

MINUTES
WEST VIRGINIA UNIVERSITY FACULTY SENATE EXECUTIVE COMMITTEE
MONDAY, MAY 22, 2023, 3:00 P.M.

Faculty Senate Chair Scott Wayne brought the monthly meeting to order at 3:01 p.m. Members and guests participated via video conference.

Members Present:

Cottrell, L.	Hauser, D.	Martucci, A.
Davari, A.	Hibbert, A.	Ogden, L.
Davis, D.	Hileman, S.	Tack, F.
Di Bartolomeo, L.	Hunt, C.	Wayne, S.
Elliott, E.	Lofaso, A.	
Gee, E.	Lupo, J.	

Guests Present:

Alsop, R.	Latimer, M.	Staples, C.
Becker, K.	Morris, T.	Taylor, S.
Beckley, T.	Robinson, S.	Thomas, R.
Gavin, M.	Shannon, R.	Widders, E.
Kreider, P.	Slimak, L.	Widders, E.

1. For Approval – [Minutes](#) of the April 24, 2023, Executive Committee Meeting
Motion to approve carried by unanimous consent.

2. Report from President Gordon Gee
 - a. Note of appreciation to Scott Wayne and Frankie Tack for assisting in the honorary degree ceremony
 - b. Timeframe in place for budget work, summer academic transformation.
 - c. Full intentions to be transparent and data-driven in this process alongside consultant RPK.
 - d. Assurance that there will not be mass layoffs, though strategic decisions will need to be made and are currently being made that will result in positions being eliminated as we balance the budget.

Gee deferred the floor to Rob Alsop.

 - i. Monitoring the end of fiscal year 2023 and preparing for fiscal year 2024.
 - ii. Most academic units have either met the new budget targets or are close to meeting it.
 - iii. The \$24 million Foundation transfer will need to be replaced with expense reductions for fiscal year 2025.

Gee reclaimed the floor and yielded to Mark Gavin

 - iv. Working on data with intent to identify programs of concern in July.
 - v. Review of academic support units that report to the Office of the Provost
 1. Roughly 18 units in total

2. Self-study survey sent to unit leads.
3. Stakeholder survey distributed for feedback and input on support units.
4. Intent is to conclude on streamlining Academic Support Units and establishing future plans by July.

Gee reclaimed the floor and concluded his report.

Wayne: I invited Stephanie Taylor and Rob Alsop to this meeting should they have any statements on BOG rule 3.7 and 4.1, and to answer questions on the topics. I have one question in addition: are there plans to solicit feedback on any other support units beyond the academic support units that report to the provost?

Alsop: I think that is a good idea. We are working with RPK on fleet management and associated services. We do seek guidance and feedback on Shared Services on a regular basis, but we will add it to our list of to-dos.

Member: A few faculty that completed the survey noted that the form is much longer than expected, which might impact the number of submissions. Additionally, several of us have reached out in an attempt to gain access to the number of personnel released in aggregate. We aren't seeking individual positions, but an idea of how many individuals by employee type are being released in each school. President Gee noted that fear is a problem, and I think if we had more information on this it would prevent people listening to rumors.

Alsop: You are right. We have been trying to reach a balance on not releasing information too quickly when it isn't finalized, while still attempting to keep the campus informed. I think in the next few days we should have a firmer handling on what the final budgets will be for the next academic year. As soon as we get to the point where academic units have communicated their changes, we will provide more information.

Taylor: Not all individuals have been notified that they will not be removed. There have been 13 non-classified staff approved for reduction in force, with 2-3 more that may also be approved. There have been 66 non-classified staff who will not be renewed. There have been 32 faculty positions not renewed for 2024, consisting of 7 clinical track, 7 research track, 10 lecturers, 8 teaching assistant professors (TAPs) or service assistant professors (SAP). Not all individuals have been sent notice at this time, so the information on where they are located is still confidential.

Member: Based on your count for faculty, no tenured or tenure-track people have been targeted for reduction in force, is that correct?

Taylor: Correct. We cannot eliminate a tenure track position outside of the program review process. Any of those changes would be announced when we announce the reductions following the program review process, planned for the fall.

Wayne: Are any faculty eligible for severance, given that the proposed plan isn't approved yet?

Taylor: Under the proposed plan, clinical and research-track faculty are not eligible for severance. TAPs and SAPs will receive severance based on the schedule proposed to the Board of Governors, meaning 2-8 weeks of severance pay based on years of service. Faculty eligible for severance under the proposed plan and that are nonrenewed for the 2024 academic year are being offered severance as a sign of good faith.

Wayne: So are you offering that severance package to those individuals now, or does it need to wait for board approval?

Taylor: That severance is being discussed now and does not need to wait for the current proposed schedule to be approved.

Tack: I think you should be ready for significant comments about equity, as it is a growing concern. I think giving some thought to how you might respond to that would be a good idea.

Gee: What do you mean by equity?

Tack: A tenure track professor that has been here for one year would get 12 weeks, while a TAP that has been here for 20 years would receive less. There has been some growing concern around that. Rob, you mentioned that within the next few days all colleges will release their cuts or adjustments to the budget?

Alsop: Yes. There are some units that have really struggled to get to the required budget for the next fiscal year which we are working through. One example would be the Office of Research. We want to avoid making cuts that could interrupt service or a critical function. Sponsored programs has experienced difficulty in the last year, and making cuts to that area could further operational difficulties. We are working through these issues with units.

Tack: Are you referring to academic units? I haven't had that discussion with our school administration yet.

Alsop: I'm referring to all units across the campus. All units were required to reduce their 2024 spending, with the exception of a few enrolment management offices.

Tack: The academic support units – are any of those grant funded?

Gavin: Are you referring to the academic support units reporting to the provost office? I don't think there are any support units that are 100% grant funded. They run the range for highly granted funded to not grant funded at all, but none of fully funded that way.

Tack: The academic support unit survey seemed overly detailed and didn't provide a chance to indicate the level of interaction, in my opinion.

Slimak: We have a short timeline on getting that information turned around. I worked with RPK to create something as broadly applicable as possible that would cover the range of ASUs. We will continue ASU reviews continually, but this information was intended to be collected as soon as possible so that we could make summer decisions. We have collected over 400 responses already.

Member: Are any of the nonrenewed or reduction in force individuals from the Beckley campus?

Taylor: We don't have anyone on our list, but I believe they are still working on their budget so I won't say that is definitive.

Member: Regarding the equity issue: TAPs are typically paid less than tenured faculty, and being paid less in the severance package is going to exacerbate existing divides. This might be a good time to demonstrate an example of treating faculty equally. I know this isn't a question, but it is an issue I'm hearing from faculty.

Gee: We had a chance to do some of this and some of it was voted down. I think we need to understand that I have been consistent in saying that I am in full agreement of absolute citizenship for everyone at the same level. I have always said that the different pay schedule is unfair, but that is what we are working with at the moment. Much of the pushback against prior efforts toward faculty equity has come from your faculty colleagues, and this might be an opportunity to acknowledge and address

that. We have tried to come up with a result that is fair, but there is a reality that all of us have responsibility to ensure that these situations are dealt with fairly, from a Senate, faculty, and administration point of view.

Member: To clarify, are you saying that faculty have expressed that they are in favor of the differential?

Gee: I have heard continuously from faculty that they are not in favor of giving the same status to TAPs and SAPs. I'm saying that it has been opposed, tenured faculty have pushed back against any efforts to broaden tenure toward teaching or research faculty.

Tack: This is a discussion about severance equity though, not tenure equity.

Gee: It is part of the same discussion and cannot be separated. There is a differential that exists and I'm not in favor of it. There is a difference in the requirements we have for tenure and tenure-track faculty and those we have for teaching track faculty. I don't like that, but nonetheless there is a differential that we must deal with.

Tack: Are you saying that the Board does not want to provide severance equity because TAPs and SAPs do not have tenure, and they do not agree with those groups gaining tenure?

Gee: I think it is fair to say that the board is not happy that we attempted to bring more equity into the proposed severance schedule. We are giving notice very early and giving faculty a long period of time to job search. There is an issue there that we need to address globally. Maybe this conversation is something that helps us do that.

Wayne: I do believe that the Board has blocked some of our ideas along those lines, in particular tenure for teaching faculty.

Gee: I think the truth of the matter is that we needed to approach this in a much different way, and the efforts were blocked on both sides.

Member: Clinical professors do not get severance in the proposed severance schedule. In the School of Medicine there are only tenure or clinical track – there are no teaching or service tracks. I work with many colleagues in the professional programs where they are not clinician status for various reasons. I think there are many faculty that are evaluated as TAPs and SAPs but carry a clinical track tag and will not be eligible for anything severance-wise.

Gee: I don't have any answer to that question, but I'll find it. We have so many needs in the clinical area and are hiring aggressively, you know.

Member: I understand, but we have already cut 7 clinical faculty.

Taylor: Many of the clinical faculty are 12-month faculty and earn annual leave, while 9-month faculty do not. Those 12-month faculty will be entitled to a payout of annual leave which can be up to five weeks. That is a little bit of a difference between them and a nine-month TAP or SAP. They will also have 30 weeks of notice, so they can accumulate leave in that time.

Member: We received an email that faculty or employees planning to retire should let their supervisors know if they intend to retire by the end of 2024. Is there a reason why that does not go to the end of FY 2024? For faculty that are being non-renewed, is there a reason why, if they are close to retirement, it is not being suggested to them? I have faculty that will be non-renewed, and when speaking to Talent and Culture they told "you know you qualify for retirement." Maybe if these folks are given the opportunity, or it is at least suggested to them rather than being told that they are not being renewed – hearing it now, rather than when they go to Talent and Culture, it might help morale.

Alsop: The changes for fiscal year 2024 – I don't know that there was a window for that type of opportunity. But as we move toward the September and October timeline, I think there will be greater opportunity for discussion on retirement or working elsewhere. I think that will be a conversation prior to any reduction in force or non-renewal, as we will need to look at the units to see what voluntary changes happen before fiscal year 2025.

Member: President Gee implied that the board chose a lesser severance package for term faculty. Was the board presented multiple options, or were they presented with the schedule as it was passed?

Gee: The point I was making is that we had to go back and talk to them about the fact that the original proposal was different in terms of the service payment. I'll let Rob answer this.

Alsop: Some of the things we looked at in severance was the period of notice and the thought that, in terms of severance, when do contractual obligations end. What we heard back from board leadership was that, if we are giving 8- month notice to faculty when their contracts are ending, then most industries wouldn't provide severance pay. If it is a multi-year contract or their rights go beyond that period, that is when severance would be appropriated, which would be to help an individual to the next landing spot. We had discussed that we hope individuals will be in the hiring cycle and an ability for, once their contract ends, they will be doing something else somewhere. Following that, we were focused on our legal obligation and how to work forward from a fairness perspective. Faculty Senate leadership said you need to do something for SAPs and TAPs, so we tried to move forward with a plan addressing that. Under the current rules, the legal rights are different between tenure and tenure track employees and everyone else. I would put people into three buckets: TAPs and SAPs with multi-year contracts, tenure and tenure-track faculty, and those whose contracts end in May. From a moral and fairness perspective, I hear you. From a legal and contractual perspective, the parties are not in an equal position. Based on the feedback we received, we created an additional scale for TAPs and SAPs. We did talk about how we would balance things, and we encourage everyone to let the board know their opinion during the comment period. We know that not everyone will be happy, but we have tried to provide an opportunity for feedback on the pivotable points.

Wayne: It is important to note that the Board has not approved the severance schedule yet. They have approved it for public comment.

Gee: I apologize, I thought everyone knew that. I think that these differentiations are not in the best interest in the university's long-term health. I have pointed out that the reason we are an R1 institution is our TAPs and SAPs, and without them we would not be where we are in terms of research protocols. I think everyone agrees that we should have a common approach to what we are doing with our staff. There is a legal difference that we are trying to close with what we are doing. Many of our board members come from private business and approach the institution from a very different perspective that those of us in academia, and they question why severance is necessary when an 8 month notice is being provided.

Member: So TAPs and SAPs with multi-year contracts will be treated similarly to tenured or tenure-track faculty?

Taylor: No. We are treating TAPs and SAPs the same.

Alsop: I apologize, I misspoke on that.

Member: So if a multi-year TAP has a contract that ends in 2027, there is no concern about terminating that contract early?

Taylor: No, there isn't a concern from a legal perspective. Those contracts are based on board rules and the positions can be terminated and contract ended early if it goes through the program review

process. TAPs and SAPs on multi-year contracts can be terminated without program review if the decision is made at the end of that contract. We opted to have one package for all SAPs and TAPs regardless of when their contract period ends. That may be a good question to propose during the public comment period – should faculty on multi-year contracts receive a different severance schedule? The board would consider that.

Tack: I'm advocating for a greater position because we are hearing from a lot of people that are disturbed by this. The whole issue with multi-year contracts is that they haven't been implemented across the board. I'm wondering – I guess we can enter it in our comments – did the board say they didn't want to provide the same severance package to non-tenure track faculty?

Alsop: I want to say that giving 8-month notice isn't nothing. It isn't severance, but it isn't nothing. We have not said that we sat down with Faculty Senate leadership before the Faculty Senate meeting and negotiated out what TAPs and SAPs would get, so the fact that you are coming back today and saying that it isn't enough isn't something that is incorrect. We gave you a preview at the Faculty Senate meeting, you said that this was going to be a big issue, so we did rethink it before it went out for public comment. The board has not made a substantive decision on the severance package yet. It cannot be said that they have rejected anything at present. They have clearly iterated to us that we must hit the marks for our '24 and '25 financial goals. All of what has been proposed and went to the board is a combination and balance of those factors.

Member: What was the rationale for changing the rule on reduction in force? I understand that it hasn't passed yet.

Taylor: The reduction is only applicable for those being terminated through program review. We have the ability to end positions at the end of the contract date, which is the situation for all faculty positions ended to date. In the fall, we will be going through a detailed program review process which will result in some programs being reduced or discontinued. Based on that, we will then go through the reduction in force process for faculty positions based on that program review. The purpose of the rule changes is to add clarifying language related to the process and to ensure that we are using concise language.

Alsop: We have removed anyone through reduction in force. The rules and details have been discussed at the prior faculty senate meeting and are available at the [rulemaking website](#).

~~3. Report from Provost Maryanne Reed~~

4. Report from Faculty Senate Chair Scott Wayne

- a. The summer academic transformation group met last week. Melissa Latimer is working on outplacement services.
- b. Wayne requested a brief overview from Tracey Morris and Chris Staples.

Morris: Melissa has conducted interviews with several firms who engage in outplacement services. The idea is that, for those impacted by the reduction in force, we would like to contract them with one of these firms. The firms will provide services, in particular for those that may wish to transition out of higher education, but also with social media profiles, active coaching, interview preparation, and connecting the individual to available jobs. Each firm varies in their services, some would be time-limited, and some would be provided until the individual gains a new position.

Wayne: Melissa is also working with Talent and Culture and Benefits for support related to those areas.

Morris: There will be a variety of resources made available on the website, which should be available soon.

- c. Summer Faculty Senate meetings: June 5, July 10, August 7, August 28. All will be held via Zoom. The intent is for there to be one main agenda item, which will be updates on Rob Alsop and the Office of the Provost, the academic review process, reduction in force, and restructuring of budgets.
- d. Committee chairs are expected to submit their annual reports to Corey Hunt as soon as they are able. They are typically attached to the May Executive meeting, then presented at the September Faculty Senate meeting.
- e. We received a high number of comments and concerns regarding the comments made by Bob Huggins. The WVU Faculty Senate fully supports our LGBTQ Plus faculty, staff, and students, and that we found the comments to be offensive and disturbing.
- f. [BOG Rules 3.9 and 4.1 are out for comment](#). Messages will be distributed reminding faculty to provide comments during the comment period.
- g. Faculty members have requested updates on efforts to recruit new students and bolster enrollment. Faculty Senate has reached out to George Zimmerman with a request for an update on enrollment at the June 5 meeting.
- h. Provost Summer Transformation workgroup met on May 17. The Provost provided insight and discussion into the role of the group as an advisory body. That group is intended to keep the faculty body informed as the work proceeds. Lisa Castellino provided an overview of the data they are collecting to evaluate the metrics, as well as the challenges of the data systems of the university were also shared.
 - i. Several faculty expressed concern over increased teaching loads, reduced graduate teaching assistant support, and ability to maintain R1 status. Fred King has been invited to the next meeting. Faculty with concern or comment are encouraged to contact Frankie Tack or Scott Wayne, and those concerns will be communicated at the next work group meeting.
- i. George Zimmerman will attend the June 12 workgroup meeting to discuss enrollment management decisions.
- j. Recognition of differences between the severance packages as presented for comment and the packages that faculty are seeking, though some progress is made. Faculty are highly encouraged to make comments on the severance schedule.

5. Curriculum Committee Report (Lori Ogden)

For Approval – New Course Report – [Annex I](#)

For Approval – Course Change Report – [Annex II](#)

For Approval – Program Change – WMAN_BS: Wildlife and Fisheries Resources, Key: 583

For Approval - Program Change – WMAN_FS_AOE: Fisheries Sciences, Key: 584

For Approval – Program Change – WMAN_WS_AOE: Wildlife Sciences, Key: 585
Motion to approve all items carried with 10 in favor and none opposed.

6. General Education Foundations Committee Report (Lisa DiBartolomeo)

- a. Issue arose with a course being proposed out of Eberly, which reached the GEFCo workflow. It was approved, but the GEF attribute has since been removed with a comment in CIM citing a moratorium on new GEF courses. As far as we know there is no moratorium.

Tack: Was it an Eberly moratorium, or were they reflecting a university-wide moratorium.

Di Bartolomeo: The comment reads “The Provost Office has informed the Eberly Curriculum Committee and the Faculty Curriculum Committee that they will not be approved new GEF courses.”

Slimak: The Office of the Provost has reached out to deans noting that there will be a GEF review over the summer, with a likely GEF moratorium starting next fall. There is no official moratorium at this time, but we have asked all colleges to only move forward GEF courses that are high priority. The course in question was determined to not be a college priority.

Di Bartolomeo: I find it interesting that they decided to not make it a priority, as that course is associated with a multi-million dollar grant that two faculty members in World Languages got to increase student participation in study abroad, which seems like a pretty good thing to mark as priority. Maybe we, being myself, Mary Beth, and Corey, can go communicate with Eberly on the topic, as it seems unwise to refuse this course for GEF.

Wayne: To clarify, the courses for approval today will move forward, correct Lou?

Slimak: Those courses were deemed by each dean’s office to be worth moving forward.

Di Bartolomeo: We have also noticed many attempts to propose courses that were judged to be redundant with existing courses, likely as part of the new budget model that rewards enrollment. One question we want to ask moving forward is the question of redundancy and if colleges are attempting to claim a bigger piece of enrollment.

Slimak: Equity and redundancy are the main criteria that we are going to address out of this program review. Really what is driving it is the new budget model – the current criteria and distribution of courses is not going to work.

Tack: I’d like to ask about the work the General Education Workgroup performed and if that group is going to be tasked with anything related to the program review, or if the program review is going to be starting from scratch. I know that group worked for over a year and I’m wondering how it will play into the new efforts.

Slimak: The task for identified more broad goals. That task group will still be asked to do the work. The goals are what is going to be specified. As we are talking through those goals, there are both Provost goals, the higher end questions that needed to be addressed. This has become a high priority for the Provost and the board, so instead of keeping it at a high level it will need to become much more specific. We need to get to where to a point where we can answer any questions with data and evidence.

Tack: So there will be a new taskforce, or you will use the same workgroup?

Slimak: That group identified the structure we would use. We will be using the structure identified out of that group.

Wayne: It was always going to be a different group that did the actual reorganization work.

For Approval – Committee Actions – [Annex III](#)

Motion to approve carried with nine in favor and none opposed.

7. Teaching and Assessment Committee Report (Diana Davis)
 - a. Comment redaction period ends on May 26. We will be act as necessary within the next couple weeks to review all comments and redact those as necessary.
8. Committee on Committee Report (Lesley Cottrell)
 - a. Committee rosters finalized and are ready for approval.
 - b. The majority of committee volunteers were non-senators
 - c. There are many individuals leading or joining committees for the first time, so we will be easing committees into things.
 - d. Corey Hunt will distribute the rosters via Qualtrics form to vote on approval.
9. Faculty Representative to State Government Eloise Elliott had no report.
10. Board of Governors Report (Stan Hileman)
 - a. Board held a special meeting on May 17th
 - i. Approved the timeline that Stephanie Taylor presented in terms of the transformation process.
 - b. Comment period open for rule changes and severance package schedules. Faculty encouraged to leave comments and make their feedback known.
 - c. Next meeting scheduled for June 23.
11. For Information – 2022-2023 Committee Annual Reports
 - Academic Technology Committee – [Annex IV](#)
 - Committee of Retired Faculty – [Annex V](#)
 - Committee on Committees, Membership, and Constituencies – [Annex VI](#)
 - General Education Foundations Committee – [Annex VII](#)
 - Library Committee – [Annex VIII](#)
 - Sustainability Committee – [Annex IX](#)

12. New business

- a. Frankie Tack yielded floor to Anne Lofaso for comment.

Lofaso: We were talking about the difference in treating faculty. I wanted to note that what the institution is doing is what the law requires. My suggestion is that TAPs get tenure, or another suggestion is to ask for more. Employers can always give more. Regarding the severance details, tenured faculty have certain rights and I believe that Rob, Stephanie, and President Gee were entirely correct on what they said.

Tack: I would never suggest that tenured faculty not receive what is rightfully within their contracts. My call is to not let the law be the high bar, but the low bar when it comes to TAPs. In ethics we teach that the law is the lowest level, and that we can get into the spirit and not just the technical letter of the law, and perhaps take a different position that might carry more equity.

Lofaso: I understand that point, and I suggest you put it that way to the board, as the board will cut back and say that they gave what they had to give.

Gee: I think the response the board gave initially is that the more we give, the longer our deficit persists, and the more people we may have to let go. I'm not speaking for them, but that was the initial response that I received. We are negotiating on two different levels – we represent the interest of the faculty, but we also represent the interest of the board. When we came back and said, well we need to extend this [to TAPs and SAPs], there was a lot of concern that it would exacerbate the deficit. The board, at least in the initial results, have exceeded what the legal requirements are and they believe they have moved to a moral high ground with that.

13. Motion to adjourn (Di Bartolomeo). Seconded.

Faculty Senate Chair Scott Wayne adjourned the meeting at 4:39 p.m. to reconvene on August 21, 2023.

Corey Hunt
Faculty Senate Office Administrator