Shared Governance: Changing with the Times

Case Study: Duke University
Background

Shared governance at Duke University is a healthy tradition both in terms of formal structure and policy and in terms of institutional culture and practice. Central to the faculty’s role in shared governance is a policy known as the Christie Rule. The Christie Rule states:

> Except in emergencies, all major decisions and plans of the administration that significantly affect academic affairs should be submitted to the Academic Council for an expression of views prior to implementation or submission to the Board of Trustees. The views expressed by the Academic Council should be transmitted, along with the Administration’s proposals, to the Board of Trustees when these plans and decisions are considered by the Board of Trustees.

Meetings of the Academic Council (AC) are open (except for occasional issues that require confidentiality), and the president and other senior administrators are regular attendees and participants in Council deliberations. One powerful indicator of the importance accorded the role of Academic Council by the university is the fact that the chair of the AC is provided a stipend, some release time from teaching, and a full-time administrative assistant.

In addition to a very high level of interaction between the Academic Council and senior administration, the Council’s Executive Committee (ECAC) meets with the university’s board of trustees three times a year, focusing on a substantive agenda generated primarily by ECAC. Further, the board regularly solicits input from the Academic Council as it addresses important issues. One of the consequences of these practices is a high level of confidence on the part of the board that important decisions that come before them have been vetted and supported by the faculty.

The role of the faculty in advising the administration and board is further enhanced by three additional committees:

- **Academic Programs Committee (APC)**, charged with advising the provost on university-wide academic issues, as well as on the creation, termination or contraction of academic units. The APC comprises roughly thirty senior faculty members serving three-year terms, as well as the provost, vice provost for academic affairs, dean of the graduate school and chair of the Academic Council as *ex officio* members.

- **University Priorities Committee**, charged with assessing the university’s academic priorities, ensuring that these priorities are reflected in the university’s annual and long-term budgets, and making recommendations to the president. Currently, there are ten faculty (serving three-year terms), two deans, and two students serving on the Priorities committee, with the president and other senior administrators serving as *ex officio* members.

- **Global Priorities Committee (GPC)**, a committee that is advisory to the vice president and vice provost for global strategy and programs and to the provost. The GPC is charged with reviewing and refining Duke’s global strategies and assessing the university’s global activities and academic programs—both as they are created and monitoring ongoing performance. The GPC includes

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1 George Christie was a law professor who, in 1972, chaired a committee that led to a number of faculty governance reforms, including—most notably—the establishment of the Academic Council.

2 [https://academiccouncil.duke.edu/academic-council-history](https://academiccouncil.duke.edu/academic-council-history)
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fifteen faculty members serving three-year terms, with a number of administrators and the chair of the Academic Council serving in an *ex officio* capacity.

At the same time, it is apparent that Duke has a very healthy culture of shared governance that reinforces the effectiveness of the formal processes. Senior administrators are all located on one hallway, and the physical proximity enables frequent and productive interaction, and there is a great deal of informal interaction between the administration and students, faculty and staff. The president has open office hours, and students feel free to email senior administrators with questions and comments—and they get responses. Those interviewed for this study also pointed to the importance of the strong personal relationships among administrative, faculty and board leadership. *Ad hoc* task forces of students, faculty, and administration are regularly created to address specific issues that arise.

**Actions Taken**

Duke’s formal and informal governance and decision making policies and practices were put to the test in recent years—a test that they passed with flying colors—as the university deliberated the establishment of a liberal arts and research university in Kunshan, China. Duke Kunshan University (DKU) is a partnership between Duke and Wuhan University. Its stated goal is to be a leader in the future of higher education, embedded in and informed by both Chinese and American traditions in higher education.³

While several joint master’s programs and research collaborations had been in place in Kunshan since 2010, thanks primarily to the initiative of the-then dean of the business school, the provost, and the university’s president, the establishment of a new university with its own faculty and administration, physical plant, and degree-granting undergraduate programs was an undertaking of immense magnitude.

Discussions about the initiative proceeded on a continuous basis for a number of years, but in 2014—with the appointment of a new provost—a much more intensive process of deliberation and review (both formal and informal) for approval of a Duke undergraduate degree at Duke Kunshan University got underway. While there was some faculty interest in and support for the initiative, and a number of faculty who had had outstanding teaching and/or research experiences in Kunshan, there were serious and legitimate reservations voiced by pockets of the faculty, including: the issue of academic freedom in China; China's political environment and record on human rights; the cost of the venture (which had been greater than $10M/year, but was proposed to drop to $5M/year in the long term); the critical need to maintain high academic quality; and, the risks involved given the volatility of U.S.-China relations.

On a formal level, the proposal to establish Duke Kunshan was thoroughly vetted in multiple sessions by all of the relevant bodies: the Academic Council, the Academic Programs Committee, the University Priorities Committee, and the Global Priorities Committee—sessions in which the provost, and often the president, participated. At the same time, the provost appointed an *ad hoc* committee drawn from each of Duke’s constituent schools with undergraduate programs to review the proposed undergraduate degree curriculum.

Paralleling the formal committee process, the provost also met with all of the University's schools to hear and respond to their questions regarding DKU. On the basis of all of these discussions, the provost and her colleagues put together a document (several hundred pages!) that included every question that the

³ See https://dukekunshan.edu.cn/en/about/duke-kunshan
administration had been asked by faculty, board members, and staff, with responses to each question provided by the provost and/or president.

All of this input—formal and informal—was reflected in the final proposal, which went through many iterations as the provost and president responded to the questions and concerns that they were hearing by amending the proposal accordingly.

Outcomes

In November of 2016, the Academic Council met to consider a formal motion to approve Duke Kunshan. The discussion was vigorous, at times impassioned, thoughtful, and civil. While several faculty members reiterated the concerns that had been raised throughout the discussions leading up to the meeting, other faculty members—including several who had taught and/or done collaborative research in China—made a convincing case for going forward.

One of the most compelling comments, from a professor of philosophy, spoke directly to the issue of shared governance:

Not only do we have an opportunity to establish an institution that expresses the values to which we’re committed in a country that may or may not need the kind of exemplar that we could produce, but for ourselves and for the importance of faculty governance of this university to have an institution like that about which our faculty is concerned and committed and which provides a test, in a way, for faculty governance at Duke, because in the future we will continue to have to monitor the status of this institution in China. The faculty as a whole can provide the most important constituency for an administration that needs to push back against a chilling environment or otherwise take steps to ensure and protect the kind of values for which we stand in China. These are all opportunities that we would forgo if we didn’t have presence there.

The Academic Council ultimately voted 57-18 to approve the establishment of Duke Kunshan.

While the faculty and administration deliberated Duke Kunshan over several years, Duke’s board of trustees became engaged in the conversation. There were a number of board members who had done business in China (including one board member who is a Chinese national and former government official) who were very enthusiastic. While recognizing the range of issues involved, they urged their colleagues to commit to the initiative, arguing that the potential risks were outweighed by the rewards. At the same time, some board members were initially skeptical of the plan, particularly with regard to finances, Duke’s fiduciary oversight of the joint-venture, and the facilities required for the new university. Rather than creating a separate task force to investigate the proposal and their concerns (an increasingly common practice on many campuses), the Duke board found that assigning the various issues to standing committees of the board (academic affairs; business and finance; facilities and environment; human resource) was quite effective

In the fall, the board had a special session devoted solely to the Duke Kunshan proposal, without the expectation of a vote at that time. Their purpose was to ensure that any questions that board members

4 The very thorough minutes of that meeting can be found at:
http://academiccouncil.duke.edu/sites/default/files/11-17-16%20minutes.pdf
had regarding the project were answered, and that they had the opportunity to fully explore both the risk and the benefits of the initiative.

Following approval by the Academic Council in October, in December Duke's board voted to approve Duke Kunshan. In addition to the extensive work conducted by the board committees and reviewed by the full board, it was quite clear that the thoroughness and thoughtfulness with which the faculty ultimately brought forth their recommendation were of great value to the board’s deliberations. Similarly, both board and faculty leadership give great credit to the provost for keeping the board consistently informed on faculty deliberations in the two years leading up to the decision.

Lessons Learned

- Formal governance structures are more effective when reinforced by informal processes and interactions
- Leadership and personalities matter—it is clear that the relationship of openness, communication and trust among the president, provost, Academic Council chair, and chair of the board’s academic affairs committee was essential to the outcome
- Campus stakeholders need the opportunity to weigh in on important issues, and to know that their voices matter; even if the final decision does not reflect their input, they need to know that it was heard and thoughtfully considered and they need to know why it was rejected
- Big steps forward always have inherent risks; those risks must be carefully evaluated and mitigated to the greatest extent possible, but ultimately a willingness to take risks is essential to progress
- Difficult issues require trust, mutual respect and the commitment to speak the truth to one another, which often requires some degree of bravery
- There is always a tension in shared governance between the need for thoughtful deliberation, study, and reflection, and the need to make timely decisions when opportunities or challenges present themselves; finding that balance on a particular issue requires that all parties to the decision understand and appreciate each other’s perspectives