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Minutes of the Regular Meeting of the Academic Council

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May 9, 2002

The Academic Council met in regular monthly session from 3:45 -5:00 p.m. on Thursday, May 9, 2002 in 139 Social Science Building with Professor Peter **Burian** (Humanities) presiding.

MINUTES & ANNOUNCEMENTS

The **Chair** opened the meeting by asking for approval of the Minutes of the meeting of April 18, 2002. They were **approved** unanimously by acclamation as submitted.

He then announced that the last item on the day's agenda, the discussion of a proposed committee on university priorities would have to wait until the fall since ECAC had concluded that the proposal was not ready for discussion at this juncture. Just so people knew what was intended, he explained that the proposed committee would combine some of the most important functions of the current Academic Priorities Committee and the President's Advisory Committee on Resources in a new committee, tentatively called the University Priorities Committee. The basic idea here was to consider academic priorities from the outset in relation to the fiscal realities and fiscal choices that they entailed, much as was done during the strategic planning process. There were still a number of outstanding issues that needed clarification before a concrete proposal could be made. His successor, Nancy Allen, had indicated her willingness to appoint a committee to formulate such a proposal carefully and to return to the Council in the fall with **it**.

EARNED DEGREES (Diplomas dated May 12, 2002)

The **Chair** stated that in accordance with the University bylaws, **he** would call on representatives from various schools and Trinity College for recommendations of approved candidates for various degrees. These lists would be presented to the Secretary of the Council and forwarded by the Provost for approval by the Board of Trustees.

Trinity College of Arts and Sciences Dean		
Robert J. Thompson, Jr.		
Bachelor of Arts		836
Bachelor of Science		469
Pratt School of Engineering		
Dean Kristina M. Johnson		
Bachelor of Science in ^Engineering		172
Master of Engineering Management		22
School of Nursing		
Dean Mary T. Champagne		
Master of Science in Nursing		30
Nicholas School of the Environment and Earth Sciences Dean		
William H. Schlesinger		
Master of Environmental Management		80
Master of Forestry		4
Fuqua School of Business		
Dean Douglas T. Breeden		
Master of Business Administration		420
Divinity School		
Dean L. Gregory Jones		
Master of Theological Studies		13
Master of Divinity		80
Master of Theology		
	9	
School of Law		
Dean Katharine T. Bartlett		
Juris Doctor		215
Master of Laws		73
Doctor of Juridical Science		
	1	
School of Medicine		
Dean R. Sanders Williams		
Master of Health Scinces		68
Master of Health Sciences in Clinical Research		13
Doctor of Physical Therapy		34
Doctor of Medicine		84
The Graduate School		
Dean Lewis M. Siegel		
Master of Public Policy		30
Master of Arts in Teaching		1
Master of Science		34
Master of Arts		84
Doctor of Philosophy		92
	TOTAL	2864

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

Both motions **passed** unanimously by voice vote.

The **Chair** commented that Council had approved the degrees, and with whatever levity people took the ceremonial aspect of this, it was, after all, a very important part of the faculty's mission; its approval was a necessary step in Duke's students going out as graduates of this University into the World.*

He then called the meeting into **Executive Session** to consider honorary degrees.

Before going back into open session, the **Chair** reminded Council members of the importance of maintaining confidentiality of Executive Session proceedings to allow the President to receive acceptance from the nominees necessary before public announcements could be made.

QUESTION FOR THE PROVOST

He then turned to the fifth item on the agenda. It concerned a practice that gone into hibernation but had now shaken itself awake. A question had been received addressed to either the President or the Provost. The Provost would read and answer the question.

Provost Peter **Lange** said that since the President was at the Health System Board meeting, he was going to do this. He said that he was responding to the questions with substantial trepidation, not because of the difficulty of the questions, but because of the

*It should be noted that much to his audience's amusement, Professor Kenneth **Knoerr** on behalf of the Nicholas School presented his school's list of candidates in Modern Greek, ". . . in the spirit of the Curriculum 2000 requirement that Duke undergraduates become proficient in a foreign language." He invited any member who questioned what he had said, to consult the translation he had given to the Chairman of the Academic Council. Professor **Burian** responded also in Modern Greek to everyone's delight. The representative of the Fuqua School complained about the fact that being next in line always made him the anticlimax.

answer's complexity.

The first question read: "In the Wednesday, April 17 issue of the Chronicle an article appeared entitled, 'Duke Tries to Manage With Tight Budget.' There were several interesting statements in the article, and I would like to ask you comment on two of them. The first statement is a quote attributed to Executive Vice President Tallman Trask and reads as follows. Quote, 'It's tight [i.e. the university budget]. It's tighter than it's been probably all the time I've been here.' The first question is, do you agree with this statement?"

The Provost said that he would agree with Tallman. It was one of the few circumstances under which he had been able to do this. It was one of the tightest budget years they had faced, certainly since he had been Provost and probably going back through the numerous years that he had served on various administrative committees of the University. However, the word tight was a relative term, not to mention an ambiguous one. And what it meant in this year's budget context for the academic enterprise was not cutbacks, which as was well known, many state institutions were facing, but constrained growth. Duke was fortunate to be in this position, in which the quality of Duke's academic programs could not only be sustained, but Duke could continue the strong momentum of its strategic plan. Last year's University budget, which meant all funds excluding only the health systems - restricted and unrestricted, grew at 7% on a base of \$1.1 billion. This year's budget was expected to grow 4.4% on a basis of \$1.2 billion. The only type of income that showed greater growth this year than last was restricted endowment income, and that was a point he would come back to in a moment. He asked if there were any questions about that part of the answer. He then continued with the second part of the question:

"The next statement in the article that I would draw your attention to is the report that, 'Spending from interest on Duke's endowment will increase 10 percent next year- the most it can rise in a single year- and many of the University's other revenue streams are holding steady.'" He commented that the next part was "where it gets funny."

"The question is whether this statement is correct and if so, how do you believe we can maintain the spending power of the endowment for future years by spending at such a rate? Also, does the statement that 'other revenue streams are holding steady,' mean that they are not increasing or at least increasing at rates much less than 10%?"

Taking the last part of the question first, Provost Lange said that Duke's core revenue streams were all increasing. The quote "holding steady" meant not flat, but growing modestly, in the 3-4%

range, consistent with what he had said earlier. The endowment income spent in any given year was the product of two factors. The number of what they called units, as in a mutual fund, contained in Duke's endowment -i.e. the number of units in the endowment - and the dollar amount distributed per unit under the approved endowment spending rate, which was indexed to market values. This year, both factors - the number of units and the amount of spending per unit - were increasing. The number of units had increased because of the success of the Campaign for Duke. At the same time, their annual payout per unit was increasing by 10% in accordance with the Board's spending policy. The combined effect was an increase on the order of 17% in anticipated spending from the University's unrestricted and restricted endowments.

Explaining the spending policy, he said that it was a complicated formula designed to balance spending growth to support Duke's programs with predictability and the preservation of the Endowment's long term purchasing power. The current policy adopted in May 1999 with very substantial input from PACOR established a 5.5% spending rate per dollar of market value. That was the level designed to assure that the endowment continued to grow from year to year, even if it were steady, and there was a 10% governor on the maximum amount that spending could increase in any one year. In order to smooth out market fluctuations the 5.5% was applied to the three-year average market value of an investment unit, measured at the end of December of each year. The governor came into play if that basic calculation, the 5.5% of the three-year average market value, were to produce an increase of spending per unit greater than 10%. In other words, if the growth in the endowment per unit was such that the spending at the 5.5% level were going to be greater than 10% per year, the governor would prevent expenditures greater than 10% in that year, which allowed them to accumulate income. In other words, they were spending per unit each year an amount equal to the lesser of a 10% increase over the prior year's spending per unit or 5.5% of the average value of the three prior years' market value per unit. Currently, they were in a situation, having had very strong returns on their endowment in 1999 and 2000, whereby they had a substantial amount of prior earnings in the Endowment that had not been distributed for expenditure because of the 10% cap. As he had noted, they had spent the lesser of 5.5% of the average market value or a 10% increase in the spending per unit. Applying the 5.5% spending rate to the prior three years' market values to determine spending for fiscal year '02-'03, would produce a change in spending greater than 10%, because of that big run-up, which was still in there because of that three year rolling average. So Duke's spending next year was governed by the maximum 10% growth provision of the spending policy. That was where that 10% number had come from in the article. They would actually be spending, therefore, less than 5.5% of the three-year average market value which was their long term policy target, because since they put the cap on, spending was

actually going to drop them below what the 5.5% would pay, precisely with spending in '02-'03 4.55% of the average market value of December 31, 1999, 2000 and 2001. More concretely, spending per unit of endowment would increase from \$1,976.04 this year to \$2,173.64 next year. That was a 10% increase that got multiplied by all the units in the pool to produce an expected \$81M of endowment income to the University next year. Again, the spending rate and cap were designed to provide stability and predictability in Duke's endowment spending, while protecting long term purchasing power. This policy seemed to him to be serving them extremely well in meeting these objectives, and that was why, despite the investment environment in the last two years, they were able to continue to grow at this income source. He would take questions, although he hoped there wouldn't be any, in fact, he dared anyone to ask.

Nevertheless, an unidentified questioner asked if the Provost could give a percentage in terms of the three-year moving average. Looked at just in terms of the December 2001 value of these units, he asked what the percentage was Duke was spending.

Vice Provost James **Roberts** (who had a calculator on him) replied that it was about 4.7%, i.e. still a fairly conservative number.

Peter **Lange** added that that was so because of the cap. It was keeping everything down, and there were two good reasons for it. It not only helped smooth further [fluctuations], but without it after those two boom years they would have put so much money into the system, that they would have people spending money the wrong way on the wrong things and then turning around the next year saying, 'oh my god, I've committed to do all these things and now I don't have the money to do the things I should!' So it was also a discipline on their spending in a way which was consistent with the long term programmatic growth of the university. So the cap was not only a good idea fiscally, but also a good idea in terms of the quality of Duke's programs.

Peter **Burian** thought it might be worth adding that the governor also worked with successive bad years.

Peter **Lange** answered that that was not so, because in a succession of bad years they'd be at the 5.5% level, because that would then become the lesser [of the 5.5% of the average market value], (Applause)

Peter **Burian** then said that he had one item that was not actually on the agenda, namely to take a moment to recognize the Faculty Secretary, Tilo Alt. This was Tilo's last Academic Council meeting as Faculty Secretary and so he wanted to say a few words to him on behalf of all of them. "Tilo, I want to thank you for serving faithfully as faculty secretary, participating in our weekly ECAC

minutes and producing some 36 sets of Academic Council meetings over the last four academic years. To acknowledge this contribution ECAC and I have something for you that illustrates how 'time flies.' Come up and open this little box." [The box contained a clock in the shape of an airplane, i.e. with wings and propellers]

Tilo Alt: "Good heavens." (Laughter and Applause)

Peter **Burian** commented that for those who didn't know, that one of the hobbies that Tilo had avidly pursued in his so called retirement was the demanding art and sport of flying. "So, Tilo on the occasion of your second retirement, ECAC wanted to give you your wings. Tilo, we appreciate your service to Duke University and we will miss you at our meetings."

[This recognition and following applause was as gratifying as it was unexpected].

Professor Robert **Clark** (Pratt School/ECAC) then came to the podium for another unscheduled announcement and presentation in recognition of the Council Chair's retirement from his office: "I'd like to say a few words of thanks on behalf of ECAC and the Council, which is a challenging task for a professor of Engineering attempting to properly acknowledge an eloquent speaker and professor of Classical Studies. A few weeks ago, my wife and I were driving along Franklin Street to share lunch and someone passed us, waving his arms obviously conducting a virtual orchestra on the dash of his car. My wife said, 'Did you see that guy?' I said, 'Yes.' And she said, 'He looks familiar.' I said, 'With good reason. He's the Chair of Academic Council and you must have recognized him from a number of dinners we've had together in the past.' I told her that, 'his actions didn't surprise me because he's a very passionate man.' Having met with Peter weekly, as a member of the Executive Committee of the Academic Council, I can attest to his passion for our students, faculty, scholarship, and everything that defines our university. Peter has unselfishly devoted his time to a number of pressing issues including the name change of the Nicholas School, Perkins Library renovation plan, strategic planning process for building on excellence, review of APT, and I could list all of the other things that have come before the Council. Never more was his leadership and passion displayed than when addressing students and faculty in the wake of the September 11 events, in the interfaith service on the Chapel Quad, when many of our senior administrators were stranded in other parts of the country. Peter, as a member of Executive Committee, it is a pleasure to serve in your orchestra. To acknowledge your efforts, we'd like to present you with a gift." [The gift was a framed cartoon depicting Peter **Burian** in a toga presiding over a Council meeting] (Applause and laughter)

Peter **Burian**: "The Chair of Academic Council, in my best toga. With a tie, however. Must have been a formal occasion. Thank you very very much. I don't know what to say. I'm very touched. And altogether this has been a wild ride and exciting, wonderful time for me. And I think a lot of it has to do with the collegiality, the kindness, the good humor and good spirits that were just demonstrated of the memories of ECAC over these two years. I can't think of a group of colleagues with whom it would be a greater pleasure to work. And I also want to thank Linda Lehman who has kept me more or less on the straight and narrow countless times, and without whom I don't think any chair could readily do this job. Thank you all very much indeed."
(Applause)

VOTE ON PROPOSED CHANGES TO HARASSMENT GRIEVANCE BOARD

With that the **Chair** moved to item six on the agenda, namely the continued discussion and vote on the proposed change to the Harassment Grievance Board (HGB). Cynthia Clinton was present to answer questions. Members had received a revised version of the Harassment Policy which answered specifically to the issues raised at the Council meeting of April 18, where a question was raised primarily about the number of suitable members of faculty on the panel dealing with faculty-faculty grievances. That number had been five and was changed to three, consequently lowering the overall number of the board as it was felt that that number might be small. So it had been restored in the current version to five and people would find on page 8 of the policy that a number three had been added to deal with the difficulty of having a five person panel, namely finding five members available to serve out of a group of six. This simply stipulated that should it be impossible to fill a panel from members currently serving that the panel could be selected also from former members as well as current members of the Harassment Grievance Board. He hoped that this met the questions that were raised at the last meeting.

He then asked that a resolution proposed by ECAC be distributed, which read as followed: "The Academic Council endorses the proposed changes to the Harassment Grievance Board as revised following the Council's discussion of April 18, 2002, and mandates the publication of the revised Harassment Policy in the next edition of the Faculty Handbook." He explained that this motion simply adopted the text that members had received in their packet with the changes which had been discussed over the last two meetings. Since it was a motion from ECAC it did not require a second. Since there was no discussion of the motion, he called for a vote. It **passed** unanimously by acclamation and he expressed his appreciation for Cynthia's good work.

VOTE ON MERGER OF DEPARTMENT OF GENETICS & MICROBIOLOGY

Since there had been a presentation and discussion of the proposed merger of the Department of Genetics and the Department of Microbiology into a Department of Molecular Genetics, the **Chair** asked for a vote on this proposal, unless there were further questions that could be addressed to Professors Nevins, Corless, and Keene who were present. Again, this was an ECAC resolution requiring no second. He read out the first resolution: "The Academic Council, after reviewing the proposal, which has received the support of the faculties of the departments of Genetics and Microbiology, the Basic Sciences Faculty Steering Committee, the Academic Priorities Committee, and the Executive Committee of the Academic Council, endorses the creation of a Department of Molecular Genetics and Microbiology from the two existing departments." There was no discussion of the motion which **passed** unanimously by acclamation.

VOTE ON PROPOSED Ph.D. PROGRAM IN MOLECULAR GENETICS &
MICROBIOLOGY

The **Chair** then read out the second ECAC resolution: "The Academic Council, after reviewing the proposal, which has received the support of the appropriate governing bodies, including the Academic Priorities Committee, the Executive Committee of the Graduate Faculty, and the Executive Committee of the Academic Council, endorses the establishment of a Ph.D. program in Molecular Genetics and Microbiology."

Professor Robert **Wolpert** (NSEES) asked whether there were existing Ph.D. programs that would be retiring with the program.

Joe **Nevins** replied that the existing program in the Department of Microbiology would be folded into this new combined graduate program. There was no existing graduate program in the Department of Genetics. Instead, it really related to the university-wide University programs.

In the absence of any further questions or discussion, the **Chair** called for a vote. The motion **passed** unanimously by voice vote.

VOTE ON PROPOSED Ph.D. PROGRAM IN BIOINFORMATICS &
GENOME TECHNOLOGY

The **Chair** announced the presence of Vice Provost Siedow and the Dean of the Graduate School to answer further questions on the proposed Ph.D. program in bioinformatics and genome technology. He then proceeded to read out the last of the ECAC resolutions:

"The Academic Council, after reviewing the proposal, which has received the support of the appropriate governing bodies, including the Academic Priorities Committee, the Executive Committee of the Graduate Faculty, and the Executive Committee of the Academic

Council, endorses the establishment of a Ph.D. program in Bioinformatics and Genome Technology."

Since there were neither further questions nor was there any discussion of the motion, he called for a vote. It **passed** unanimously by voice vote.

NEW BUSINESS
(Parking)

Professor John **York** (Basic Sciences-Medicine) rose to announce an emergency situation regarding parking on campus. He wanted to bring that to the attention of the Academic Council on behalf of many of the faculty in the Medical Center and some University faculty. The current spate of construction and closing of roads and parking lots had created a problem for many of the students, trainees, and employees of Duke University. So the purpose of this was to 1) have sort of a plea to ask for a resolution to this conflict. There were people that were being asked to be bused off of campus as a resolution to this. The problem with this proposal was that the people that were going off campus to these lots, had about 45 minutes of commute time added to their total travel time. In addition, these lots were actually unsafe as judged by the recent break-ins in these lots. So he wished Dr. Trask were present to address some of these questions. As faculty, they depended solely on trainees and employees and things had gotten to the point where there was no unification of University parking and Medical Center parking, which he thought needed addressing. Furthermore, they were requesting that there be increased security in these parking lots as well as increased service of buses that went well beyond the 9 to 5 hours in the day, because many of their trainees and employees worked all hours. He I knew it couldn't be kept open 24 hours a day, but if this was the proposal, then this issue needed to be addressed. This was really a plea on behalf of the faculty to get some interest in this, because it seemed that the parking services were very resistant to any suggestions that the faculty had brought forth. He had spoken with both Bill Baker in the Medical Center, as well as Catherine Reeve in the University, and they had both expressed frustration with this situation. So he thought matters had gotten to the point where it would be well if these services could be consolidated, although he didn't think that that had been an easy solution.

Number 2) , the longer term issue was why all these new buildings were being built, all these new facilities, without addressing the issue of the current parking crunch, and it didn't appear that the solution to the long term problem of parking was going to be resolved any time in the near future, probably a year and a half.

Professor Kenneth **Knoerr** (NSEES) wished to add his own comments to this from the point of view of having served on the Facilities and

Environment Committee, which basically reviewed construction on campus. Many changes had occurred in this place since 1961. Research Drive was used, at least by the main university campus, as what he would call the 'Maginot Line.' This line was basically the boundary between the Medical Center and the main university campus. That line was crossed in the mid-1960s when the so called temporary buildings were built by the Medical Center, which then became more or less permanent buildings for quite a while. So then, in his view, the next Maginot Line became LaSalle Street extension. He was on the Facilities and Environment Committee when that big parking lot (X Lot) was built there and the Medical Center started parking on what had become known as Circuit Drive (RX Lot). They paid for the paving, but somewhere in his copies of the minutes, there was an agreement between the University administration and Medical Center that if the University would pay for the paving they could get back those parking places. In his view— and he was going to say this pretty strongly— in a sense, the Medical Center had been, "careful how I say this," a cancerous growth on the north side of campus, that had impacted parking pretty severely for the rest of the campus without taking into consideration their needs. He understood Prof. York and he knew, Circuit Drive was being closed. He came in that way and he saw at the beginning of this week an announcement saying that this place was being restricted, no more parking on this street. In his own view, the Medical Center had grown without really addressing the needs for their parking and that had really had a severe impact on University parking.

Professor **York** asked if he could comment on this, saying that he had been at Duke for six years. He was actually in the Medical Center with a primary appointment in pharmacology and cancer biology, and a secondary appointment in biochemistry. He happened to be in the Levine Sciences Research Building which was the hybrid building that was owned by the University for which there was one wing, the C-Wing, and there was a Medical Center department within that wing. So they had lived with this fusion of Medical Center and University politics in the form of maintenance of this building and various other things. They had a special problem in this building, in that when they went to the various parking offices and asked whom to see about parking passes, each one would point the finger this way [heavenward, presumably]. Furthermore, he [Ken Knoerr] just mentioned that he noticed this week that there was going to be a change in this. They had received notification yesterday, i.e. May 8, that by the 13th there would no longer be parking in the RX lot. This was completely unacceptable, because no alternatives were given. It was almost as if a bird had just fallen out of the sky and said, 'oops! we've got a parking problem!'

Ken **Knoerr** added that this had been known for some time because somebody had told him six months ago that that was going to be

closed. So he had been cheated on.

His interlocutor responded that according to Bill and Catherine, proposals had been put forth to try to put a parking garage up, a Medical Center parking garage. That proposal had been delayed or stopped. There was a proposal to consolidate the parking services. Catherine was actually said to have been brought in to oversee all parking at Duke. This had not happened. [At this point, Tallman Trask, who had temporarily left the meeting, returned and the **Chair** asked that Prof. York repeat very briefly what he had said to Council, so Dr. Trask could respond]

EVP Tallman **Trask** asked what part of the parking problem he was particularly concerned about.

John **York** replied that specifically, he was concerned about Circuit Drive, the closing of the RX lot there and the solution to the problem entailing busing people off campus to lots that did not have adequate busing service as well as security protection. That was the immediate concern. The longer term concern was why this hadn't been thought of in advance of all this construction by trying to come away with a smoother transition.

Tallman **Trask** replied that he would answer the easier questions first. By all the numbers one could look at, Duke did not have a shortage of parking. It had a serious misallocation and misalignment of parking and people didn't get to park in the right places, and didn't have sufficient flexibility. It was complicated by the fact that they had two parking systems. The Medical Center ran its own parking system as did the University and there were places where they were next to each other, and those were where a lot of the problems occurred. Hence they hoped for next summer to be able to consolidate the two systems and rationalize the system.

As for Circuit Drive, that clearly had been understood as an issue. When Science Drive was being closed to build Engineering, another cross-campus roadway would be needed and it couldn't be one that people parked on. It had to be a thoroughfare. That was about 260 spaces. For reasons lost in history, those were Medical Center spaces, not University spaces. As a matter of fact, that landscape there, i.e. what was Medical and what was University was very confusing and it had been put together over the years. In recognition of that problem, they had transferred 220 spaces from University to Medical Center to cover the loss of Circuit Drive parking. They seem to have disappeared, however, and he couldn't say where they had gone yet, but 150 spaces in the Circuit Drive parking lot and 70 spaces in the inner lot behind Trent had been transferred to the Medical Center, and he learned this morning that someone had a brochure out announcing that 60% of the employees had no place to park, which he didn't understand, because those spaces were provided. So, he thought they had got an allocation and

communication issue here. Now, on the other hand, there was a parking crunch on the main campus, which would be exacerbated this year. The plan was, as was known, that to begin construction in the next ten days on a 550 space parking garage on the main campus which would solve the problem, but there was this ten month window of difficulty. The plan to deal with that had also gotten miscommunicated, however. A lot was being built over next to the Smith Warehouse, which would handle 400 plus people. Contrary to reports in the press, nobody was going to be forced into that lot. Nobody was going to be driven into that lot. The bus service to that lot was actually quite good. It was on the main East-West bus system where buses go quite frequently and they would increase the service if they needed to handle that. Their current plan was to bribe people to go into that lot. Parking in that lot would be \$10 for the year. So if they could get 400 people to choose that alternative rather than the \$200 alternative, then everything would settle down. It would be a couple of months before it became known whether people would actually behave that way. Again, however, he gave away 220 spaces and he didn't know why they didn't get to the people they were headed for.

Professor Terrence **Oas** (Natural Sciences) wanted to know if the 550 spaces in the new structure were University-side spaces and Tallman **Trask** replied that it would be located between the Bryan Center and Science Drive but he was hoping that by the time it was completed the distinction between University and Health System parking would no longer be relevant. To the question of whether the 400 Smith Warehouse spaces were being allocated in the short run, he replied that in the short run, they were meant to induce people, primarily on the University side to park there to save money in order to free up spaces for other people who wanted to be closer to buildings. His interlocutor then followed up by asking if there was a mechanism in place in the short term, in the next few weeks even, to deal with the problem that a lot of the Medical Center staff were facing right now, which was that their only alternative for parking was these remote lots which had an extremely high vandalism rate, at least based on people's stories, and the service between that lot and the main campus which apparently ended only at the entrance to Duke North was infrequent and not very convenient. EVP **Trask** said that it sounded to him as though he was talking about the Hillsborough lot which was run by the Medical Center. When told that this was the only recourse for the displaced Medical Center employees, EVP **Trask** answered that somebody needed to find these 220 spaces, because they had been transferred to the Medical Center to cover this problem and why they weren't being allocated to the people who had been displaced, he didn't understand.

After identifying the individuals that had done the actual giving up and receiving of the spaces, John **York** said that while this might resolve the 220 space issue, it didn't address the issue of there being probably 120 people that were on waiting lists to get

parking. They had no place to park. They were hiring new people because they were expanding their labs.

His interlocutor responded by saying that he was not in a position to explain the details of Medical Center parking. As they knew, he believed there was significant excess capacity in the Medical Center parking areas; they had allocation and pricing problems that they hadn't dealt with, which was why he wanted to combine them so they could get it all straightened out. John **York** thought that faculty would he had talked to would embrace that. The exchange ended by Dr. Trask saying that sometime he ought to show him his favorite picture which was an aerial photograph of the three garages which had a total of twelve cars on the top decks, but that he would try to find out what happened to the 220 and why Medical Center employees hadn't gotten them.

Peter **Burian** added that although the timing was very bad that he'd like to point out that there were representative faculty bodies in both the basic sciences and clinical faculty who might be able to raise questions with the appropriate parking people in the Medical Center to deal with what sounded like the gravity of this current situation.

At that point Dean **Corless** wanted to add that there had been a very warm discussion at the Executive Committee of the Medical Center on Tuesday afternoon. There, Gordon Williams went through the details of these displacement issues, and was also committed to trying to find the solution and get this fixed. Apparently, a lot of the labs were closing down around 3:00 to 3:30 p.m. because, in order to get a parking space, people were coming in at 7:00 or 7:30 in the morning and then ending their day early, because if they came in early enough they could get the parking space. And there was no B-team. There was no shift of second people coming in. So anyway, he was very aware of it and it was brought to the attention of everyone else who didn't understand why it didn't seem to be planned for in a way that would have been smoother; but he knew he was working on it, he didn't know any more than that.

SPECIAL ANNOUNCEMENT FROM PROVOST & PRESIDENT

The **Chair** thought that Dr. Trask could expect to come back to this Council again more than once to talk about these issues. Happily, they were able to end this academic year of the Council on a much higher and happier note than this, and he would like to ask the President and the Provost to come forward to make an announcement.

Provost **Lange** said that he never thought that he'd be happy to say that he was glad parking had come up but, in fact, if they had had to quit at 4:30, when they were ready to, the President wasn't present yet and there might have been some difficulty doing this. Everyone here knew that their most prominent goals in building on

excellence included significantly strengthening science and engineering, being among the best universities in integrating teaching, learning, and research and promoting major and multidisciplinary and interdisciplinary programs. When these goals were defined, they knew that realizing them meant an expansion and improvement of laboratory science spaces, which was, as people also knew, a very costly proposition. They also believed that the disciplines would benefit from collaboration. Undergraduate Biology, Chemistry, and Physics, as well as Biological Anthropology and Anatomy would in an ideal world share space as well as ideas and resources. In fact, one way of thinking of Science Drive in the past had been that they had a Math-Physics island, a Bio-Sci island, and a Gross Chemistry island and that moving between them required rather large ships. This collaboration instead would be the foundation for the cooperation that created new knowledge emerging in fields like Genomics, Biological Chemistry, Physical Biology, and Bioinformatics. To that end, representatives from those departments as well as the University Architect, Tallman Trask and he himself formed a group to begin preliminary planning as well as dedicating significant funds - \$40 million - from the Strategic Plan for a new sciences building that would largely serve those departments. During the year, they have had a group working on this. This committee had been working with several other committees and the departments themselves to define the scope of the project. They hired architects Moore, Ruble and Yudell who had also worked on similar projects at other schools and began to envision a new building for the sciences in the area between Circuit Drive and Science Drive—basically surrounded by irate faculty (Laughter), i.e. basically surrounded by the area of the current Biological Sciences building, the Levine Sciences Research Center, and Gross Chem building. They were certain that Duke needed a new such facility and planned for it and continued despite growing awareness of its very high cost. Because really what they were thinking of doing was creating a building that would fundamentally unite those three buildings with four departments—Chemistry, Biology, the Math-Physics Department as well as Biological Anthropology and Anatomy—into a complex in which there would be, for instance, a central science plaza, so to speak, where one would be able to enter any one of the four departments from one shared public space, just as an example. So it was a very exciting hub, but an expensive hub. As they were planning, they were seeking the necessary resources, particularly investigating potential funding from people who understood Duke and its needs. One of the people they approached was Trustee Melinda French Gates who knew Duke and its needs very well, and now he would ask the President to come up.

President Keohane, coming straight to the point, said that she was pleased to announce that Melinda and Bill Gates and the Foundation had been responsive to their request and shared their sense of Duke's priorities, and the Bill and Melinda Gates

Foundation was making a generous new gift to Duke of \$35M, \$30M for Science Initiatives, and \$5M for Student Life, especially on West Campus. These areas were of enormous importance to the University, as all present were aware, and their benefactors recognized that. Melinda French Gates was a committed and thoughtful alumna and trustee of the University. They were grateful to her not only for the resources the Foundation had provided, but also for her personal leadership in helping them think through University priorities. The Gates', she would remind the audience, also funded their University Scholars Program with their earlier gift in 1998, which was a cross-generational, interdisciplinary program that had brought wonderful students to Duke in every school of the University. Melinda had been on the Foundation staff and been typically thorough in evaluating Duke's priorities. Student Life was one of those priorities and it was a long standing interest for Melinda who was Vice Chair of the Student Affairs Committee of the Board of Trustees; but they also understood the importance of the sciences. In terms of Student Life, the gift would be used by Vice President Moneta and his colleagues to revamp both the programming within, and the spaces within the Bryan Center and the West Union to create lively new places and appealing programs to improve campus social life on West Campus and campus extracurricular life in conjunction with the new West Campus residential plan. Peter eloquently had described the plans and needs in the sciences. The Gates Foundation had been broadly interested in science education, and their magnificent gift allowed Duke to move forward with some of its initiatives much more quickly than they thought they could, and in gratitude for their gift, when the building came to be dedicated someday she would propose that the Board of Trustees name it the French Science Center in honor of Melinda French Gates' family. So, it was particularly appropriate that everyone present were the first to hear this announcement, because it would clearly benefit the Duke faculty greatly, and she knew this was a large part of what motivated them to make the gift. They certainly understood how crucial the faculty leadership and faculty involvement were to this University and by benefitting their students as well, it would benefit their own work in more diffuse ways too. Melinda graciously said in the press release that announced this gift that she was "pleased to be giving back to the University that has given me so much," and she hoped that when people had a chance to see Melinda and Bill Gates around the campus, they would thank them for doing a great many good deeds in this world, including this wonderful new good deed at Duke. It was a very happy announcement and she was delighted. (Applause)

Peter **Burian**, thanking both speakers, remarked that that had been certainly a happier note than parking to end the year on. Wishing everyone a great summer, he then asked for and received a motion to adjourn and go celebrate.

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