

## **CHAPTER 2: THE UNIVERSITY FACULTY AND ITS ORGANIZATION**

### **Faculty Rank and Responsibilities**

As defined in Article XXIII of the university bylaws, the university faculty consists of the officers of the university as elected by the Board of Trustees, the registrar, the university librarian, all deans, all regular rank faculty, and all other full-time members of the instructional staff and other persons designated by the president and approved by the Executive Committee of the Board of Trustees or by the Board of Trustees. For special purposes, such as participation in faculty benefit programs or membership in the graduate faculty, the composition of the faculty may be defined differently.

The bylaws of the university also provide that each college and school in the university may have a faculty of its own, which shall be composed of the president, the provost, appropriate university administrators, and all members of the university faculty in the particular college or school. Each such faculty shall function under the president and other officers of academic administration and subject to the regulations of the university faculty.

#### **Rank and Title**

The conventional designations of full-time members of the regular rank tenure track faculty are assistant professor, associate professor, and professor. Only full-time members of the faculty who hold tenure track appointments in an unmodified rank of assistant professor, associate professor, or professor, without a qualifying term such as research, of the practice of..., adjunct, clinical, consulting, or visiting, are eligible to earn time toward or to hold tenure. Service as a faculty member in a modified rank (i.e., service in a rank other than the three tenure track ranks of assistant professor, associate professor, or professor, without a qualifying term), does not entitle the member to tenure. Time spent in a modified rank does not count toward the continuous service of a tenure track faculty member who served previously in such a position.

The group of faculty who hold regular rank tenure track titles and regular rank non-tenure track titles (Appendix C, p. 9) coincides with that group of faculty who meet the criteria for Academic Council voting privileges. Regular rank tenure track faculty titles are described above. At present, the following titles constitute the regular rank non-tenure track faculty: professor of the practice of ....., associate professor of the practice of....., assistant professor of the practice of ....., research professor, associate research professor, assistant research professor, clinical professor, associate clinical professor, assistant clinical professor, lecturer, and (in the Medical Center) associate. Additional information about regular rank non-tenure track faculty may be found in Appendix C of this handbook, and information about eligibility to vote in Academic Council elections may be found in the bylaws of the university faculty (Appendix B of this handbook). The following addition to the university's regular rank non-tenure track titles was approved by the Academic Council on May 8, 2014 and the Board of Trustees on May 9, 2014: Senior Lecturer.

Listed below is the set of modified faculty titles for non-tenure track faculty, as approved by the Academic Council on December 15, 1988, and reaffirmed by the Board of Trustees on September 27, 1996: professor of the practice of..., associate professor of the practice of..., assistant professor of the practice of..., lecturer (associate in the Medical Center), research professor, associate research professor, assistant research professor, clinical professor, associate clinical professor, assistant clinical professor, adjunct professor, associate adjunct professor, assistant adjunct professor, senior lecturing fellow, lecturing fellow, consulting professor, associate consulting professor, assistant consulting professor, consulting associate, clinical associate, senior research scientist, research scientist, senior research scholar, research scholar, research associate, artist in residence, instructor, professor (honorary), scholar in residence, and visiting (which may modify any other Trustee-approved faculty title).

The following changes to the School of Medicine regular rank non-tenure track titles for Clinical departments were approved by the Academic Council on April 20, 2006 and the Board of Trustees on May 13, 2006: Medical Instructor (replacing non-tenure rank of Associate); Professor of [Department] – Track IV; Associate Professor of [Department] – Track IV; Assistant Professor of [Department] – Track IV; Professor of [Department] – Track V; Associate Professor of [Department] – Track V; Assistant Professor of [Department] – Track V. These changes do

not involve new principles regarding faculty titles and do not affect the tenure process for faculty in the School of Medicine.

Individuals involved principally in research or principally in instruction hold titles selected from the group of non-regular rank titles. One of these, the adjunct title, may be used in schools to indicate a person who contributes to the instructional program of a school or department on a part-time basis. Persons holding adjunct titles may or may not be paid.

Titles containing the phrase “part-time” normally do not earn time toward tenure.

When an administrative or professional staff member has a regular rank faculty title and appointment, the regular rank faculty title predominates, and the employment provisions will be governed by the Faculty Handbook.

When an administrative or professional staff member also receives a non-regular rank faculty appointment and title, the administrative or professional appointment predominates, and the staff employment policies will govern the employment of the individual.

### **Faculty Appointments**

Appointment to the faculty is the most important decision a university can make, for it is the faculty who determine the quality of an institution. Accordingly, faculty appointments are made with care and consideration for the mutual obligations such appointments entail. Faculty appointments at Duke are no exception. Tenure is made only with Board of Trustees approval and by units offering credit toward a degree. Units authorized to make such appointments include schools (Fuqua School of Business, School of Law, Divinity School, Sanford School of Public Policy, School of Nursing), departments (Trinity College of Arts and Sciences, Pratt School of Engineering, School of Medicine), divisions (Nicholas School of the Environment), and other units of an interdisciplinary nature so authorized by the Board of Trustees (sections, institutes and, in rare cases, centers or programs). In addition to the specific departments and divisions designated above as having been explicitly authorized by the Board of Trustees to hire faculty at the regular ranks, a maximum of 10 faculty, all of whom will have been approved in accordance with University policy for award of an endowed named University Professorship, may be appointed with their primary appointment and their tenure residing at the school level for the following four schools where tenure otherwise would reside within a department: Trinity College of Arts and Sciences, Nicholas School of the Environment, Pratt School of Engineering, or the School of Medicine. In the sections below, all of the entities authorized to make regular rank faculty appointments are referred to as "hiring units."

### **Joint Appointments and Secondary Appointments**

While faculty members may hold appointments in or receive pay from several hiring units, it is the unit of primary appointment that initiates recommendations for promotion, tenure, or appointment renewal, and salary.

The phrase “joint appointment” refers to appointments in which both academic units agree to share in financial remuneration, and the phrase secondary appointment to appointments in which the unit of secondary appointment does not share in financial remuneration. This last distinction does not affect academic titles.

Joint or secondary appointments of faculty members are not unusual. Such appointments are especially appropriate for faculty members qualified in two areas of teaching and research, as for example the member of medical and allied health education faculty who has both a Ph.D. and M.D. degree. Joint or secondary appointment procedures normally will be initiated by an academic unit in which the appointment is to be made. When a joint or secondary appointment is recommended, letters of concurrence setting forth the terms of the appointment are required from the heads of the academic units (e.g., the dean[s], department chair[s], and director[s]) involved. Recommendations made by the academic units situated within schools (e.g., departments or divisions) must have the approval of the appropriate dean(s) or the dean of the School of Medicine/vice chancellor for medical center academic affairs and subsequently of the provost.

Upon the approval of the provost, the dean shall write the letter of appointment.

All joint or secondary appointments require that one academic unit be designated as responsible for the primary appointment. This responsibility includes any action in regard to academic advancement, termination, and determination of salary level. However, it will be up to the academic unit in which the secondary appointment is to be held to recommend the rank of the joint or secondary appointment, which shall be no higher than the primary rank.

In the case of joint or secondary appointments in medical and allied health education, the designation of a primary appointment is also the determinant of clinical practice privileges.

The academic unit responsible for the joint or secondary appointment may by agreement share the individual's work commitments--including research and teaching responsibilities (and financial remuneration in the case of joint appointments)--either equally or in a variety of patterns of distribution. The primary academic unit whose faculty is composed of members of the scholarly scientific discipline with which the individual as a professional is primarily identified will usually be the unit of primary appointment.

Ordinarily a faculty member may not hold more than three academic titles. Faculty members who hold an administrative position or a joint or secondary appointment in more than one academic unit carry both titles (e.g., dean of the School of Law and professor of law; associate professor of psychology and associate professor of biology).

### **Responsibilities**

The responsibilities of the members of the faculty are defined in Article XXIV of the bylaws of the university as follows:

The university faculty shall be responsible for the conduct of instruction and research in the various colleges and schools in the university. It may also consider and make recommendations to the president regarding any and all phases of education at the university. The university faculty shall approve and recommend to the Board of Trustees the persons it deems fit to receive degrees or other marks of distinction, and the establishment of any new degree or diploma.

### **Meetings**

As defined in the bylaws of the university faculty (Appendix B), the university faculty members meet as a body annually, at a date set by the Executive Committee of the Academic Council, and at other times at the call of the president, or the provost, or upon the written request of either the Executive Committee of the Academic Council or fifty members of the faculty.

## **Faculty Governance**

### **Academic Council**

In addition to defining the membership and functions of the faculty, the university bylaws state that "the university faculty may organize and exercise its functions through appropriate councils, committees, or other bodies." Therefore, in addition to transacting business as noted above, faculty members also participate in the affairs of the university through the Academic Council. The Academic Council consists of the president, the provost, and the chair of the council, all ex officio; and approximately 100 members elected for two-year terms by the faculties of their respective divisions and schools. The size of the body varies slightly with the size of the faculty as outlined in the bylaws of the university faculty (Appendix B).

The Academic Council elects its own chair. Responsibility for planning the work of the council is vested in an Executive Committee consisting of the chair and seven additional members elected from the membership of the council. The Executive Committee selects a vice chair and a faculty secretary from this seven member group.

In addition, the Executive Committee serves as a committee on committees for both the university faculty and the Academic Council. In that capacity, it nominates persons to serve as official faculty representatives to four broad types of committees: standing committees of the university, standing committees of the trustees with faculty participation, committees of the Academic Council, and ad hoc committees appointed to undertake and complete a specific task, after which they are discharged. The latter may be council committees or committees reporting to specific members of the university administration. A current list of committees is included as Appendix Q of this handbook.

Except in emergencies, all major decisions and plans of the administration that significantly affect academic affairs are submitted to the Academic Council for an expression of its views at some time before implementation or submission to the Board of Trustees. The council's views are transmitted, along with the administration's proposals, to the trustees when the board considers the plans and decisions.

The bylaws of the university faculty and of the Academic Council appear as Appendix B.

### **Arts and Sciences**

The faculty of Arts and Sciences shall elect representatives to the Arts and Sciences Council from the departments and other authorized academic units in the humanities, the natural sciences, and the social sciences. The council shall express the will of the faculty in matters of planning, programmatic organization, personnel policy, research policy, and curriculum. Policies controlling the organization and activities of the faculty of Arts and Sciences are contained in Appendix D; policies controlling the council are contained in Appendix D.

### **Pratt School of Engineering**

The Engineering Faculty Council (EFC) of the Pratt School of Engineering is composed of two representatives of each of the departments of the Pratt School of Engineering, with the dean of the Pratt School of Engineering as an ex officio member. The EFC normally meets monthly during the academic year. It elects its own chair and secretary, the latter serving also as secretary of the faculty of the school.

The Engineering Faculty Council functions as a steering committee for the faculty; its responsibilities include the establishment of ad hoc committees to consider and report on matters of concern to the faculty. In addition, the EFC has the authority to approve new courses and course changes, except those at the graduate only (700-999) level, for which no action beyond departmental faculty recommendation and Graduate School approval is needed.

### **Graduate School**

The Executive Committee of the graduate faculty, composed of elected members of the graduate faculty, advises the dean of the Graduate School on various matters.

The Executive Committee consists of the dean and the associate dean, serving ex officio, and four representatives each from the humanities, biological sciences, physical sciences, and social sciences. The Executive Committee elects its own chair and vice chair on an annual basis. Division members are elected by their respective divisions for staggered two-year terms. The committee normally meets one or two times per month during the academic year. The faculty of the Graduate School, which meets on call, depends upon the Executive Committee for the formation of policy with respect to graduate education, for the review of the academic quality of all graduate programs, and for the approval of any significant changes in graduate programs in the university.

### **Divinity School**

The governance of the school is the shared responsibility of the dean and faculty. In the exercise of this responsibility the faculty convenes, as appropriate, as the tenured full professors, as the tenured faculty, in executive session, and in plenary session, in accord with the Divinity School's bylaws (Appendix F of this handbook).

The committees of the school are differentiated by composition and function. A few are composed only of regular faculty. Some include faculty and administrative staff. Others include students or participant members, designated according to the committee bylaws. The faculty is organized into academic divisions, and each division elects its own chair.

### **Nicholas School of the Environment**

The Faculty Council of the Nicholas School of the Environment meets with the dean in an advisory capacity on general policies of administration and governance. Further, the council is charged with advising the dean on the equity of the criteria and the procedures to be followed in determining annual faculty evaluations and compensation. The Education Committee is charged with developing and monitoring all academic programs in the School; it also serves as a liaison for faculty and students. All matters related to courses and curriculum are considered by the Education Committee. The Admissions and Awards Committee considers all candidates for admission and recommends to the dean the distribution of awards.

### **Sanford School of Public Policy**

The governance of the Sanford School of Public Policy is the shared responsibility of the dean and the regular-rank faculty. The Executive Committee is chaired by the dean and includes seven elected faculty representatives and the senior associate dean of faculty. The Executive Committee advises the dean on planning, faculty development, governance, and other matters. Other faculty committees are described in the Sanford School's faculty bylaws (Appendix T of this handbook).

### **Fuqua School of Business**

The governance of the Fuqua School of Business is the shared responsibility of the dean and the faculty. The dean's Advisory Council is composed of five elected faculty representatives, the secretary of the faculty, the associate dean, and the dean. The council advises the dean on policies of administration and governance. Faculty representatives also serve in an advisory capacity to the dean as members of the other committees described in the Fuqua School's faculty bylaws (Appendix H of this handbook).

### **School of Law**

The governing body of the School of Law is the faculty. Faculty committees are appointed by the dean and may make recommendations to the faculty. In some cases, such as admissions, the faculty delegates its responsibilities to a committee. Elected student representatives serve as voting members of some committees but do not attend faculty meetings.

### **Duke University Medical Center: Medical, Nursing and Allied Health Education**

The chancellor for health affairs is the executive officer and chief academic officer responsible for the operation of Duke University Medical Center. Reporting to the chancellor for health affairs are the deans of the School of Medicine and the School of Nursing. The administrative procedures of medical, allied health and nursing education are influenced by the accreditation requirements of the various entities as well as the accreditation requirements of Duke University Hospital.

The Medical Center Executive Committee plays an important role in the governance of the Medical Center. This committee is composed of the deans of the School of Medicine and the School of Nursing, the chairs of the Medical School departments, and center directors. It also meets for special purposes.

### **School of Medicine: Basic Sciences Division, the Medical School**

The Basic Science Faculty Steering Committee is the representative body of the basic science faculty participating in major decisions and plans of the Medical Center and university. The Basic Science Faculty Steering Committee serves as a committee on committees for the basic science faculty, nominating faculty representatives to serve on committees of special interest to the basic science faculty, such as the Appointment, Promotions, and Tenure Committee, or search committees for department chairs or section heads. The Basic Science Faculty Steering Committee does not usurp the function of the Academic Council Executive Committee when broad university concerns are to be met, but may transmit views from the basic science faculty to the Academic Council.

The Basic Science Faculty Steering Committee is elected at large and must contain one faculty member from each of the basic science departments or sections and an additional three at-large faculty members, but no more than two from any single unit. Members are elected for two-year terms. This committee meets regularly and when necessary for special purposes.

### **School of Medicine: Clinical Sciences Division**

The Clinical Sciences Faculty Council on Academic Affairs provides a mechanism for faculty input into debates and decisions involving the interests of the clinical sciences faculty and for transmission and dissemination of ideas and issues between the Medical Center administration and the clinical sciences faculty.

The council consists of one representative (and one alternate) elected from each clinical department and four at-large members selected by and from the clinical sciences representatives to the university-wide Academic Council. All members of the council serve two-year terms. Any faculty member eligible to vote in the university's Academic Council elections and with a primary appointment in a clinical sciences department--other than the chair of that department--is eligible to be nominated and elected as its representative to the council.

### **School of Nursing**

The faculty members of the School of Nursing meet regularly to consider issues relating to the academic affairs of the school. Recommendations on policies concerning admissions standards, the curriculum, academic progression, graduation, and other matters affecting the academic environment are presented by committees on which faculty members and students serve. The dean serves as an ex officio member of all committees. The Chair of the Faculty Governance Association presides at meetings of the faculty.

**Bylaws of the Professional Schools**

There are no faculty bylaws in the School of Law. The Rules of the Law School related to Appointment, Promotion, and Tenure are included in Appendix I. A complete copy of the Rules of the School of Law is available in the dean's office and on the Law School website at <https://law.duke.edu/about/community/rules/>. The bylaws of the Pratt School of Engineering are contained in Appendix E, those of the Divinity School in Appendix F, those of the Nicholas School of the Environment in Appendix G, those of the Sanford School of Public Policy in Appendix T, those of the Fuqua School of Business in Appendix H, and those of the School of Nursing in Appendix K. Bylaws relating to the Basic Sciences faculty and Clinical Sciences faculty in the School of Medicine can be found in Appendix J and Appendix L, respectively. There are no faculty bylaws in medical and allied health education.