

## **Extension of Eligibility to Serve on the Academic Council**

### **A proposal by the Executive Committee of the Academic Council**

**(DRAFT 02/20/03 )**

Current University Faculty by-laws stipulate that full-time faculty with appointment in a “unit that provides credit towards an academic degree,” and whose role “has an obvious instructional component,” and with whom “there is intent of ongoing contractual relationship with the university” are eligible to vote in Academic Council elections. In practice this means that our voting list includes all “regular rank” faculty – those with titles of assistant, associate and full professor, professor of the practice, research professor, and clinical professor. By contrast, only tenure track faculty are eligible to serve on the Council. Many faculty –and not only those in non-tenure track ranks—feel that there is an invidious distinction among two classes of faculty whose academic duties, service, and commitment to Duke may be quite equivalent. Furthermore, there is some danger, as the non-tenure-track ranks swell, that an increasingly important voice is not being heard in the only University-wide deliberative assembly.

It is worth noting that when faculty nomenclature was discussed at length in the council of 1988, the prevailing sentiment was that non-tenure track faculty did not have the same stake in and commitment to the University as the tenured and tenure-track faculty. It is certainly true that that both the character and the importance of non-tenure track faculty have changed in the intervening 15 years. Faculty growth has occurred by and large in the non-tenure track ranks, and these faculty have become increasingly important to the core mission of the University. There has also been a regularization of these appointments using longer-term contracts and, in many cases, increased professionalization through the development of search and review procedures that parallel those for tenure-track faculty.

In 2001, ECAC asked a committee, chaired by Professor George Christie of the Law School, to examine the possibility of extending eligibility to serve on the Council to at least some non-tenure track faculty currently voting but ineligible to serve. Their report favored extension of membership to voting non-tenure track faculty in principle. But their proposal that deans or heads of departments should individually certify those non-tenure track faculty who are on at least 3-year contracts, have regular teaching assignments, and exercise governance rights within their division and/or department that are comparable to those exercised by tenure track faculty in the unit, was thought to be cumbersome and impractical. In addition there was some concern that there was too much variability among Schools in the duties of faculty with the same title (see minutes of the Academic Council meeting of 09/20/01). This committee report was not followed up with any further action by the Council.

In order to move ahead with the general sentiment of the Council that eligibility to serve on the Academic Council should be extended to voting non-tenure track faculty, ECAC proposes the following.

A. If action is to be taken, it has to be on the basis that people with a given title and meeting common requirements, should be eligible as a class.

B. In order to ensure that candidates for election to serve on the Academic Council have a significant commitment to the University, eligibility should be restricted to candidates who are at least in their third continuous year of service as a regular-rank faculty member at the time of nomination.

C. In order to preserve the independence of the Council, and to ensure that faculty representation is by members with unambiguous academic freedom, no more than one non-tenure-track member may be elected from any Division of the University, except that the Division of Clinical Sciences, with a large number of non-tenure track faculty, may choose to permit election of up to four non-tenure track faculty representatives.

Given the above criteria for teaching, service and Division membership, ECAC proposes that eligibility to serve on the Academic Council should be extended to non-tenure track faculty with the titles of professor of the practice, research professor, clinical professor (each of the preceding titles may be modified by assistant, associate, and full), and lecturer.