Office Revisions approved by voice vote without dissent]

Now, regarding what we had originally presented as the Policy on Consensual Relationships. Today, we will not vote on those changes to Appendix Z, which is the Policy on Consensual, Romantic or Sexual Relationships between faculty and students or policies therein. Instead, we are only voting on - just to be clear - we are only voting to affirm or reject the document titled Faculty Expectations Regarding Consensual, Romantic or Sexual Relationships between Faculty and Graduate and Professional Students. This document, which you received in advance, sets out our expectations for faculty conduct. Should we affirm, ECAC and the Academic Council will resume discussions of potential policy changes in the fall using these expectations as a starting point for any further discussions. Are there any questions on where we left off at the last meeting? If not, may I have a motion to affirm the document that was posted on Box and referenced just now?

May I have a second? Any abstentions? Any no's? Thank you.

[Faculty Expectations Regarding Consensual, Romantic or Sexual Relationships between Faculty and Graduate and Professional Students approved by voice vote without dissent]

We anticipate that the Faculty Handbook will be posted online in the upcoming days. We also anticipate the Research Policy Manual will also go live and they will be linked. I want to affirm there was a question at the last meeting asking about where prior versions of the Faculty Handbook will be kept. They are held and maintained in the archives and files in the Provost's Office.

CLOSING REMARKS FROM CHAIR ERIKA WEINTHAL

With that, I'm going to turn to my closing remarks and we may even finish early. We thought we'd go late. I'm going to start by concluding with a few thank you's. I want to start with just noting that today is May 11th and if you saw the news that came out from the university today and in the broader public news, today essentially is the end of the federal COVID declaration. It's a little bit weird. I want to say, for Kerry Haynie in the back, who was the Chair of Academic Council when we went into lockdown, it definitely feels very different today. And I want to thank Kerry for all the work he did in navigating those days leading the Council and working with the administration on keeping us safe and the university functioning. I want to thank our colleagues on the COVID19 leadership team. We really wouldn't be back here in person if it wasn't for the wonderful colleagues that we have. Watching our

colleagues step up during the worst of the pandemic and work tirelessly to ensure that students could return to campus, that the labs were functioning, that accommodations were made for those who had to take care of small children or elderly parents was just remarkable. Our colleagues were working to ensure that the surrounding communities received access to health care and vaccines and were in constant consultations with local and state governments. So, I am incredibly grateful to all of you at Duke who worked behind the scenes, messaging to all of us and kept the university forward. I also want to note, if you haven't seen the video of Dr. Cam Wolfe that went out today, please watch it. It is really heartwarming and it makes me really proud to be at an institution like Duke. I want to thank my ECAC colleagues, again. It's been a pleasure the last two years to be able to work with all of you. I will miss our lunches and I'll miss the conversations that we've had. I'd like to thank the faculty colleagues who serve on all of our university committees, including the Academic Council Committees, especially the Faculty Scholars Committee, the Faculty Hearing Committee, the Faculty Compensation Committee. All of this work is volunteer work. It is greatly appreciated. I want to thank our university leadership. They are partners for ECAC in our shared governance. Our partnership helps to improve the academic life of the university and the climate of our faculty, students, and staff. So, thank you to everyone who is part of our university leadership team. I want to thank Mariah Cooke, our Staff Assistant, who is always helping behind the scenes. And most importantly, as all former - as I see Kerry [Haynie] nodding and Josh [Socolar] also nodding – as any AC Chair knows, I have

to thank Sandra Walton. *(Applause)* I've spent a lot of time talking about shared governance this year and the Christie Rules. But, shared governance is about partnerships, trust, and collaboration. It really works when you have a great team at your side. And the team is not just university leadership, it is those who work with us in the Academic Council Office. Besides ECAC, it's been an incredible privilege to work with Sandra for the last two years. It's impossible to describe everything she does -- we could be here for months. But, she is in some ways, the archivist for our faculty. She knows more than any of us about how the university works or issues that are pertinent and relevant to the faculty. She keeps the office running, is the point person for all kinds of issues and ensures that all the processes and procedures are in place and followed. I want to also note that she deeply cares about the faculty and I say that sincerely. I've never seen someone like Sandra work at all hours to make sure faculty are taken care of. As the chairs before me know, what we miss most about this job is working with Sandra! She is truly a wonderful colleague and a friend. Again, thank you, Sandra. *(Applause)*

I'm going to spend a few additional minutes just talking about something that could seem a little mundane, but it's really why universities matter and why academic freedom is central to the vitality and functioning of universities. In many ways, this is something that is personal for me. Probably most of you do not know, I am a first gen student, and was first gen at a time that I didn't even know what that word was and only heard it when I came to Duke. My father fled Nazi Germany and never had an opportunity to go to school. Yet, he believed in education

more than anything. He believed in openness, empathy, and forgiveness. Educational institutions, including PBS, and public libraries opened the world to me and allowed me to engage in inquiry. Universities, in many ways, is this home, this place for inquiry. Universities serve as a refuge for students to take intellectual risks and be academically curious. Thus, as trivial as it seems, sometimes we take for granted that we work at such a remarkable place as Duke. What we do in the classroom can change our students' lives.

So, what do I mean when we talk about the importance of a university like Duke? It is not just cherishing Duke's shared governance, but it is also about appreciating the academic freedom that comes with working at a place like Duke. At Duke, we have the opportunity to learn from our colleagues who may be working in fields far afield from our own. It is inquiry and problem solving that drives our research; it helps us to motivate our students. Debate is a healthy concept in the university. It is ok to disagree with others, it is ok to feel unsettled when we are in uncomfortable situations, or to be pushed by our colleagues to challenge our priors. This all makes us better scholars and teachers. Because universities force us to question, to explore, to grow, to be intellectually curious, we need to protect them. We cannot take them for granted. We cannot ignore when they are under attack or may seem to appear less valued in the public realm. We need to remind ourselves why academic freedom and inquiry matters.

At this moment, we need universities to be stronger than ever. Not only be on the frontlines of the advancement of science to tackle pressing problems such as the climate crisis or global pandemics, but also to lead the public discourse on issues pertaining to the protection of rights, marginalized communities, the protection of transgender youth, to stand against racism, to ensure access to reproductive health care, among other topics.

Yet, as we know, universities are facing attacks on multiple fronts – at home here in North Carolina and abroad. Some of us know many scholars who have had to flee their countries because of attacks on academic freedom or because of conflict. There is way too much turbulence in the world. As we continue to be a faculty that engages in interdisciplinary, global, and collaborative work and as we continue to strive for excellence– especially as we join together to meet Duke's priorities in advancing the climate commitment and advancing racial equity, we can't forget that our faculty and students come from different backgrounds and places and that we are a global university.

Thus, as I have noted before, ECAC has been discussing the importance of academic freedom this spring, and I expect this will be a continuing topic of concern to our faculty over the next year as academic freedom and inquiry are what defines great universities and institutions of higher learning.

With that, I want to thank you for allowing me to spend the last two years with you. *(Applause / Standing Ovation)*

Keisha Cutright (Fuqua School of Business, ECAC member): We could not leave today without taking an opportunity to thank Erika for her service on the Council over the past two years. When I think about Erika's service you cannot ignore the fact that she has been

an incredible advocate for our faculty for the entire time. That has been her number one focus. It doesn't matter who you are, where you are in the university, how loud or how quiet your voice is. If you bring an issue, question, or concern to Erika, she will think about it carefully and she will address it. We saw this very clearly through COVID. We had faculty who were terrified to be back in the classroom. We had faculty who really just needed some sense of normalcy, who were eager to get things back to normal in the classroom. And Erika really stood in the gap and said, we have these different perspectives across the spectrum and really worked hard to make sure all of those voices were heard. And it wasn't just COVID. I'm sure she gets hundreds of emails every day, whether it's our concerns about facilities, research support, teaching support, culture in our different areas, and equity. All of these things she cares about and she wants our voices to be heard. But to be clear, she doesn't like to take a lot of credit for it. She's not out for people to know necessarily all the things she's working on. A lot of it's behind the scenes and you may never know that Erika was advocating on your behalf, but that's exactly what she's been doing for the last two years. I think another point that stands out, even in her closing comments here, she cares a lot about what's happening on Duke's campus. She also cares a lot about what's happening outside of campus and thinking about our local community here in Durham and North Carolina and especially globally. I'll be very curious to see how she continues to push us as faculty and our administration to think about our global strategies as we move forward. That's certainly an area of passion for Erika. Finally, I'll just mention on a personal level, one example that stands out to me

about her leadership - one of the first times we met she was appalled that I had never walked over to the Duke Gardens. *(Laughter)* To be fair, Fuqua is a bit far from the Duke Gardens. So, I never walked over. So, after an ECAC meeting, she said, we're walking, we're going to walk to the Duke Gardens, you're going to know how to walk to the Duke Gardens. And so, we walked and we talked for over an hour. And I will tell you that I learned so much in that time, just talking to Erika, thinking about what it means to be of service to Duke. Thinking about what it means and how to navigate being a female faculty member at Duke and all of the things that she's been through and thought through. And I know that I'm not alone in that, and many others have shared that experience. I just want to say, on behalf of ECAC and on behalf of the Council at large, we want to thank you so much for everything that you've done. For your leadership, your mentorship, your friendship, and really your dedication to Duke and our faculty overall. *(Applause)*

Manoj Mohanan (Sanford School of Public Policy): Erika, it has been an incredible honor and a privilege to work with you on Academic Council and ECAC. It was inspiring, just watching you being our leader and representing the faculty and making sure faculty interests are taken care of. I had a lot more to say about that, but Keisha just stole my thunder. *(Laughter)* I promise you this was not coordinated! But everything, I had to say, nice things about Erika, she just said.
But I will say, she has been this incredible, compassionate, tireless leader. I don't know if she can stop. I'm thinking now that she's going to step down as Chair of Academic Council, she's going to have so much time on her hands. Given how much

she loves the swimming pool, I had to make up my mind about where she would spend time and my vote was on the swimming pool. So, given that the next two, three years we'll only find her in water. I started thinking about what is it that Erika would miss the most and it would be the Faculty Handbook. *(Laughter)* How much time she spent thinking about the Faculty Handbook -- there's just no way she could stop thinking about it! So, imagine she's in the pool, taking laps or sitting there, and then she has a new idea about some sentence that needs to be changed, a subsection that needs to be modified. How do you do it? So, we decided we're going to laminate the Faculty Handbook. Because it's so long, for now, all we have are laminated initial pages and waterproof pens. *(Laughter and Applause)* When she's actually ready to take a break and relax I hope she'll enjoy a bottle of wine. I'm told she really likes wine as well. Thank you so much. It's been a privilege. *(Applause)*

TRANSFER OF POWER TO ECAC FOR THE SUMMER MONTHS

Weinthal: We have one more agenda item for today, the transfer of power to ECAC for the summer months. Our bylaws state that the Academic Council meet monthly during the academic year from September to May. At other times, the Chair and ECAC, or ten members of the Council, may call a meeting. In recognition of the fact that many faculty are on nine month salaries or in the field or library conducting research or writing during the summer months, the Christie Rules provide that this Council can delegate to ECAC the authority to act in a consultative role to the administration when the university is not in regular session. ECAC offers the following motion: Whereas, the

Christie Rules provide that at the last meeting of the Academic Council in any given academic year, the Council may delegate to the Executive Committee of the Academic Council the authority to appoint a committee of at least three Council members to serve in a consultative role to the Administration when the University is not in regular session, and whereas the Christie Rules note that this committee should normally consist of members of the Executive Committee of the Academic Council;

ECAC recommends to the Academic Council and moves that the authority be delegated to the Chair and Executive Committee of the Council, and as such will remain in operation until the first day of the fall semester of the 2023-24 academic year. As ECAC is presenting the motion, I only need a second. Thank you.

[Transfer of power approved by voice vote without dissent]

So, before I adjourn everyone, I just want to say thank you, again. And thank you Keisha and Manoj – your words mean a great deal. I hope everyone has a terrific and enjoyable summer. Thank you all.

(Applause)