

Minutes of the Meeting of the Academic Council
Thursday, April 19, 2018

Don Taylor (Chair, Academic Council / Sanford School of Public Policy): Hello, everyone. Thank you for coming today. Thank you for coming 30 minutes early. As always, we have gender – gender confusion? (laughter) Alas, we have *agenda* confusion. Maybe I should start over, maybe not. (laughter) Welcome anyway. President Price let me know last week that he wouldn't be here today and he asked me to send his regrets for that.

A couple of announcements before we get to our busy agenda. The ECAC spring election is underway. It began about 36 hours ago. We have eight candidates running for election. The top four vote-getters will get elected. Victoria Szabo from Art, Art History and Visual Studies, Phil Rosoff from Clinical Sciences in the School of Medicine, Mark Anthony Neal from African and African American Studies, Garnett Kelsoe from Basic Sciences in the School of Medicine, Ellen Davis from the Divinity School, Lisa Keister from Sociology, Laura Lieber from Religious Studies, and Sherryl Broverman from Biology. Next year four of us will continue: I myself have one more year, Claudia Gunsch, my colleague from Pratt, Larry Zelenak from the Law School, and Erika Weinthal from Nicholas. So the four of us will join four of them next year. You have until Monday night to vote so please do that. We will announce the results at the May 10 meeting.

One thing in particular I want to call out. Next Tuesday, April 24 at 2:00pm in 217 Perkins, all of you should have gotten an email but I realize you get a lot of emails, maybe even especially from me, so you may avoid them. This one is discussing a change in the Board of Trustees' approach to committees. The Board of Trustees has a long habit of having faculty members serve on committees. They're reorganizing how they arrange their committees and one of the things they're doing is, essentially there will be fewer standing committees but they're going to create more short term committees or so-called task forces that will focus on various topics. One of the goals, from the faculty perspective, is to give faculty more opportunities to work alongside trustees, students, and staff on topics that are particularly of interest or in their expertise. So several folks have emailed and said they couldn't attend that meeting, which is fine. All we're trying to do at this meeting is discuss some of these structural changes to how the faculty governance approach will engage the Board of Trustees.

***APPROVAL OF THE MARCH 22
ACADEMIC COUNCIL MEETING MINUTES***

Taylor: The next item is the approval of the March 22 meeting minutes, which were posted with our agenda. Does anyone have any corrects, amendments, additions for the March 22 minutes?

(Minutes approved by voice vote without dissent)

CONSENT ITEM – REPORTS FROM APC, UPC, GPC AND THE ATHLETIC COUNCIL

Taylor: We have a consent item, which is the reports from four key standing committees. Steffen Bass is the Chair of the Academic Programs Committee, and member of this Council. Lori Bennear, Chair of UPC, she's also a member of the Council. Erika Weinthal is the Chair of GPC and a member of ECAC, and Jim Coleman is Chair of the Athletic Council. These reports were posted with the agenda. There were a few items people asked very detailed questions about and we answered them. Does anybody have any questions for any of the Chairs about those?

Harvey Cohen (Clinical Sciences): This is a general question. Most of the reports describe what went on, but not what the outcomes were or more specifics. Are minutes from those committees available like minutes from this Council are?

Taylor: Minutes like this Council, that detail of recording, the answer is no.

Cohen: I didn't mean quite that detailed.

Taylor: I think probably not. APC, for example, is fairly confidential information as it's being discussed. For example, the master's degrees and the PhD that we're going to hear about today were talked about voluminously at APC. There are things that go to APC, for example, that don't come here. UPC is advisory. They don't vote. The only time I can ever remember UPC voting is about the DKU proposal. But they're not detailed minutes. So I think the answer is probably

no. The question of, should we have better accounting of what's happening, is a reasonable question.

Sally Kornbluth (Provost): I have to say, it's pretty frank, free-flowing discussion that I think would be altered if the meetings were recorded. I think it's reasonable to say, here are the main points that were raised. I do think that everybody sees the summary discussion for the programs. Because you could see the report that went out from APC on any issue that's been discussed. But I think it would be difficult to capture the exact flavor of the discussion, the interchanges.

Cohen: Is there a way to get into the outcomes? If people were interested in knowing what came of certain discussions.

Kornbluth: Those are written reports in general.

Erika Weinthal (Nicholas School of the Environment / Member of ECAC / Chair, Global Priorities Committees): I have a comment from GPC. GPC is advisory. When it comes to academic programs that have a global component, we look at them just for its global nature and global impact for Duke. Our recommendations then have flowed through APC to ECAC and they come to Academic Council, so you do see the discussion, when it comes to the academic programs. You see what our recommendations are in an advisory capacity. There are no votes that take place.

Taylor: And some of the things, for example, I've been on UPC for maybe five years, and we always talk about, a short version would be, we can't afford our

need-based undergraduate financial aid approach, and we can't afford not to have it, so we figure out how to do it. So it's a constant discussion of tradeoffs. There's not a fix unless someone gives us a billion and a half dollars to put into endowments. Just using that one forever example.

Nan Jokerst (Electrical and Computer Engineering): I've been on all these committees as Chair of the Academic Council, Don gets to sit in on all the meetings. I would say that the summaries at the end of the year that we read really do summarize the conversations that have gone on. I would say that the only thing that we could get in addition would be the departments that were reviewed successfully by APC, because that's really the main other thing that they do. So we could ask that, if it's not confidential, they add that to their report. But I read all the reports and they all really do contain the conversations that went on, at least, when I was attending all those meetings, the gist of the conversations.

Josh Sosin (Classical Studies): I'd like to float a seven dollar partial fix. This applies to APC, probably not to the others, but certainly some of the things that are on the APC docket. Anything that APC sees that does eventually come here will come here with documentation. That documentation will have been put online. Therefore, when it comes time for the final report, when the APC report lists things that it discussed, anything that came here and generated documents ought to feature a link in that list to that document. That would give you where such things exist. A simple way to go from that accounting of APC's business that year to any document that you are automatically allowed to see as a member of Council. That would cost almost

nothing and not take very long. It wouldn't totally give you what you want, but it would actually connect these things so that Council members don't have to themselves do the legwork to track down the documents.

Cohen: I didn't mean for this to be a big concern. (laughter)

Taylor: Then if everyone is fine, we will move on.

PROPOSAL FOR A NEW MASTER'S AND A PhD DEGREE IN POPULATION HEALTH SCIENCES

Taylor: We have a proposal for a new master's and PhD from Population Health Sciences. Lesley Curtis and Hayden Boswell are here to present. Thank you for coming.

Lesley Curtis (Population Health Sciences): Thanks again. It's a pleasure to be here and to talk with all of you about our proposed new master's and PhD program in Population Health Sciences. Why Population Health? It comes as no surprise to people in this room that health outcomes in the US are not commensurate with what we spend on them with increasing disparities and really increasing the burden of disease among vulnerable populations. As a result, there's a really high demand for a workforce that has deep training in qualitative and quantitative methods that really study health and disease in populations and specifically, then, approaches to address those issues. From a Duke perspective, Population Health is very clearly aligned with institutional priorities. It's certainly part of the Strategic Plan. The other thing is faculty strengths, not just in the department that

I represent, but faculty strengths around the institution. I think it's a great example of our institutional commitment to interdisciplinary solutions to particularly vexing problems, and the health of populations is one such problem.

When we talk about Population Health, what do we mean? Generally, we're talking about those inter-related factors that really influence the health of people across their entire lifespan. We include, of course, healthcare and healthcare delivery. That's a component. But so, too, are behavior, genetics, and the environments in which we live and work. Population Health is a scientific discipline. It really zeros in on the systematic variations that exist and it works to develop, implement, and eventually evaluate interventions targeted at improving health or reducing disease burden. The question often arises: what's the difference between Population Health and Public Health? I'll tell you that they are certainly related and very complementary. The Institute of Medicine really describes Public Health in terms of the structural, organizational kinds of components that exist to help assure that the conditions in which we live promote health. So we think about everything from disease surveillance to water quality and the like.

The programs that we've proposed really feature four of what I would call fields of study that are essential for Population Health. The first is Epidemiology, which is probably familiar to many of you, and focuses on the study of disease and health in populations, with a real eye toward prevention and control of disease. It brings with it a depth of methodological approaches that are especially useful for questions where we're trying to get a

causal inference and describe in robust ways the health of populations. Measurement Science as a discipline focuses on really understanding from a variety of perspectives – patient, caregiver/provider – the health outcomes that matter and how they matter, ranging from elicitation of patient and caregiver preferences to patient reported outcomes, patient generated outcomes. Really, as we talk about Population Health, there is no Population Health without the measurement of health. That's really at the core of Measurement Science. Implementation Science really focuses on how do we take strategies, approaches, interventions that have been shown to be efficacious in randomized studies and how do we implement those into real world settings so that the right interventions get to the right people at the right time? We do that in a way that is both sustainable and equitable. Underlying all of this are the analytic methods that support this work, both qualitative – a key component in both Measurement and Implementation Science – and quantitative methods. Again, very important in Epidemiology, Measurement Science, and Implementation Science. Those really enable us to leverage the amount of health data and health related data that exist everywhere. In preparing this proposal, we did do what I would call an informal market survey of about 19 large, potential employers to really understand from their perspective what kinds of skills and competencies they needed in their workforce. The four items that I list here as fields of study are, in fact, four that were clearly articulated by those respondents.

You may remember, I was here last year talking about the Department of

Population Health Sciences. Just to remind you, we have 34 faculty with primary appointments in the department with doctoral training and research programs that represent each of these fields of study very well. We have seven or so epidemiologists, similar size of measurement scientists and implementation scientists, and then I would say the vast majority of us have a deep training in both qualitative and quantitative methods.

I'll begin with a financial overview, give a few more details, and then get a little bit into the meat of the programs. As recommended by the Academic Programs Committee, we're proposing to begin the master's program next fall, so FY-20, with an initial cohort of 15 students. There will be eight faculty leading the teaching of the core courses required for that cohort. What you see over time at a high level is that the size of the student group expands as we bring in a larger number of master's students and in FY-22 as we add a PhD program. Our best guess is that we achieve financial sustainability by year two of the degree programs.

A little bit more detailed view of the finances. The entering class sizes are shown at the top for reference. [refers to slide] You'll see that the budget includes substantial amounts of money dedicated to the administration and operations of the programs, which we recognize to be critical to its success. We're in the School of Medicine, so our faculty are funded in that way that's a little bit different from the way our campus colleagues are – their P&Ls probably look a little bit different as a result. So we have to recognize the funding that goes to backstop faculty who are teaching in our programs. We've included financial aid to the tune of, I

believe, about 25% of the tuition revenues. And then included into our budget, stipends for our doctoral students. The tuition revenue that's shown there is revenue derived just from the master's students. The doctoral students don't pay tuition.

What will our master of science graduates have in their toolbox? What competencies and where will they go? The three core critical competencies that they will carry with them from this program are deep understanding of the health system in which healthcare is delivered. And I think that accounts now for about 18% of the gross domestic product. But not just that. How those health systems operate within the context of the communities and regions that they serve, and the inter-relationship of community health organizations and health systems. They'll also have a deep understanding of research methods and design and be able to apply those principles to a variety of questions and to policy development kinds of exercises. Ultimately, we'd expect them to be able to do a variety of design, implementation, evaluation and management of programs related to health improvement or reduction of disease burden.

I've listed below where we would expect our master's students to go. [refers to slide] Just to tie this back to my comment about market demand, we did have respondents from each of these categories in our informal survey. So we feel quite confident that the skills, the competencies that we would be delivering to the marketplace would be quite well received. Our PhD graduates would leave with an in-depth understanding of the health systems and the healthcare delivery environment that I described.

Certainly advanced research design and research methods would be part of that toolbox, and the ability to really apply those in complex ways to address important research questions in robust ways. They'll be, of course, prepared to independently lead research programs. Again, we would expect them to go to a variety of different places, including academia, but not exclusively so. Certainly industry, they could be a program officer with a government agency or a researcher on the government side. In terms of the structure of our program, I mentioned that the master's program is tuition based and I described here two available tracks, if you will. There's a capstone project that is part of the master's program. Option A would involve an internship and a substantive master's paper. Option B would offer a research experience with a faculty member and then a traditional academic thesis. Both tracks would, again, position the graduates to enter the workforce with a set of skills that are in demand and as a research team member. Our PhD program, again, fully funded, they do not pay tuition. We pay them a stipend. We expect that some of our master's students might be interested in continuing on to a PhD, but the master's program is designed, first and foremost, as a terminal degree. Again, we expect our PhD graduates could either work as a team member in a research team, but certainly they would be well prepared to enter the workforce as an independent investigator.

I believe that we have assembled the resources that we need for success. As I look around the room I see a lot of people that we've talked to along the way, who have given us a lot of guidance about what those resources need to be. The core

courses in the program will be taught by faculty with primary appointments in Population Health Sciences. We are eager to cross-list and engage in the instructional collaborations with colleagues around the campus. Not only to make sure that our offerings are available to other students but also to provide a rich environment to our students as well. The department, in a few months, will be moving into a new space in the Imperial Building that will have really top-notch classrooms and workspace for students. We've already begun to invest in our education program staff. We have a full time person, Mary Medlin, who is with me today. At the recommendation of APC, we'll be engaging an external marketing firm to help us with the launch of the master's program. I'd also call out this next bullet [refers to slide] – many of the faculty in the department have had experience teaching, but teaching in a master's program and a PhD program will be new for some of us, to be sure, maybe even half of us. We're investing real resources in faculty training. We're working with Duke Learning Innovations to make sure that we have a variety of training options and really ways to make sure that we are using best practices in the classroom and learning what works and continuing to iterate a better and better set of offerings. Certainly we'll be engaging CAPS, student health, the library, and many other resources that exist around the institution.

I'll just conclude by highlighting that there's, from my perspective, really broad and gratifying support for what we're proposing across the university. Certainly the School of Medicine is supportive, and even departments within the School of Medicine who, at first blush, it might

appear that they would feel threatened or think that this is a competing program. In fact, they do not. Duke Health is very supportive of this, both from the standpoint of recognizing the training needs in the workforce, and also as an environment for learners in Duke Health. Certainly our colleagues at SSRI have been helpful, the Margolis Center, DGHI and Duke Forge. I would point out the two at the bottom in particular. [refers to slide] In our packet, we actually have a letter of support from Dr. Morris Weinberger, who is the Chair of the Health Policy Management Department at UNC. One of the questions that often arises is, how is this different than what they do at UNC and why would anyone come to Duke when they could go and get the degree at UNC? We sat down with Dr. Weinberger and said, we think this is different, we think it's complementary, and we'd like you to weigh in on that as well. I think the letter of support speaks strongly to that. The last one that I'll highlight is the National Clinical Scholars Program, which, for those of us on the School of Medicine side, is a pretty big deal. A couple weeks ago, Duke joined Yale, the University of Pennsylvania, Michigan, and UCLA as an approved training ground, if you will, for a prestigious National Clinical Scholars Program. When they did the site visit here, I was asked to present about the department and our proposed educational offerings, and I got cornered by somebody saying, now, that master's program, we really want that. How do we get that? I said, well, we have to get that approved, but I'm glad to hear that that is of interest to you. Because these are clinical scholars who will be looking for deep training in both qualitative and quantitative methods with an eye

towards the Population Health areas that I mentioned. I believe that's all.

Taylor: We now have time for some questions, and a vote will be taken at our May 10 meeting.

Phil Rosoff (School of Medicine): I couldn't quite get this from the document – for the master's students, you mentioned the various potential job categories that they could be eligible for. Do you know what the average beginning salaries of those job categories are, and if they're sufficient to service the substantial amount of debt that the master's students take on, either already bringing to your program, but also incur by being part of your program?

Curtis: It's a great question and you're right that it's not in the proposal. We did address this question that was raised by APC. You know, it certainly depends. For a student coming in and then going into a state government position, those salaries will be probably in the 40s or 50s. On the industry side, in some of those other buckets, starting salaries would be closer to 80, 90, and upwards. Clearly, as students come in, there is an important role that we have to play in making sure that students are cognizant of those tradeoffs. For a student coming to us, looking to be in a more of a traditional public health role, I would probably advise them that this might not be the best program.

Taylor: I think Steffen has a two-finger question. (laughter)

Steffen Bass (Physics / Chair, Academic Programs Committee): I would like to say for the record, this was a concern for APC and APC made sure that it was in the

resolution that what we wanted to see is that this information be provided upfront to the applicants in terms of prospective career paths, prospective career earnings, because there are other programs in the country where the earnings may not merit the kind of investment that a Duke degree would have. But we are confident that, by providing this information upfront, that, morally, we should be okay.

Ruth Day (Psychology and Neuroscience): Can you comment further on how this program is different from what's currently available? You sat down with the Chair from UNC, can you just tell us a little more about that?

Curtis: Yes. So I think there are a couple of aspects that really distinguish what we're doing. Certainly the UNC program does offer its master's students, I would say, a survey of methods, quantitative and qualitative. The actual coursework that we're proposing, and the level of depth, the emphasis on those is actually quite different here. Measurement Science and Implementation Science are also quite different and not represented in the Health Policy Management program, which does have more of a policy focus. Hayden Bosworth, if you have comments, or Asheley Skinner, my colleague whom I didn't introduce, is that generally an accurate statement?

Asheley Skinner (Population Health Sciences): Yeah, I think certainly at UNC, there are those students who are traditionally Public Health. And Health Policy also trains many for health administration type positions.

Day: And can you compare to similar programs across the country, not just UNC? As people look at a variety of

programs they might go to, what is special about this one?

Curtis: I'll tell you that the fields of study that we have identified, to my knowledge, there is not another master's program that brings those four together and they really are critical for Population Health Science research. There are some great programs around the country. The University of Wisconsin has a longstanding master's program that is quite strong. Again, it doesn't zero in on those fields of study. There are many fine MPH programs and MS or MHA programs around. As we've surveyed the national landscape, I think the fields of study differentiate ours, to the point that maybe others have made, will help a student choose whether this is the right program for them. We're not aiming to stand up an MPH or another program that looks like something they could get everywhere else.

Charles Becker (Economics): I just have one question. Do you know if your PhD program will be eligible for the T32 for the NIH?

Curtis: Yes, it would be.

Becker: I've had a fair number of students come over from UNC to take our courses and some of the very best are MD, joint MD candidates. Do you envision having that in your population?

Curtis: We'll certainly have that with the Clinical Scholars program. That is a dedicated three year program, maybe even four, but two years spent on the master's degree. They would be part of this cohort. What we have not yet envisioned is an opportunity where students could figure out how to do a

master's in one year. That doesn't work with what we have.

Becker: That was my follow up question. A lot of people going to Med School now will do that gap.

Curtis: We're committed to making sure we get this right. We've heard, as we've gone through this process, stand up this program, do it well, and then address those other needs. So I agree completely with you that that's something for us to keep our eye on.

Hayden Bosworth (Population Health Sciences): One other issue is, we have been talking to Chris Kontos with the MD/PhD program to make that as an offer to those who want to do more of a traditional Epidemiology or Population Health program because traditionally it's been more Basic Science. So that may be down the road that it's a possibility to have more MDs.

Curtis: Thanks, Hayden.

Linda Franzoni (Mechanical Engineering): You showed in your financial spreadsheet that the number of faculty will be increasing, or the effort of the dollars for faculty will be increasing. I was wondering, are you envisioning new slots? Will they be tenure track slots or adjunct faculty? What are you thinking?

Curtis: Good question. We actually have – this year we're anticipating bringing on five additional faculty. My working assumption is that the steady state size of the department will probably be under 45. We're predominantly not a tenure track department. We do have some tenured faculty members. We'll be using what many of us have used in the School

of Medicine contract. Multiple, rolling year kinds of contract slots, which are actually quite competitive in that. So we'll continue to rely on those. But we do expect to expand the faculty and, in fact, have a couple folks who are joining us later this year.

Taylor: If you have any other questions, you can email them to us and we will get them to Lesley. We will vote on this at the May 10 meeting. Lesley will be back here to answer any questions. Thank you.

PROPOSAL FOR A NEW MASTER OF ENGINEERING IN ELECTRICAL AND COMPUTER ENGINEERING AT DUKE KUNSHAN UNIVERSITY

Taylor: Next we have a proposal to create a master of engineering program in Electrical and Computer Engineering at DKU. We have Jim Dobbins, Associate Vice Provost and Director of Duke Kunshan University Programs and Professor Xin Li, he's a professor of Electrical and Computer Engineering, to present this program. Similarly, we will vote on this one in May as well.

Jim Dobbins (Associate Vice Provost, Duke Kunshan University): Thank you very much, Don. I'm going to just take a very brief minute to give you a little bit of context for how this proposal that Xin is going to present today fits into the landscape of programs that we have at DKU. As you know, a lot of the attention and focus for us in the last year or two has been on building the liberal arts undergraduate college at DKU that will open this August. I would say parenthetically that our faculty hiring and our student recruiting for that is going phenomenally well and I think you would be very pleased with that and perhaps we

can talk about that at a future meeting. This is a graduate program. Just as a reminder to you, if you look at the FAQ that was a part of this packet, we do have graduate programs as well as undergraduate at DKU. There are currently four master's programs. These master's programs are all in areas that are either of particular interest to our faculty, or that are of signature strengths of Duke. And they are topics that sort of meet at that intersection between faculty interest and things that would be really good for building the knowledge economy in the Kunshan area. Today's proposal would be the fifth such program and it fits in very well in that context. It's a Master of Engineering degree in Electrical and Computer Engineering, and it builds on a strong program that's already at Pratt. It fits in very nicely with our areas of research focus at DKU. Let me just say a little bit about research focus at DKU so you'll understand that connection. This is something that is of great interest to our faculty, the areas for opportunities for research focus there. We have a limited number of centers and institutes at DKU that are targeted areas of research interest. We currently have eleven. These are across a wide range of disciplines. They're not all STEM fields. We have just recently approved a research center in the Humanities and also a research center in areas of Global Contemporary China, which would be a Social Science. This program would fit in well with our Institute for Applied Physical Science and Engineering. The proposal that Xin is going to talk about today really brings together a lot of the avenues of what we're doing in educational enterprise at DKU. It fits in well with the research institute that we have, it would be a strong graduate program, and it also would dovetail nicely with our

undergraduate major in Data Science. With that as a backdrop, Xin is going to present today. I would just introduce him by saying that he is a professor of Electrical and Computer Engineering at Duke and he's also the Director of the Institute for Applied Physical Science and Engineering at DKU.

Xin Li (Electrical and Computer Engineering): Thank you very much. Thanks a lot for giving me this opportunity to meet and present this program. This is a proposal for a Master of Engineering program in Electrical and Computer Engineering at DKU. Jim already gave a very good overview about DKU. I have a single slide just to summarize a number of recent developments with a few concrete numbers. Right now we have 4 master's programs and 15 approved undergraduate majors and 11 research centers and institutes at DKU. There are four different master's programs, Jim already mentioned that. The undergraduate education at DKU is expected to be a liberal arts college. We just recruited 22 new faculty members in 2017 and DKU will recruit about 30 or 40 new faculty members in 2018. Those faculty members are mainly a part of undergraduate education. For this year, this is the first year for DKU to recruit undergrad students and the plan is to get about 225 new undergrad students this year. We have more than 3,000 applicants. So the competition will be very high for undergraduate recruitment. When we talk about the ECE program, the first question a lot of people ask me is, why do we want to do this Master of Engineering program in Electrical and Computer Engineering at DKU? Given the fact that the ECE program is already here, we do have a master's program in ECE at

Pratt at Duke. So what is the difference between this program and the program at Duke? I want to mention three important facts that we observed for education over here. First of all, ECE master's students are urgently needed in the global market. We talked with a lot of industry collaborators, industry sponsors, a lot of those industry companies really need ECE master's students. For the Duke ECE master's program, we have been successfully training more than 100 students per year. The second observation is, we observed in recent years, many international companies strongly value undergraduate education and industry experience in China. Many of those companies actually have offices and employees in China. We also observed that a large number of the Chinese students actually go back to China after they get the education and work experience in the US. This is the second fact that we observed. The third fact is we also observed that a Duke degree has a very good reputation and a lot of parents and students outside the US in Asia and China highly value the reputation of Duke. Because of those three facts, we would like to propose this new ECE Master of Engineering program at DKU offering a Duke degree. The idea is, in steady state we hope to get 100 students per year. At the very beginning, for the first year, the expectation is to get 25 students. The students will take courses in China for the first year and the students will come to Duke for the second year and take courses at Duke. Students will also need to do an internship for this program. For the Chinese students, it's very likely they will do their internship in China, that's the expectation. For Duke ECE, the key benefit we think for this program is to help us at Duke ECE to recruit very good top students from China and also from the

neighboring countries in Asia. And for DKU, the key benefit is to train the world class talent to support local I&D, to support the local industry development over there.

This is a very brief overview of the program schedule. As I mentioned, for the first year, students will stay at DKU. They will take technical courses. They will also take English and professional training courses. For the professional and English courses, we believe those are very important for the Chinese students because they typically have language issues, they need more training to improve that. Some students will do the internship. For the second year, students will come to Duke. They will continue to take technical courses and for the Master of Engineering program, the Duke program actually has a very unique feature. They will ask the students to take two industry preparation classes. Those are management and business courses to help the students understand management and business. That is very important for the long term career development for the students. Also they will continue to take English and professional courses. This is roughly the program schedule. [refers to slide] Job placement, we don't have the data for this new program yet, but what we do have is data from the Duke ECE program, the master's program at Duke ECE. Most of the master's students from the Duke program are joining industry companies as software or hardware engineers. The average starting salary is about \$107,000. I also gave a list of the example companies where our students join after they graduate, after they get the master's degree in ECE. This program, most of the master's students at Duke do not pursue PhD study, so we don't think this program

will directly supply the PhD program at Duke.

Financial projections: there are two different tables here. [refers to slide] The first table summarizes the financial projections at DKU and the second table summarizes the financial projections at Duke. When students stay the first year at DKU they will pay tuition to DKU. The second year when students come to Duke, they will pay the Duke tuition to Duke. If you look at the table, the number of students in the first year will be roughly 25. Then over time, it will slowly grow to 100 students per year. At the very beginning, before we get students, we need to have some initial set up costs. So you will see a few red numbers at the very beginning but once we get the students and the tuition income from this program, the program will be in very good shape financially. In steady state, based on those numbers, we will have \$1 million surplus for DKU every year and about \$2.9 million surplus for Duke in steady state.

When we built up this program, we also realized it's not only about ECE. We will have to collaborate with a number of departments and other units at Duke. For example, when we build courses, we would like to collaborate with other departments to build interdisciplinary courses. For that purpose, the Dean of Pratt, the Chair of ECE, and I talked multiple times to try to establish several possible financial models for sharing the revenue. If you look at the proposal package, we also received a number of support letters, for example, from the Math Chair and from the Computer Science Department Chair. Here I just listed a few examples of how we would like to collaborate with other

departments to build interdisciplinary courses. [refers to slide] One example is that we are collaborating with the Math department to launch a new algorithm course. ECE and Math will jointly share the cost of hiring a new faculty member to teach this course. The second example is for ECE to collaborate with the Civil and Environmental Engineering department to start up a new data science course. These are just two examples of what we are pursuing to work with other departments to build good courses for this master's program. I think that's my last slide, thank you very much.

Craig Henriquez (Biomedical Engineering): Can you give us some numbers in terms of the number of MEng students currently in ECE who come to Duke, and what the distribution is of Chinese students versus other?

Li: That's a very good question. At Duke ECE, we have two different master's programs. Master of Science and Master of Engineering, so two different programs. In total, right now, every year we get about 120 students for both programs in total. The population of those students, I think about 70% of those students are actually from Mainland China. So these are the statistics that we observe right now.

Henriquez: My understanding is that most of the students, particularly those from China, prefer the MS degree over the MEng degree.

Li: You actually asked a very good question and I would like to share with you my experience. There are a lot of confusing things for Chinese students and I got to know that because I recently went to China to a lot of the top engineering

schools, multiple times. There is a Master of Engineering program in China and there is a Master of Science program in China as well. The difference between the MS and the MEng in China is, MS takes three years and MEng only takes two years. So the MS in China is definitely considered to be very prestigious compared to the MEng in China. But for us, the MS here and the MEng here don't have such a difference. So when I go to China, I explain to them, the real difference between our MS and MEng, a lot of students actually ask me, can I move from MS to MEng? The reason is, they really like the industry preparation courses very much. We offer management classes, we offer business classes. Two of those classes. A lot of Chinese students actually like that very much. So I would imagine, if we do the right marketing and advertisement correctly in China, then that can completely change their minds.

Steve Nowicki (Dean and Vice Provost for Undergraduate Education): Do your projected program costs include non-academic student support services? For example, counseling and psychological services, which our graduate programs take up about half of that.

Li: That's a very good question. Right now, those numbers only take the current model when we calculated the surplus. There has been a big discussion about whether we actually need to spend more money to get better services for those students. When I talked to Ravi, our Dean, he is waiting to look at the numbers and then try to talk to the relative departments and units to figure out the best way to move forward. I think he made that comment at the APC meeting. Professor George Truskey, who is the

Senior Associate Dean for Pratt, is also here.

Bass: This is an overarching concern that we have had in APC for all the new master's degrees that are coming online. There has to be a way, maybe a taxation or something, that compensates both other academic units that are offering courses being taken by these programs but also central units like counseling, library, visa services in this case, will be a big one. And so we have pointed this out to the Provost that we need to come to a solution that would preferably be a solution that works across all of the different master's programs instead of having to stitch together an individual solution for every one of those.

George Truskey (Senior Associate Dean, Pratt School of Engineering): I would also add that, excluding CAPS, a projected profit is actually going to be recycled into staffing that would support the program. Some of that will be for career services and other support programs within the School of Engineering. But there are essential services that would have to be considered separately.

Victoria Szabo (Art, Art History and Visual Studies): I have a question about the English component. If you're going to have students studying English, and I know they have classes at DKU, and then they come here, will you have extra courses that will be organized within ECE or are you thinking about the courses that are already being offered here more generally?

Li: That's a great question. First of all, I want to talk a little bit about the current model at Duke. We think ECE, the model

used to be for students to take centralized English courses to improve their English skills. But I think, starting from this year, Pratt actually is remodeling that setup. The reason, basically, is that we realized that when our students try to go to job interviews and they need to talk to their company managers or collaborators or colleagues in professional English, which involves a lot of, not general speaking English, but technical English, we really hope our professional training courses can get our students ready in professional speaking. That is the reason that Pratt is changing the model and proposes to have Pratt teach English and professional training courses. Because of that reason, we also would like to make a similar set up at DKU. But this is still under discussion.

Henriquez: One of the challenges of bringing in a large master's class is making sure that they all have houses to go to. Housing in Durham is at a premium right now. When are the students supposed to arrive on campus? Are they going to come in September of the fall semester? Are they going to come in the summer? Getting a year lease is sort of critical.

Li: The students will come at the beginning of the fall semester and they will stay until the end of the spring semester or even through the summer. So roughly this gives them one year to stay at Duke. If you look at this plan, if this program is approved, the first batch of students will arrive in DKU in the fall semester of next year, 2019. They will come to Duke in the fall semester of 2020. At that time, we expect 25 students.

Cohen: It sounds like there are a substantial number of Chinese students

currently in the Pratt Engineering master's. Is it possible that opening up this program in DKU will compete with Pratt and adversely affect the Pratt program?

Li: That's a great question. To answer that question, I want to share a little bit of details about the market survey. We did a market survey about one year ago. The market survey had 40 in-depth interviews for students and parents and it also had 400 online surveys. So this is the data we got. Based on the data, analysis shows something that is very interesting. The market survey basically says that a number of the students, about one third of the students, expressed a very strong interest for the Duke program, but not the DKU program. And those students would actually like to stay in the US for a very long time. So they are not thinking about finishing the degree and going back to China. For this DKU program, the other one third of the students expressed a very strong interest and those students actually also told us they want to take this program and they want to graduate at Duke. After that they want to work in the US for a few years, but eventually they want to go back to China. The Chinese education and work experience will actually help them to go back to China and then build their career over there. So from that perspective, our feeling is that we are targeting a slightly different group of students.

Becker: You're just the messenger in this, so please don't take it personally, but having listened to two major proposals coming through and certainly with Pratt some master's programs being overwhelmingly foreign, it just occurred to me, shouldn't we be at least in parallel designing programs aimed at recruiting

underrepresented minority students in the United States?

Taylor: Do you mean into this program?

Becker: No, I just mean in general. I just see one program after another, good programs, but our focus, we have a broader mission too. I'm being a jerk and bringing it up.

Kornbluth: I do think many of our programs are very focused on active recruitment of underrepresented minorities. I don't think that is categorically in any particular area of the academic enterprise. For example, I know from my experience in the Medical School, Sherilynn Black [Associate Vice Provost for Faculty Advancement], who I don't think is here today, has spent an enormous amount of effort and time recruiting underrepresented minorities into the Biomedical graduate program quite successfully. I do feel that that is a focus that we're working hard on, but it's really across the board and you don't see it present here as a focused individual program because it's really across the whole mission of the university and all of our graduate programs that we're trying to increase our enrollment of underrepresented students.

Roxanne Springer (Physics): I recall a discussion in the Academic Council and it was under Nan Jokerst's leadership, I believe, where no new programs were going to be accepted without a section that dealt with how this was going to help improve our enrollment and retention of underrepresented minorities. That kind of fell off the table and I emailed Nan and she was like, oh, yes, I'm going to send it to Don.

Taylor: We haven't said that to each of these groups.

Springer: That's a problem because my understanding during an earlier meeting was that this was the agreement. So, why not?

Taylor: I'll just say my answer. When it gets to ECAC, we're mostly setting the agenda for what comes here and talking with the programs about presenting themselves. I would understand that to be something that was talked about at APC, or it should be. If that was supposed to be a heavy focus for every program, and if that was on me, then I dropped the ball.

Springer: I can find that email from Nan.

Jokerst: Let me make a comment. When we had that discussion, my understanding is that that went into the template for master's programs that are supposed to be how we formulate a proposal for new master's degrees. So, Steffen, is that in the template? Because I thought that was added to the template as a matter of that discussion. Is that something you saw at APC?

Bass: I believe the new proposals are all in the new template.

Jokerst: There is a template that has been formulated for new proposals. That was formulated two or three years ago. So that was supposed to be in the template. So I don't have access to the template anymore.

Kornbluth: There is a new template, and I do believe that contains that, but it's not two or three years ago, because I know that it has only been under Jennifer's [Francis, Vice Provost for Academic

Affairs] egis that it's been out and she hasn't been in the job that long. So it can't have been that long. I don't remember the exact date and I don't remember whether this proposal started through the gauntlet prior to that template. That's a possibility.

Jokerst: It may be that this is a revised template because there was a template a while back when I was on APC.

Kornbluth: Oh, this is definitely a revised template. This has definitely been updated.

Jokerst: This program has been worked on for – George, how long has this program been worked on? A couple of years?

Truskey: Two years.

Kornbluth: Yeah, I think the template is more recent.

Truskey: An important clarification – this is not through the Graduate School, so it never used the old template.

Kornbluth: But the new template is for all of the master's programs coming through. They all have to go through a set series but this was not under that egis as far as I recall.

Jokerst: That's the answer.

Truskey: In Engineering, one thing we find is that many of our on-site students are international students. Domestic students are working and they would need online programs to actually come for a master's degree. So if we want to increase – and this is something we're looking at – the number of students from underrepresented groups, we really need

to look at a different mode of delivery. In our re-staffing of our school, we've hired one person who is looking at expanding our online programs. That's probably the best way that we're going to be able to do it. But almost all our graduates are getting jobs right out of school and so very few of them are going to the master's program.

Sina Farsiu (Biomedical Engineering):

As a former international student who came to this country with generous fellowships that my graduate school provided me, I think these programs that would provide financial aid to the school would give the deans funds that they need to provide funding for the minority students. So indirectly it can have a positive impact on recruiting minorities.

Li: In our current proposal, we actually do mention how to recruit minority students in terms of providing scholarships. There's also a very interesting observation, we don't know the reason, but when we did the market research, we actually found out that a lot of female students in China are more interested in this program than the regular master's program. We don't know the reason, we still need to find out the reason for this. If this is true, then it actually can help us to recruit female students to Engineering.

Jokerst: Sina brings up a really good point. Right now, in Electrical Engineering, there is a direct feedback loop from the master's program to our diversity committee and \$50,000 a year is put from the master's revenue to our diversity committee. So I think a proposal could be made that increasing the master's population should also increase the contribution to that graduate diversity committee.

José María Rodríguez García (Romance Studies): I just wanted to add to the comments made by Charlie Becker. The proposal to create this master's in Electrical and Computer Engineering was brought to the attention of the Global Priorities Committee a couple of months ago and the reservations, the questions that some of us had, were very much in line with what Charlie just said. We did not fully understand why we were asked to provide feedback, because the Global Priorities Committee no longer functions primarily as a sounding board for ideas involving Duke Kunshan. We didn't see anything global. We saw it as an important component in the intellectual and academic cooperation between China and the United States, Duke Kunshan and Duke. We felt that the element of diversity that seemed very valuable was the potential recruiting of many females, a cohort of female students in Engineering, which is something important itself, but we would have liked for this program, if possible, there are many academic and intellectual strengths to this as well, but it would actually enhance or promote the international diversity of the student body at Duke Kunshan.

Li: That's correct. Actually, after we got the GPC comments, we revised the proposal accordingly and we proposed a few mechanisms to recruit international students by providing better scholarships and also doing better marketing outside of China.

Taylor: Dennis will have to be the last one, but if there are a lot of questions, send them written, and we will figure out how to deal with them between now and the next meeting.

Dennis Clements (Clinical Sciences): I was going to bring this up with the last presentation from Population Health, but it's applicable here. It has to do with what percentages is aid of the total. It was mentioned that it was 25%. We found in Global Health that that is much too low if you want to recruit a diverse student body. So I think, for us, in Global Health, we had to increase the development aspect to get funding to help more of these students come. Because in general, master's degrees help you make the bottom line. But if you're committed to getting these students in, I think you have to look at an increased amount for aid in the future.

Li: One quick answer to that question. This actually is a very good point. This is also what we observed. For example, in the budget, if you look at the total financial aid, it's not a big number. But a big portion of that is actually allocated for international students to improve diversity.

Taylor: Send questions if you have them and we'll make sure they get to these groups.

EXECUTIVE SESSION: HONORARY DEGREES 2019

Taylor: So we need to go into executive session to talk about Honorary Degrees for Commencement in 2019 so I need to ask members of the press to leave. You will be welcomed back in about ten minutes for the last item of the agenda.

(Executive Session for the presentation of candidates for Honorary Degrees for Commencement in 2019)

RETURN TO OPEN SESSION

***PROPOSED REVISIONS TO APPENDIX Z
(POLICY ON CONSENSUAL
RELATIONSHIPS) IN THE FACULTY
HANDBOOK***

Taylor: So the Executive Committee of the Academic Council this year spent a fair amount of time discussing Appendix Z, which is our policy on consensual romantic or sexual relationships between faculty and students. We started talking about it without an agenda, meaning, we just weren't sure if we were going to take on trying to revise this or not. In 2002, the Council adopted the existing Appendix Z. Before that, so far as we know, there were no policies that related to consensual romantic or sexual relationships between students and faculty members. In the February meeting of Academic Council, I reported to you that we were considering bringing a revision of Appendix Z and I said at that time that we were going to focus on undergraduate students and faculty only. We believe that the issues with respect to graduate students and faculty perhaps would be too difficult to disentangle by the end of the semester. We actually had several faculty members who really objected to that and who wrote and said, we really urge you to take a look at this and deal with this. And we did. So what we decided was, that if we could get it to a point where ECAC, and we discussed this many times over many settings with Sally, and we talked about it with Vince, we talked about it with Ben Reese, Richard Riddell, Senior Vice President, and we talked about it with Counsel's office. We decided if we could get to a point where ECAC was in consensus, along with Sally, about Spring Break time, then we had a chance to go ahead and bring this forward at this meeting, which we have done. What we decided was, if we could get to the Spring

Break consensus point, which we managed to do, we could then take it to the Dean's Cabinet. And I presented it to the Dean's Cabinet on March 27 and we had a good discussion there. They had some questions about the draft that we had then, some concerns, there were some things they wanted us to change. The Provost listened to it and Vince listened to it and engaged in that dialogue. We basically came out of that, and Sally and I agreed and ECAC agreed, let's go ahead and try to do this. At that point, we decided that we were going to have our colleague, Kate Hendricks from Duke Counsel's office, hold the drafting pen. And by that I mean, to that point, ECAC had drafted. So, for example, I wrote an incredibly verbose and wordy version, Andrew Janiak did it wonders by taking about three out of every five words out of it, that helped a lot. Larry Zelenak helped hone it further and further. But after we had what I would call a conceptual agreement or a policy agreement, we said, okay, we're going to have Kate hold the drafting pen. At that point, basically myself and Sally and Pam Bernard, the General Counsel, essentially negotiated. I don't mean that negatively, but we had to hash through some difficult issues. There were some issues, and there are some issues in this document that all of ECAC wouldn't write every word that way. And let me say, if we go to a word-level, 100% consensus standard, we would never revise Appendix Z, I promise that. Kate then drafted about four versions of this over a two week period, working under a diligent timeline with time pressures. We decided if we could get to another consensus by last Friday, which we did, meaning the Deans had had a chance to look at it one more time and say they were fine bringing it to this Council, recognizing that this Council also is going

to weigh in, that we were ready to go ahead. At one point, we were going to do a plain language policy revision, and then over the summer try to bang out Appendix Z, the whole thing. But we decided this is hard enough to do it to begin with, so what we have now is a completely revised Appendix Z. In a second, I'm going to give an overview of what the policy is and I'll open it up to all of you and I just want to say, amendments, suggestions, those are completely in order. What I would like for us to try to do is come up with topics or issues that might be revisions and let's then go and try to develop written examples of that so that we can then feed that back to the General Counsel probably next week, meaning much more ahead of time than the typical 72 hours. Because what ECAC would really like to avoid is being at the May 10 meeting and having lots of amendments from the floor where we have amendments nested within amendments and we're not even sure what we're voting on. From a Robert's Rule of Order perspective, those types of things are in order but I don't think they're the best way to proceed.

Let me just say, I think there are four main points of what we've done as compared to what we have in Appendix Z. The first is, we propose the complete ban of consensual romantic or sexual relationships between faculty and undergrads, period, full stop. For graduate student and faculty consensual relationships, we have greatly refined and clarified what is acceptable. Essentially, if a faculty member and a student have no educational role, research, mentorship, and so on, and if they're in a different school, then a consensual relationship in those cases is acceptable. If they're in the same school, and there's no educational

linkage between the faculty member and the student, then the faculty member has to report in writing at the earliest possible time to the Dean and attest to the fact that there's no reason why the relationship would be understood to be objectionable. What we have adopted is very reminiscent of what Stanford and MIT have done relatively recently. It's not exactly the same, but it's quite reminiscent of those two policies. One thing that's a little different is that ours also states that if a faculty member has had a past consensual relationship with a student, then they can't actually have future educational linkages with them. It's sort of the other side of the same coin, perhaps.

The third thing we've done, if you read Appendix Z now, you have a set of prohibitions but there is nothing about penalties. There's no penalty mentioned in the existing Appendix Z. We have authorized penalties up to and including termination. So we've gone from no penalty to really the strictest penalty possible. Termination is not required, but is an acceptable penalty. What we have said is that a consensual romantic or sexual relationship between a faculty member and an undergraduate shall be misconduct. If you know the Faculty Handbook, there are two ways a tenured faculty member can be fired. It's by finding of misconduct or neglect of duty. So this would be that. Policy also says that for graduate students, a violation of the policy that we have stipulated between faculty and a graduate student may be misconduct. Again, termination is not a required penalty, we list a series of penalties and remediations, but it is an allowable penalty. The relevant Dean would be the judge of that and would be

the person who would hold the discretion.

The last main point that I would bring to your attention is that we have now adopted an explicit TA or student grader type policy. If you look at existing Appendix Z, what it says, is language to the effect of, for the purposes of this appendix, the following are faculty. And it lists a bunch of people who aren't faculty. We just didn't really love that. We said, let's just go ahead and make a TA or student grader policy. That policy is not as punitive. It's more of what I would call a harm reduction policy. So, if there are questions, for example, a TA involved with one of the students in the section, move the student from the section, regrade exams, things of that nature.

These are some of the hot buttons that we did this round. [refers to slide] So this didn't pop out of the sky. We talked about this a lot. There are a lot of stakeholders in this. I would just say the difference between "misconduct shall be" for undergraduates and "misconduct may be" with graduate students, and I think it just goes to our clarity of the prohibition for romantic or sexual relationships with undergrads and I think things are a little hazier with graduate students. But there are some people involved in this who don't like the differentiation there. The Dean's Cabinet feedback – the original draft that ECAC had come up with required reporting of all consensual relationships between faculty members and graduate students. So if there's a Sanford School professor who was involved romantically with a medical student, for example, both the Sanford School Dean and the Medical School Dean would have to be notified in writing under the original policy. The Deans felt

like that was overly broad and intrusive, and they said, no, we really want to focus this and let us focus on the within-school relationships where we think the problems are most likely to be. So we have gone along with the Deans' recommendation there. Further, the original ECAC policy basically said that the Dean had to attest that a consensual relationship that had been reported was basically acceptable. We had language to the effect of, the Dean knows of no reason why it might not be acceptable. The Deans felt like that's a lot of work. They were uncertain about how much due diligence they would have to do, and Pam Bernard, General Counsel, I think this was the thing she felt most strongly about. She felt like that was ambiguous, lots of work, and would leave Duke in jeopardy of someone saying the Dean had not done enough to protect a student. So what we've done now is, we have the onus onto the faculty member who would be reporting a relationship. So if you had someone in the Business School involved romantically with a student in the Business School, they couldn't be teaching that student, but if they weren't, they would have to report it to the Dean and the faculty member has to attest and say that there's no reason why there is a problem with this relationship.

The last difficult, knotty point, and it's probably something that could be dealt with and probably may need to be dealt with in the future, is postdoctoral fellows and graduate medical trainees. They're not students, but they can be quite vulnerable. Perhaps postdocs might be among, potentially, the most vulnerable people who could really have their careers harmed by a romantic relationship gone bad. Postdocs and graduate medical trainees are employees

for the purpose of this. There are also rules about employee-subordinate relationships. They're not structured exactly the same as what we've done here. MIT policy in particular is incredibly detailed with respect to postdocs. The MIT policy talks about postdocs and labs in just voluminous detail and they talk, for example, they ban consensual relationships between techs who come and service the equipment in the lab, for example. So that's something that's way beyond the detail of what we have done. I know Dean Mary Klotman, in particular, is concerned about postdocs. So I think a very reasonable thing to have happen after this would be for them to take up – and it may be via Ann Brown's office to discuss postdocs.

The relationship of past – you can see the strikethrough. [refers to slide] We had a version where a faculty member could have no past, current, or expected role. Whereas what we have actually written is, if a professor taught a graduate student, the class ends, and then the professor and student have no educational role any longer, a relationship would be legitimate. Stanford, for example, bans past relationships. In ECAC, we might have been 50/50 – about half of us were worried that teaching a student and then saying, I'm not teaching them anymore now, I can be romantically involved with them, could be understood as grooming behavior, or at least it leaves open the possibility for such behavior. But others felt differently. Again, if we're looking for word-level, 100%, you might as well all go do something else because we'll never get that with this.

Finally, because we have said past relationships mean you can't work with students academically in the future, there

needs to be a past reporting requirement. The language we have now says report to the relevant Dean any past or current, so some folks think any past maybe is too long back. Maybe we need to pick a time period. It's a point that I could imagine we could easily alter. I'll stop there. I said a lot of things. ECAC is here and Kate [Hendricks] is here. Kate, thank you so much for how rapidly you worked on this.

Comments, concerns?

Sosin: First of all, thank you very much for taking this on. I can imagine what a heavy lift this is and contentious in every element. I appreciate the hard work. There is a line in the preamble, before it gets to enumerating the policy with regard to first undergrad and then graduate students that I like very much. It says that, first of all, with regard to undergraduates, the inherent differential in power produces a situation which we can't contemplate consent as something reasonable. I am pretty sure I understand that and I like it a lot. The next part says that such relationships introduce dynamics that detract from the educational mission of the university. That's a little vaguer. But I think this has to do an awful lot with what must be an unfringeable trust between teacher and student and the intimate connection of that to the educational enterprise. If I understand that remotely right, I like that too. It then goes on to say that this doesn't exactly obtain for graduate students. I'm not sure I follow that. I feel that, in certain ways, graduate students are more vulnerable than undergraduate students. I understand the excellent and hardworking attempt to describe situations where there is sufficient distance between units to render this okay. I wonder what the conversation

looks like, especially in a place where interdisciplinarity is so much the brand and connectedness across units is so much the part of the way we live. Where we try to calculate what would be an acceptable distance - that has me worried. I don't understand the difference in vulnerability. I also don't understand what is substantively different about graduate education that allows us to say that the dynamics that detract from the educational experience apply less well to the graduate experience. So that's my observation. My question is, can you help me? Can you enlighten me? What are the factors that make the case for difference with regard to the graduate experience?

Taylor: I might let one of the other ECAC members do it, because I've been looking for the best thing that we can get a consensus on. Does anyone want to address that? I can do it, but I've said a lot of things.

Gráinne Fitzsimons (Fuqua School of Business): We agreed with the interdisciplinary issue, for sure. That was important to us; that if you worked in a certain interdisciplinary unit and a graduate student was a member of that unit, thus, we thought there was potential for you to have an evaluatory, mentoring, supervising sort of role. We were hoping to cover it that way. The issue is this: there's a PhD student in Chemistry and an Assistant Professor in Slavic Languages, that person really has no potential to negatively affect the other person's career, thus many people raised to us the issue that we would be interfering in two adults' consensual relationship when there really was no power imbalance there or no real potential for harm. That was the issue that was continually raised to us. That's why we made that exception.

Sosin: Can I follow up? I understand that. So there are lots of undergrads whom there is no chance I'll ever teach. And I think the principle as enumerated with regard to undergrads says that the harm that a person can do is not a direct artifact of an in-the-classroom, face to face teaching or mentoring situation. I feel like the reference to a power differential is invoking a general differential of power, not one that is a specific artifact of a one-to-one relationship. So if that works for the undergraduate experience, why doesn't it work for the graduate experience? Because, after all, it's a small world among faculty, and maybe I know this or that person from going to the same gym. It doesn't have to be a department.

Fitzsimons: Agreed. Point taken. I think the issue that kept coming back to us, we started with a complete ban and moved in response to feedback. The issue that was raised was that graduate students, their vulnerability comes from effects on their future career to a greater extent than the vulnerability of undergraduates. The undergraduate vulnerability, and we have not laid this out, but we discussed it, it's partly an age and time of life issue that may not be as relevant for graduate students. Obviously, that isn't necessarily true. I'm just giving you our thinking here. I'm not trying to defend the point, necessarily.

Taylor: I would just say, for what it's worth, MIT and Stanford have this blanket, period, no doubt ban on undergrad, more complicated rules, sometimes okay grad rules.

Springer: Thank you so much. This is a giant step forward. I really appreciate it. I also appreciate that at this stage, we might only be able to do the best we can

at this moment. And then as people evolve, we can go further. So it may be that at the moment it is not possible to include graduate students in the prohibition of consensual relationships. I will point out, you actually mentioned, you know, people are complicated, so I might be confused. What if I'm a faculty member and I'm having sex with this graduate student I do not oversee but I'm in the Academic Council with somebody who does oversee that student? There's an example where the power differential would be an issue, if we're on a committee and we're trying to get things done.

Kornbluth: I agree completely that these are nuanced issues and eventually, there's this sort of pragmatic answer to getting the best. Because some of the Deans raised issues like a 30 year old Law student is dating a 32 year old professor in the Business School, for instance. Do we want to be in the business of saying, you can't do that? So I think this is kind of one of those, the perfect is the enemy of the good, situations. There's no question that any of us can think of wrinkles where it's not okay. The question is, can we get a first iteration and at least get rid of the most egregious examples and see how it evolves?

Taylor: One thing that's interesting, Stanford adopted their policy in 1993 and they have updated it nine times since then. (laughter)

Carlos Rojas (Asian and Middle Eastern Studies): Just to respond to the question that Josh raised. Undergrads are adults too. Two consenting adults definition.

Kornbluth: Some of them are minors.

Rojas: Most are adults. But I also had a separate question from reading the wording. The penalties would only be kicked in in the event of the establishment of a sexual or romantic relationship, whereas, it seems to me that part of the whole point of wording this as applied to undergrads is that you don't want faculty to be initiating advances. I actually had someone a couple years ago who was under my supervision who felt she was being made advances to by a visiting faculty who had no relationship to her and she was quite shocked. This was a visitor from abroad. So in this case nothing came of it, but she was kind of dismayed that someone that she saw as being a faculty member in a completely different part of the university but that she was seeking advice from.

Kornbluth: That's harassment policy, that's not consensual relations policy. It's different. This is really just consensual. There's another branch of things to worry about with regard to harassment. Because that's harassment.

Rojas: But I'm saying the precursor to a consensual relationship.

Kornbluth: Well, if it's consensual, that's different.

Alex Rosenberg (Philosophy): Can Kate or somebody perhaps assure us that shifting the burden onto a faculty member sufficiently protects the university from any federal legislation or regulations regarding such issues?

Kate Hendricks (Deputy Counsel): I'm not aware of any federal regulations that would govern consensual relationships. So your question was concern about putting some kind of burden on faculty?

Rosenberg: We know that there are regulations that govern the sexual harassment side of this continuum and I'm just concerned that this policy will not expose the university to any federal consequences.

Hendricks: I'll repeat what Sally just pointed out, which is the existing regulations fall into the harassment space and this would be consensual relationships which is completely separate from the issues for which there are existing regulations.

Liz Ananat (Sanford School of Public Policy): I want to emphasize what I think I heard as a consent of the room that undergraduates are not exactly adults. They are adults for some purposes, but they are not adults for a lot of other legal purposes. Like, most of them can't drink, et cetera. Developmentally, most psychologists would say, no, they're not in a position, developmentally, to necessarily fully consent to a sexual relationship with someone who's a full adult and also potentially in a position of power. For them to evaluate the sorts of complex dynamics at an age where they are still trying to figure out what sexual consent even looks like, it's hard enough for them to do that with each other. I would strongly endorse this blanket prohibition on consensual relationships with undergraduates because I just think that they're completely inappropriate. And that for adults, who are graduate students, they may differ developmentally, but it's very hard to draw a clear line that none of them are developmentally able to ever consent to a relationship with someone who is two years older than they are and has one more year of education. So I feel like

you've walked this line, at least that part of the line, nicely.

Jokerst: First of all, as we've all said, the perfect is the enemy of the good. I think this is great. I view this as somewhat akin to a conflict of interest policy that we have here at Duke. Conflicts of interest are managed. So in another rendition, maybe a few years down the line, what we could do is have any faculty member who is having a consensual romantic relationship with a graduate student has to report that to OIE, regardless. And then OIE can simply keep track, or some body. So the Conflict of Interest Committee monitors conflicts. So if we have a faculty member who is having serial, consensual, romantic relationships, well then OIE will pick up on that. Having one body that is a monitoring body, I think would be a good idea. If we go ahead and allow graduate students to have consensual romantic relationships with faculty.

Clements: On the GTAC, Global Travel Advisory Committee, undergraduates are not graduate students and you have to have a different permission for them to go around and do things that the Travel Advisory Committee says you shouldn't. So there is an attempt at parental oversight for that group. Now, a 35 year old undergraduate might be able to slide by. But otherwise, I do think undergraduates are looked at differently. More like we're looking after them while they're here. But a graduate student is out on their own. I think that's sort of the general gist of the policy.

Becker: First, I would like to say I commend the committee and think this is a good step forward. I also agree with what both Nan and Liz have just said. My one thought is that for future distinctions

among graduate students, there may be a difference that we would want to consider, not now, but down the road, between professional school students and PhD or academic master's students. Just because those roles, I suspect, are fairly different. The example Sally gave is between a Law student, they're not subject to the same pressures as someone who's in a lab is going to be subject to. And then Dennis just mentioned, it just occurred to me, suppose you have someone – we don't have many 35 year old undergrads. There are universities that do. If we had a substantial increase in the number of, say, vets, who entered after military service, we might want to revisit that.

Taylor: We, at one point, many versions ago, had tried to undertake the graduate versus professional distinction. It can probably be done, but we didn't do it because there are so many variables.

Justin Wright (Biology): Just following up on Nan's comment, there's an onus on the faculty member to report. Is there any mechanism – these things are not necessarily public knowledge. What happens if someone is caught without reporting? Is that dealt with?

Taylor: That was the crux of the "may" and "shall be" misconduct. I think, at least at some of the Dean's Cabinet discussions, the non-reporting of an otherwise legitimate relationship under the policy was viewed as perhaps not as robust of a violation. But it's a fair point. We are saying that consensual relationships, even if there's no claim of academic involvement with a graduate student, it's still an onus on the faculty to report. And then at the end, what we have is potentially a very severe penalty if they

don't and it's found out. You're right. You can think of that as a place where things could still happen that we don't want to have happen.

Cohen: The last comment about the Graduate School – it reminded me that the Medical School students, for example, it wouldn't require a change here, but operationally, medical students are seen by faculty in every department. It's not like a graduate student who is in Anthropology never sees somebody in Physics. Medical students see people in every department. I'm not saying anything needs to be changed, because we basically say, faculty can't have a relationship with a medical student, because nobody would be ineligible. Operationally, that's going to work out differently.

Taylor: Just to be clear, if a faculty member is engaged academically with a student, it's an illegitimate relationship, period. So that's a violation of the policy.

Cohen: But somebody brought up that remote idea, the Physics person and the Romance Languages person, that would never happen in the Medical School setting.

Taylor: There was a version of the policy that tried to talk about department, but the concept of department and unit and area becomes very complicated. Basically, we asked Valerie [Ashby, Dean, Trinity College of Arts and Sciences] essentially, would she be willing to be the one over all of Arts and Sciences, and she said yes. So that actually turned out to be super important. But you could imagine it being a smaller unit of reporting. That becomes very tricky to define. We have parts of the university that have things that are

essentially departments, but they're actually not departments in the way that the bylaws of the university define departments. There is lots of trouble working that out if you go that way.

Jane Richardson (Biochemistry): I just wanted to point out that I think the major difference between graduates and undergraduates is that at least academic graduate students are much more vulnerable to their mentor or even their committee but less to everybody else.

Taylor: And in fact, Mary Klotman [Dean, School of Medicine], she said she thinks postdocs are probably the most vulnerable because as a faculty member, I could write a beautiful letter for a postdoc and at an academic conference, the search committee to whom I had written the letter could say, what do you think? I could say, well I wrote the letter really nicely because you're a public university and I'm worried about freedom of information, that it's going to become public, but that student is really crazy. That's enough to kill the student's career. So yes, if I were going to think about this as a Public Health issue, we are engaging in harm reduction. We are trying to push the harm systematically down but we are not going to put it to zero.

Julie Edell (Fuqua School of Business): Is it obvious to everyone where the line of consent is? If a faculty person asks a graduate student for a date, whether or not they accept, do they have a romantic relationship? Or is that potentially harassment? I just wondered whether it's clear what is or what isn't under this policy and what the difference between this and harassment is, where that line is.

Taylor: The short answer is probably no, it's not entirely clear. If I were going to take a stab at it, if a faculty member asks a graduate student, would you like to go out? And they were in the same school, but were not engaged academically at all, and that graduate student said, yes, that sounds great, when we say it has to be reported immediately, at that point, you do have a romantic relationship. So it's romantic or sexual. It needs to be reported. If I asked a graduate student and she says no, and I ask again and she says no and so on, I'm into harassment. So we have another set of rules. That's imperfect but, yes.

Judith Kelley (Sanford School of Public Policy): Do existing relationships get grandfathered in or do you have to fall out of love? (laughter)

Taylor: It goes to the issue of any past or existing relationship and it's in the same school, if they're connected educationally, they're actually in violation of current Appendix Z. If it exists and they're not educationally linked but it's in the same school, it's got to be reported. I think it does have to be reported. But it doesn't have to stop.

Kelley: So there isn't a category that becomes prohibited in the future that is allowed for now?

Andrew Janiak (Philosophy / Member of ECAC): No, there are. Lots of them. In fact, even undergraduates. There's no exemption in the policy.

Kelley: So the answer is, you have to fall out of love.

Janiak: You simply can't be educationally involved with that student.

Taylor: If it's an undergrad, it would be prohibited.

Janiak: If it's a graduate student, you can't be educationally involved.

Taylor: Judith, are you talking about an undergraduate student? We're saying, today, a Sanford School faculty member could be romantically involved with a student from another school and under our policy now, it's legitimate. We haven't issued a grandfather clause but I guess we could do that.

Janiak: Just to clarify, we didn't want there to be exemptions for existing relationships because we think it's wrong to have a relationship with someone who you also are academically involved with. Or an undergraduate under any circumstances.

Kelley: I agree with that. I'm just wondering how you're going to handle the transition.

Taylor: We don't have a grandfather clause now. So if there's a faculty member romantically engaged with an undergrad, if they're supervising them in any way, they're violating the current policy. If they're not supervising them in any way, it could be legitimate today and we're saying that when we adopt this, it's no longer legitimate.

Kathy Andolsek (Clinical Sciences): I really liked, Nan, the way you framed this up as a conflict of interest because I think that's the easiest way for me to think about this. In that spirit, I think the idea of reporting to somebody just might help manage that conflict. Maybe whether they're in the same school or a different school at the graduate level, maybe

somebody should just hear that to sort of preclude the opportunity that the faculty member him or herself may not realize that it's a conflict of interest.

Taylor: The Deans really wanted to truncate it. The Deans didn't want it to be them. So if we're going to come up with reporting outside of the school, we're going to have to decide who's going to receive the report. I'm not saying it's impossible, but I don't know who it would be at this point.

Andolsek: Not OIE?

Speaker: The Chair of the Academic Council! (laughter)

Jokerst: Don, the other possibility is that the Deans simply pass their information up to a central body. It might be OIE or something else. I think one body just needs to be aware of what the consensual relationships are on campus.

Taylor: Yeah, we don't have that now. What we originally proposed, if you took the totality of the Dean's Cabinet, all of them together would know it all. What if we see if we can think about this?

Sherryl Broverman (Biology): Did you think about how this would involve students on study abroad, DukeEngage, off campus events as well as what counts as a Duke faculty when they are doing study abroad?

Taylor: The language is an attempt to be very broad and cover all that. For faculty, it's all the titles in the Faculty Handbook that engage in instruction and research.

Broverman: So like faculty who are part of a Duke program count as Duke faculty

but when they're in another university it counts as non-Duke faculty?

Taylor: If it's NYU in Shanghai, it's NYU's rules. And if it's a student from UCLA doing Duke in Madrid, then it's Duke's rules, yes.

Rosoff: So there's nothing to prohibit a postdoctoral fellow in his or her fourth or fifth year of postdoctoral fellowship from dating an undergraduate, is that correct?

Taylor: There is not. We have not called postdocs faculty. Right now they are employees. If the postdoc hired the undergrad, then they would be into the employment rules. But when I say the postdoc, there are a lot of things that could be looked at about postdocs.

Rosoff: There are significant numbers of undergraduates, particularly in the School of Medicine, who are working in laboratories with and are directly supervised by postdocs.

Janiak: One hopes that's already governed by the employee policy. If it isn't, then that's a problem with the employee policy.

Rosoff: Or they work in the lab down the hall or something like that.

Taylor: So we talked some about graduate students or postdocs being involved with other graduate students or undergrads, but we've not weighed into that with this.

Richardson: I guess some of my former history makes me ask, what would you do if this past relationship had led to marriage? (laughter) My husband and I were not allowed to be in the same

department when we came here. I made some great connections in Anatomy, but they changed the rules and they allowed two people to be married. They didn't want to force you to live in sin. (laughter)

Taylor: Are you talking about faculty relationships with other faculty?

Richardson: Past relationships that had led to marriage. Does this mean that a wife or a husband of somebody who is a Duke faculty member can never under any circumstances come to Duke?

Taylor: I don't think they can come to Duke and enroll in a degree program and be mentored by their spouse.

Richardson: But they couldn't come at all as undergrads, apparently. At least that would be rare.

Taylor: We are adjourned. Thank you for coming today.