

# COMMENTS RECEIVED REGARDING BOG RULES 3.9 AND 4.7 AND PROPOSED FACULTY AND CLASSIFIED STAFF SEVERANCE

The University, as it has done in the past, has not listed the name or contact information of anyone who submitted an individual comment through the online comment system. However, if the University received a signed letter or someone listed the names of those signing onto the comment within the comment itself, we did not redact that information. The University's determinations to these comments can be found in a separate document listed on the Rules website.

Comment No.	Date Received	Proposed Rule	Comment
1	5/22/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>  <a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>SECTION 3: TERMINATION BECAUSE OF REDUCTION IN FORCE, 3.2, 3.2.1 Performance: each Faculty Member's documented performance history as demonstrated in performance evaluations of record including, but not limited to, annual performance evaluations and disciplinary history;</p> <p>Delete "disciplinary history" above: Rationale for deletion: Disciplinary history as a rationale for termination will increase the risk of litigation. In addition, disciplinary history is often highly suspect. For example, several years ago a faculty member received a disciplinary letter from the Chair of his department because the faculty member questioned the legality of some of the Chair's activities. To the best of my knowledge, the faculty member responded with data to substantiate the claim. Several years later, and consistent with that assertion but not directly related to it, the Chair, who had then become a Dean, was forced to resign as a result of similar activities that led to very bad press for WVU, including an FBI search for the faculty member the Dean was "covering for".</p>
2	5/22/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>SECTION 5: SEVERANCE AGREEMENT; 5.2            Keep as originally written, that is "Generally, the value of the severance package should be equivalent to one year of the Faculty Member's annual base pay. Any severance shall be paid in installments."</p> <p>Proposed Faculty and Classified Staff Severance Package Schedule - Tenured, Tenure-Track, Teaching-Track, and Service-Track</p> <p>If not the recommendation above regarding keeping the originally written severance package, the following: The proposed information on severance packages focus on 9-month faculty. However, some faculty are on 12-month appointments in which their contract runs between July 1 and June 30. Thus, the information presented here needs to account for such in that such faculty should receive 12-months of pay for the 12 months they work (July 1 through June 30) AND at least an additional 12 weeks of pay after their contract ends.</p>

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3	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>1) The severance schedule is pretty weak, especially for teaching track faculty. It makes is clear that teaching track faculty at WVU are "less than" tenure track faculty. If the university truly values teaching, there should be ONE schedule for both tenure and non-tenure track. It is likely that with such a small severance amount of 2-8 weeks many of those RIF'd will depart before the end of the year, leaving courses with no teacher.</p> <p>2) The second bullet point is a bit misleading:  "Through the notice period and severance payments, an individual would receive between eight and 10 months of pay. Note: Most faculty positions are nine-month positions."  This makes it seem as though the severance would be up to 10 months, but it's actually 2-12 weeks depending. This is really two semesters of continued employment after notification, not severance. Having that much notification, as noted in bullet point 4 "This means the individual would have thirty 30 weeks of notice" is more than could be expected in industry and is beneficial for allowing people to find other work. But this benefit is diminished by the second point, which leads the reader to think they are getting that much in severance.</p>
4	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The proposed severance schedule is wildly inconsistent in its treatment of different groups of employees. Even though all employees contribute to the university, the proposed schedule gives certain groups (tenure-track faculty and some classified employees) significantly larger packages than other groups (teaching- and service-track faculty) while denying severance entirely to others including non-classified staff and some faculty.</p> <p>In addition to being unfair to people who have often given significant portions of their lives to the university, the proposed schedule makes no logical sense. Why should a newly hired tenure-track faculty member get more severance than a teaching-track faculty member with 20 years of service? What is the rationale for a classified staff person with 15 years of service receiving quadruple the severance of another with 10 years of service? Why do librarians not receive merit receiving any severance at all?</p> <p>The university should adopt a severance schedule that recognizes the contributions of all categories of employees and offers all consistent numbers of weeks of severance pay based on their length of service to the university.</p> <p>I also have concerns about the effectiveness of the university's proposed "retention bonus" for faculty needed to teach out beyond May 2024. As currently written, the retention bonus is the same as what tenure-track faculty would receive in severance. If the university is asking people to forego other career opportunities and remain for its benefit, it must offer reasonable compensation as an incentive. 39 weeks of pay, equivalent to the salary that a 9-month faculty member would earn in one year, is much more appropriate given what they are being asked to do and the fact that it is difficult for faculty to find a new position mid-year.</p>
5	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>All faculty regardless of classification (tenure-track, tenured, teaching, or service) should receive the same 12-week severance package based on their base salary. There should be no distinction in classification creating an inequitable system as currently proposed in this policy.</p>

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6	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	I think it is unfair to make a distinction in severance pay between tenured and tenure-track faculty versus teaching-track and service-track faculty. I would also note that in my academic unit (music) we rely on certain adjuncts to teach the same course for term after term. For example, our tuba professor, although he is an adjunct, has been teaching all the tuba and euphonium students for quite a while—ten years, I suppose. The tuba professor before him was here for over twenty years. It is unfair not to give such a faculty member any severance pay.
7	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	The proposed policy treats teaching and service track faculty as lesser than tenured and tenure-track faculty; these teaching and service track faculty members should receive 12 weeks of severance based on their salary.
8	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	It seems unfair that teaching and service track faculty would receive severance that is lesser than their tenure and tenure track peers. What is the rationale/justification for this distinction?  Likewise how is years of service calculated? If you have been at the university for more years than you have been in a faculty position, which number is used to calculate severance?
9	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	All faculty regardless of classification (tenure, service, teaching) should receive the same number of weeks severance based on their salary.
10	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	TAP, SAP, and RAP faculty should receive the same benefit of severance as tenure-eligible faculty. They perform a vital service to our institution, and their severance should be based on their current salaries and years of service, not a flat rate applicable to everyone across campus.
11	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	Dear WVU BoG:  If indeed we are all "One WVU" then all faculty regardless of classification (tenure, service, teaching) should receive the same 12-week package based off their salary.
12	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	President Gee and university officials have been speaking about "One WVU" and us coming together to prioritize the students; however, this policy is enhancing the division between tenure-track faculty and service/teaching faculty. The policy is not equitable.  I am a Service faculty member who has been at WVU for 3 years. As such, I would be entitled to one additional paycheck in this hierarchy even though I work as much as (if not more than) some of the tenured-track faculty within my department. During the pandemic, many teaching and service faculty took on additional load to ensure that we were able to do what was needed to provide the highest level of education possible for the students. In many cases, that load has not returned to pre-pandemic levels, yet this policy demonstrates no respect for that entire population (over 400 individuals). While I understand that reduction in staff is necessary at this time, the way this policy was drafted is unacceptable and qualifies Service/Teaching faculty members as less deserving than those who are tenured or tenure track.  During the campus conversation in which the Provost's office discussed the budget cuts, there was one statement that has stuck with me. When asked if administrators were being considered for reduction in pay, one of the individuals stated that it would be "demoralizing" to ask personnel to take a pay cut and that had not been considered. Demoralizing is a strong word. In particular, the way that the university is demonstrating their views surrounding service and teaching track personnel is demoralizing, saying that we are of lesser value.

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13	5/22/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>  <a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	The only helpful change to this rule would be to rescind it completely. Having rules like this only exacerbate the problem of finding high quality faculty, which will only hinder the overall mission of increasing enrollment. It also risks our status as an R1 research university, which would also be detrimental both to enrollment as well as funding. It shows a lack of forward thinking. I honestly don't see how degrading the overall academic quality of the university would help in the long run, and I don't see how rules such as this would have any affect other than the degradation of the academic environment.
14	5/22/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>  <a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	My comments are the same as for proposed rule 3.9: these rules allowing the laying-off of tenured professors must be rescinded. They will make it impossible to attract and retain the top talent needed to grow the university and keep its R1 status.
15	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	The buyout package/offer to non-tenured & tenured staff should also be offered to other staff -- (12-week severance based on salary). The staff and teaching/service professors deserve that much.  Additionally, a 12-week severance package at this point is problematic for tenured & non-tenured faculty, too - most universities have already completed their hiring processes for the Fall 2023/Spring 2024 year so it will be extremely difficult for terminated faculty to find similar jobs within the next year. A year or percentage of year would be more reasonable (as opposed to 12-weeks).
16	5/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	It seems to me that all faculty should receive the same 12 weeks of severance pay based on their salary regardless of classification. Tenured, tenure-track, teaching, and service faculty all work incredibly hard for this university. All deserve the same respect. Remember that words are cheap. Actions matter. If you say OneWVU, then BE OneWVU and don't treat anyone as if they deserve less esteem or respect than someone else.
17	5/23/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	I am curious as to why clinical faculty are not included in the severance package consideration. Will a clarification be issued?
18	5/23/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	All faculty regardless of classification (tenure, service, teaching) should receive the same 12-week package based off their salary. An important aspect is how we are treated regarding equity as we are asked to leave. President Gee has spoken about all faculty being treated fairly and not wanting one group to feel like second class, but this severance package proposal does the exact opposite of his words. The phrase "One WVU" has been said a lot lately but we are clearly not one. There are roughly just under 400 teaching and service faculty at this university.
19	5/23/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	Please consider equitable practices when determining the severance packages for tenure-track and non-tenure-track faculty. In the current proposal, tenured/tenure-track faculty are given 12 weeks based on their salary, and non-tenure-track faculty are given severance based on their years of service. To promote equity across all faculty lines (teaching and service), providing a 12-week package based on their salary should be implemented.
20	5/23/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	As a faculty member in health sciences, I strongly encourage clinical faculty to be included in the severance package payouts. When hired, I was automatically labeled a clinical faculty. I teach more than I provide "clinical" services. This proposed schedule feels like the institution is not valuing all levels of faculty and would like to see clinical faculty included.
21	5/23/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	The severance package for non-tenure-track faculty sounds fair for long-term adjusts, but not non-tenure track Teaching Faculty. While they may not be tenure, may not have research requirements attached to their positions, they carry the same level or work and dedication to the classroom experience. That they should be given a far weaker severance package is ridiculously unfair. "One WVU" has been floated around a lot this past year, but it ring

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			patently untrue. At the end of the day, WVU is a school, and schools need students and FACULTY to flourish . . . but most faculty (tenure track and not) feel they have repeatedly gotten the shaft here, and not just this year but over the past 10. If academic excellence is the goal, then WVU needs to start going right BY THEIR ACADEMICS, period. And that means cutting upper level admisitrative staff (who, lets be honest, make 2 to many-more-times the amount most profs do), and doing right by the profs, instructors, and adjuncts they plan on laying off.
22	5/24/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	IF we truly care about faculty and staff, and given the generally low salaries, how about a 10% reduction in salary for all those who make more than 200k per year? As an FYI - Based on my current salary, I would be one of them and would be fine with such.
23	5/24/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	It's critically important that all faculty regardless of classification (tenure, service, teaching) should receive the same 12-week package based off their salary, as this is the only fair way to implement this plan.
24	5/24/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	We were told service faculty isn't second-class citizens, but this package says the opposite. If service faculty is equal to tenure-track faculty, we should also receive twelve weeks. We have the same amount of work. The only difference is we do much more service where research would be.  I strongly encourage you to reconsider this package.
25	5/24/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	While I have not conducted a cost-effectiveness analysis, it would seem applicable to start thinking boldly about merging Departments from small schools to reduce administrative costs (costs for department chairpersons, etc.) For example, as a member of the School of Public Health (SPH), I am aware that each department is generally small. Thus, the merging of these already collaborative and generally small departments into one unit would seem cost-effective with no reduction in quality. In addition, and based on my understanding, this would not affect our accreditation from the Council on Education for Public Health (CEPH). Finally, it is my understanding that at least one university has successfully taken this approach.
26	5/25/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	Clarification should be added that all faculty regardless of classification (tenure, service, teaching) should receive severance based on salary.
27	5/25/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	Given you aren't supposed to be able to fire tenured faculty at all, these packages look pretty terrible. You are probably going to make bad national news over this. Do you really want to ALSO give bad packages? Giving people as little as 4 weeks is absolutely ridiculous. We recognize that you have to cut costs and their are going to be some tough choices here, but you have to recognize that it's going to be VERY hard for most of the people you first to get jobs, at least in academics (which is the job they chose to do, so presumably what they want to do). Academic jobs typically take a year to get. Anything less than four months is a joke.
28	5/25/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	I do not like how this document keeps using the word 'severance' incorrectly. It is purposefully deceptive. According to the Meriam Webster dictionary, severance pay is 'an amount paid to an employee upon dismissal or discharge from employment'. If an individual is still working their regular contract and getting paid that is not 'severance' by definition. That is simply getting a paycheck that they are entitled to. If faculty are indeed getting money after their contract ends, than that is severance. This needs to be amended/clarified. Thanks!
29	5/26/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	The PTO or any holiday leave balance unused must be converted to cash compensation at the termination.

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30	5/26/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Regarding the time in which a faculty member must be informed of a RIF which is 60 days but this policy revision also now includes “and to the extent a shorter notice period is permissible under state and federal law” is extremely concerning and unclear. If state or federal law exists, please include that verbiage. This makes it sound like the University may advocate for changes to state law to make the notification time period a shorter amount. My recommendation would be to maintain a 60 day notice for faculty/staff members, so that they and their families can have time to get their lives/finances together on what will surely be a forever life altering event.
31	5/26/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	While I understand that non-tenure track faculty do not have property rights, I would encourage the Board of Governors to consider the workload and responsibilities non-tenure track faculty carry for the university. In many cases, they are doing the heavier loads of teaching and service which are fundamental to the structural success of the organization. Their loss is going to have a significant impact and is a great loss to the university community.
32	5/26/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Recommendations:  5.1 Revise to: The University will offer a severance package to a Faculty Member who is impacted by a RIF.  5.2 Revise to: The amount of severance that a Faculty Member will be offered will be determined...
33	5/26/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	This severance proposal is woefully inequitable with regard to the proposed severance for tenured/tenure track faculty and non-tenured/non-tenure track faculty. I urge the BOG to provide equitable severance to all faculty members. The teaching and service contributions of non-tenured/non-tenure track faculty are critical to the academic and land grant mission of the University. Severance for this category of faculty should be equivalent to severance for tenured/tenure-track faculty.  The proposal uses the term, "retention bonus." Is this really a retention bonus? Or, is it simply severance pay for those who stay on until the end of their contract? It seems that the term, bonus, is not appropriate usage in the context of a RIF situation.
34	5/26/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Section 3.1.1 through 3.1.3: Would prefer language that defines "reasonable effort" somewhere in this section.  Section 5.1 and 5.2: The University "may offer" should be changed to a "will offer", given the current climate the may reads simply as a no and provides us with zero protection moving forward.
35	5/26/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	It is currently unclear why clinician-track is not eligible for severance pay. When looking at the Department of Human Performance and Applied Exercise Science (example) those faculty would be considered WVU Employees and not employees of WVU Medicine and should receive the same opportunities as their peers across the institution. This may also include other departments across the School of Medicine and should be evaluated accordingly.  Regardless, I would prefer clarification from the administration on why this decision was made.
36	5/26/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	This severance proposal is inequitable with regard to the proposed severance for tenured/tenure track faculty and non-tenured/non-tenure track faculty. I urge the BOG to provide equitable severance to all faculty members. The teaching and service contributions of non-tenured/non-tenure track faculty are critical to the academic and land grant mission of the University. Severance for this category of faculty should be equivalent to severance for tenured/tenure-track faculty.
37	5/28/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	On 2.2: The Faculty are integral to academic programming, both in the design and the implementation of curriculum. Cut “where appropriate.”  On 2.3: The Review Committee needs to include faculty representation – perhaps members of the Faculty Senate.  On 3.1.1 and 3.1.3: The elimination of right of first refusal is problematic. How is “reasonable efforts” being defined here?  On 3.2.3: Is seniority a desirable factor or not? Clarify.

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			<p>In 3.4: Add a requirement that the administration must provide a report documenting the financial exigency with all supporting documentation and a reasonable opportunity for the faculty to review the report and challenge its findings.</p> <p>On 5.2: If a person who is denied tenure is allowed to stay a year and be paid – and that is termination for cause – then it is inappropriate and unfair that a faculty member terminated for a RIF based on financial exigency of the University should receive a smaller severance package than that.</p>
38	5/30/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>While I understand that the University's fiscal crisis is real, I am confused as to why the budget is to be balanced on the backs of the faculty and staff. In particular, the cuts and possible RIFs seem to disproportionately affect those who do the lion's share of teaching at WVU: graduate teaching assistants, contract instructors, teaching faculty, and so forth.</p> <p>Given the extremely large number of WVU administrators who have salaries well into the six digits, it is absolutely unconscionable that these administrators are not subject to salary reductions or RIFs themselves. As such, the fact that the new rules apply only to faculty and staff is punitive and deeply, deeply suspicious.</p> <p>The Board of Governors' duty is not to serve the current University administration, who frankly seem to have created this mess themselves through their own financial misjudgments. The BOG's duty is to ensure that WVU is properly and ethically managed, and that the state funds that support it are being used to serve the best interest of students and the state's mission as a land-grant institution.</p>
39	5/31/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The proposed rule should include/be applicable to Clinical Faculty in addition to the listed faculty. The current rule does not include Clinical Faculty, thus, Clinical Faculty are being excluded from the severance package conversation and consideration.</p>
40	5/31/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>This comment regards the second bullet of the “Tenured, Tenure-Track, Teaching-Track, and Service-Track” section, the text of which reads “Through the notice period and severance payments, an individual would receive between eight and 10 months of pay.” I note that university leadership has been misrepresenting this as meaning that impacted individuals receive a severance package of 8-10 months pay, lumping together the notice period and the actual severance package. I must cynically note that this appears to be an effort to obfuscate the magnitude of the shift to targeted severance pay that would be codified by the proposed changes to BOG RIF rules. I acknowledge that the planned notice period is quite long, and that this benefits the impacted individuals. However, as any compensation provided between the notice date of October 16 and the termination date of May 9 is NOT severance, but is wages paid for the work provided, it is inappropriate to include it in a description of a severance package. Indeed, the inclusion of the notice period in descriptions of severance pay is leading to misconceptions and confusions regarding what is provided by the severance package (as evidence from questions posed during a recent campus conversation). Descriptions of pay provided during the notice period should be completely removed from discussion of, and the schedule for, severance pay.</p>
41	5/31/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Rules for Reduction in Force (RIF) must be sculpted in the context of an implicit or explicit acknowledgement that impacted individuals, through no fault of their own, are bearing the brunt of actions being taken for the long-term health of the University. To put this bluntly in colloquial language: they get screwed. Providing as generous of severance package as is financially feasible is an important part of acknowledging the forced sacrifice of these people who have been instrumental in the operations of the university. The rule as it currently stands, in particular section 5.2, honors the sacrifice of the faculty by stating that severance should generally be equivalent to one year of base pay. I note that this rule does not strictly require a year's pay for faculty terminated under a RIF, having words like “generally,” “should,” and “if financially feasible,” but nonetheless it projects an aspiration by the crafters of the rule to provide a generous compensation package that honors the involuntary sacrifice of faculty.</p> <p>The proposed rule change completely eliminates that aspiration, and instead replaces it with an impossibly vague “schedule approved by the Board.” This is not only unfair to the faculty impacted, but sends a clear message that the Board of Governors considered the promise of the original rule to be</p>

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			<p>completely hollow. The fact that the aspiration of compensation is being removed during the very first instance in which Rule 4.7 will be invoked is a blatant admittance to not only those faculty who will be sacrificed, but also faculty who remain as well as potential candidates for future faculty positions, that WVU and its Board of Governors stands ready to abandon those who have helped make it what it is, and will literally change the rules that support faculty at the very first moment the rules become an inconvenience to the institution.</p> <p>I know that the current financial situation may not allow the University to provide a full year of salary for severance. A lesser package is permitted under the existing rule, so why not keep it and demonstrate that you gave your best effort to honor the promise made when this rule was originally instituted, rather than demonstrate that throwing faculty under the bus was the first step when the going got tough?</p> <p>I also note that this rule change has been obfuscated in presentations to faculty at the faculty senate meeting and campus conversation. "Severance" has been repeatedly referred to as including the notice period from mid-October to the termination date in May, and thus severance has been misrepresented as being "between eight and ten months of pay," instead of the few weeks of pay after termination of employment that it really is. Thus, any faculty that have not been attentive to the minute details are likely to not understand what the rule change, and the resulting compensation schedule, actually entail. It seems likely that this in an intentional effort by those making the presentations to hide the extent to which this rule change will decrease the aspired compensation, and I urge the Board of Governors to 1) admonish those individuals who are misrepresenting the value of proposed severance package, and 2) retain section 5.2 of Rule 4.7 as it is currently written.</p>
42	5/31/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>I would like to suggest that Proposed BOG Faculty Rule 4.7 go into effect for a temporary and limited amount of time rather than for an indefinite amount of time. The proposed rule effectively does away with promotion and tenure, as well as job stability, which will have a chilling effect on academic freedom, hiring, retention, research productivity, and teaching effectiveness. Therefore, the rule should be reversed once the budgetary conditions and demographic shifts that, ostensibly, necessitated it no longer obtain and/or once the administration makes better long-range budget plans that take into account demographic and economic projections. Without an expiration date, the proposed rule jeopardizes the excellence of West Virginia University. Keeping the rule in place indefinitely also risks perpetuating bad budget planning since RIFs could be implemented at any time to "correct" budget errors--with disastrous effects for West Virginia's flagship institution of higher education.</p>
43	6/1/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>Any faculty member who receives a severance package and who has earned money in a research incentive account should be paid that money, separate from any other monies received, upon termination. Rationale - The faculty member could have originally taken this money as incentive, chose to invest in her/his research, but now has no research program given their termination through no fault of their own.</p>
44	6/2/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Thank you for the opportunity to comment...</p> <p>Section 1: Purpose &amp; Scope: Add subsection 1.3. "Initiating a RIF of 2.5% or more of the Faculty or Classified Staff constitutes a Substantial Organizational Change, immediately revising and invoking BOG Rule 1.2, section 2.3, and revising BOG Faculty Rule 4.2 in the following ways:</p> <p>--BOG Rule 1.2, Section 2, subsection 2.3. "Where appropriate as determined by the President, the President may consult with Faculty Senate, Classified Staff Council, Student Representatives, and other applicable individuals or groups &lt;insert "and receive majority vote of Faculty Senate, Classified Staff Council, and Student Government"&gt; prior to implementing any Substantial Organization Change."</p> <p>Strike "Where appropriate as determined by the President," Replace "the President may consult" with "The President shall consult..."</p>



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			<p>--BOG Rule 4.2. adds a new subsection 2.5.3. "Faculty with Administrative Appointments, Generally" a subsection on annual performance review procedures for administration with or without faculty appointments that includes measures such as student enrollment and retention, research/teaching productivity of their unit and/or financial viability of their unit (unit could be the entire university, for central administration)</p> <p>-----</p> <p>BOG 4.7 Section 3, subsection 3.2.          "In situations where a RIF results in the elimination of some, but not all of the Faculty positions within the Unit, the Provost and Dean &lt;insert "and department chair"&gt; shall evaluate the skills and qualifications of the individual Faculty Members potentially subject to the Faculty RIF. In making the determinations on who will be selected to remain, the Provost and Dean &lt;insert "and department chair"&gt; shall give consideration to the following factors as part of a holistic assessment:..."</p> <p>&lt;Add section 3.2.4. "Teaching needs of the department/unit. Because any faculty RIF will affect the teaching load of other faculty in a unit, the teaching needs of the unit and impact on other faculty and students shall be considered."&gt;</p> <p>3.4. Financial Exigency, Generally.</p> <p>3.4.1 University plans for responding to a Financial Exigency shall be developed through a collaborative process initiated by the President, in consultation with the Provost and other appropriate members of the University community, including representatives of administration and faculty."</p> <p>Replace "other appropriate members of the University community, including representatives of administration and faculty" with "Faculty Senate, Classified Staff Council, and Student Government"</p> <p>3.4.2.: "Plans for responding to a Financial Exigency shall be approved by the Board &lt;insert "and majority of the members of the Faculty Senate, Classified Staff Council, and Student Government"&gt; prior to implementation."</p> <p>Section 5          5.1 "The University may offer a severance package to a Faculty Member who is impacted by a RIF, if financially feasible. If the University offers a severance package, the University shall provide the employee forty-five days from the date of receipt to"          ... replace may with "shall" and eliminate "If the University offers a severance package,"</p> <p>5.2.          "The amount of severance that a Faculty Member may be offered will be determined based upon a schedule approved by the Board" &lt;insert "and vote of the majority of the Faculty Senate"&gt;          Replace "may be" with "is"</p>
45	6/2/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	<p>BOG 3.9          Section 1. "PURPOSE &amp; SCOPE.          The University seeks to provide a positive and stable work environment. However, conditions may arise that necessitate the elimination of positions held by Classified Employees, otherwise known as a Reduction in Force (RIF). This Rule outlines the guiding principles for and is applicable to Reductions in Force for all Classified Employees of the West Virginia University Board of Governors, who are employed in Full-Time Regular positions &lt;insert: and administrative or staff personnel who are not appointed to a faculty position."&gt;</p> <p>Section 2.</p>

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			<p>Throughout - revise “more than five Full-Time Regular Classified Employees” to “more than two Full-Time Regular Classified Employees” Throughout - revise “five or fewer Full-Time Regular Classified Employees” to “two or fewer Full-Time Regular Classified Employees”</p> <p>Section 2.2: “The President of the University shall establish and appoint a Review Committee to review and approve any RIF Plan to implement a RIF involving more than five Full-Time Regular Classified Employees. The members of the Review Committee &lt;insert “will include members of Staff Council”&gt; and should include, but are not limited to, representatives from the Provost’s Office, Strategic Initiatives, and Talent and Culture, with advice from the Office of General Counsel.”</p> <p>Section 2.3.2 is unclear regarding whether it applies to situations of more than 5 or 5 or fewer positions “The Vice President for Talent and Culture may, but is not required to, refer any RIF Plan to the Review Committee.” If applying to more than 5, replace “may, but is not required to,” with “shall”</p> <p>Section 2.4 “When a Unit becomes aware that there may be a need for a RIF, the leader of the Unit is responsible to contact and work with the Vice President for Talent and Culture and the Review Committee, as applicable, to develop a RIF Plan.” -revise to “Section 2.4 “When a Unit becomes aware that there may be a need for a RIF, the Vice President for Talent and Culture and the Review Committee are responsible to contact the leader of the Unit to develop a RIF Plan.”</p> <p>Section 4 4.1 SEVERANCE AGREEMENT. “The University may offer a severance package to a Classified Employee who is impacted by a RIF, if financially feasible. If the University offers a severance package, the University shall provide the employee forty-five days from the date of receipt to consider the terms and conditions of the agreement and to accept the severance package.” -Replace “may” with “shall” and strike “if financially feasible. If the University offers a severance package,”</p> <p>4.3 - eliminate this section</p>
46	6/2/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>This line is problematic: 2.4 "A Faculty RIF is not intended to be a performance management tool."</p> <p>Individual faculty performance is highly scrutinized and documented at WVU. Faculty submit performance data that is reviewed annually by multiple entities according to clearly documented guidelines. These guidelines dictate the process for faculty severance outside of a RIF.</p> <p>An institutional-wide RIF economic motivators requiring a RIF are not in any way aligned with faculty performance. Faculty do not exert any influence over enrollment trends, tuition and fees, "institutional indirect costs" for delivering instruction, or levels of state investment in higher education. These are the motivating factors that are</p> <p>A Faculty RIF cannot be employed a performance management tool.</p>
47	6/2/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>-Accidentally hit submit while drafting this comment; please ignore previous comment that I submitted through this form.</p> <p>This line is problematic: 2.4 "A Faculty RIF is not intended to be a performance management tool."</p> <p>Individual faculty performance is highly scrutinized and documented at WVU. Faculty submit performance data that is reviewed annually by multiple</p>

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			<p>entitles according to clearly documented guidelines. These guidelines dictate the process for faculty severance outside of a RIF.</p> <p>2.1 states "A Faculty RIF may occur in response to institutional reorganization as a result of a Program Reduction or Program Discontinuation, and/or a Financial Exigency." All of these motivators lie beyond the purview of faculty. In particular, financial exigency is a consequence of revenue loss due to decline in admission and enrollment trends, insufficient tuition and fee collection, elevated "institutional indirect costs" for delivering instruction, and decreased levels of state investment in higher education. Ultimately, an institutional-wide RIF is a consequence of economic motivators that are not in any way aligned with individual faculty performance or individual program performance.</p> <p>Thus, faculty severance motivated by a RIF cannot be construed as a response to faculty performance because a RIF is triggered by variables beyond a faculty member's control.</p> <p>Therefore I suggest a modification to 2.4:</p> <p>"A Faculty RIF cannot be employed as a faculty performance management tool."</p>
48	6/3/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-12 weeks, depending on seniority and tenure vs nontenure track status. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF.</p> <p>When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to a breach of contract. Additionally, you are asking us to sign away all due rights related to our employment.</p> <p>Suggesting this drastic change in severance, even to faculty members not subject to the RIF, has resulted in a complete loss of confidence in the university's ability to do right by their employees and the Morgantown community. The effects of this will impact not only the employees, but the housing market, local businesses and services supported in large part by the employees at WVU.</p>
49	6/3/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>I am so disappointed in leadership and their ability to proactively forecast, plan and trim fat with a strategic scalpel instead of a reactive hatchet. What will the BOG do to ensure the faculty and staff remaining that there is accountability, and we won't be in this same position in 1 year, 3 years, 5 years from now.</p> <p>The reduction in severance is so drastic, going from one year of annual base pay to a possible 2-12 weeks depending on seniority and tenure and non-tenure status. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. The University needs to maintain the commitment it made with us when we signed our contracts.</p> <p>It is also astounding that no one is discussing how this is going to affect the local community, small businesses, housing market, and other factors external to the university. This is such a sad loss to the Morgantown community and the larger state economy.</p>
50	6/5/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>I am concerned that Research-Track, Library-Track, Clinician-Track faculty are excluded from the severance package offering. Everyone that holds a position at WVU relies on their job to uphold their quality of life pertaining to financial and career fulfillment. I believe that to terminate a contract without any severance is unethical in this economical landscape. Please consider revisiting and revising this portion of the severance package for WVU Research-Track, Library-Track, Clinician-Track faculty.</p>

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51	6/5/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<ul style="list-style-type: none"> <li>• Section 2.2. “Amendments to Section 2.2 clarify that faculty should be involved in the academic review process which could lead to a RIF plan for that program, as opposed to the formulation of a specific RIF plan, to ensure faculty input early in the process.”</li> <li>• Response: Rather than limiting faculty involvement to only one stage (e.g., the program review or RIF planning), WVU should involve “appropriate” faculty members in both stages.</li> <li>• Section 3.1. “Amendments to Section 3.1 first eliminate the affirmative obligation to offer a first right of refusal to a RIF’d faculty member of another faculty position that becomes vacant that the RIF’d faculty for which the faculty member is qualified. The amendments replace with that language with the fact that RIF’d faculty members are encouraged to apply for any new or opened positions through the normal University hiring process. Next, the amendments to this Section eliminate any potentially implied obligation of the University to re-train faculty members to be qualified for other faculty positions.”</li> <li>• Response: <ul style="list-style-type: none"> <li>• 3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</li> <li>• 3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were RIFd.</li> </ul> </li> <li>• Section 3.2. “Amendments to Section 3.2 first clarify the Dean’s role and the Provost’s Office role in the creation of the RIF plan (i.e., that the Dean’s Office and Provost’s Office will work together to create the RIF plan for a program). Amendments to this Section also clarify that a RIF determination is made based upon a holistic assessment of the three factors: performance, knowledge and qualifications, and seniority. Finally, these amendments clarify that seniority will be calculated by the length of service as defined by the rules established for the calculation of years of service outlined in WVU BOG Talent &amp; Culture Rule 3.7 – Annual Increment.”</li> <li>• Response: <ul style="list-style-type: none"> <li>• 3.2.1. The restriction of performance evaluation to the annual evaluation limits a full accounting of the faculty member’s broader accomplishments in Teaching, Research, and Service. Annual review criteria are often written solely to evaluate a year’s work product, whereas one’s overall performance as a WVU employee has a broader scope and should include more metrics of evaluation, such as long-term activities and projects, as well as productivity that exceeds normal annual metrics, such as numerous publications or products within an annual review period. Such high achievement is only ever marked as “Excellent,” even when traditional metrics are exceeded.</li> </ul> </li> <li>• Section 3.3. “An amendment to Section 3.3 clarifies that all notifications will be communicated to Faculty through their WVU email account instead of regular mail.”</li> <li>• Section 3.5. “An amendment to Section 3.5 is recommended as a clear reference to the legal requirements around Equal Opportunity and Affirmative Action.”</li> <li>• Section 4.1. “An amendment to Section 4.1 is recommended to clarify the legal requirements around notice periods.”</li> <li>• Section 5.2. “An amendment to Section 5.2 eliminates the following language: “Generally, the value of the severance package should be equivalent to one year of the Faculty Member’s annual base pay.” Amendment replaces that language with: “The amount of severance that a Faculty Member may be offered will be determined based upon a schedule approved by the Board.” The current language is permission and does not require the payment of a year’s severance. It also does not require any faculty feedback in setting the schedule. Under the new language, the faculty would have the opportunity through the public comment period to review and provide feedback to the severance package plan before it is approved by the Board.”</li> <li>• Response: This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contracts.</li> <li>• Section 5.2. “An amendment to Section 5.2 also removes the requirement that severance packages be paid in installments, which will allow the</li> </ul>

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			<p>University more flexibility in designing and paying out severance packages.”</p> <ul style="list-style-type: none"> <li>• Section 5.3. “An amendment to Section 5.3 would ensure that any waiver in a severance agreement releases the University as well as current and former agents, employees, board members, servants, and representatives and to add a clarifying cross-reference.”</li> <li>• Response: The current rules already require that employees release all claims against the University, a substantial imposition on their rights. The BoG's primary duty is “The control, supervision and management of the financial, business, and education policies and affairs of West Virginia University.” Given that the university's interests are already protected in the current rules, the BoG has no business extending waivers to individual representatives, agents, etc. On the contrary: if individuals associated with the University are behaving in legally actionable ways, it is the financial, legal, and moral duty of the BoG to see that these bad actors face consequences for their actions. It is grossly inappropriate to ask faculty to relinquish such rights.</li> <li>• Section 6.2. “A new Section 6.2 provides the definition of an “Affiliate,” which was previously absent from the Rule.”</li> <li>• Section 6.9. “An amendment to Section 6.9 clarifies that Program Reduction may include reducing tenured, tenured-track, or certain faculty positions with multi-year contracts.”</li> <li>• Response: The implication of this change is that, by defining “Program Reduction” thus, the University is attempting to bypass personnel rules relating to declaring financial exigency to reduce and/or remake faculty positions.</li> <li>• Proposed Severance Package Schedule.</li> <li>• All faculty should be treated equally in terms of severance. There should be no distinctions in terms of severance packages beyond those already stated (e.g., performance, qualifications, and seniority).</li> <li>• “Faculty Needed to Teach Out Beyond May 2024 – Retention Bonus.” This proposal is not a bonus; it is extended severance for extended work. Fulfilling one’s contractual obligations and receiving pay for that work is doing one’s job.</li> <li>• General comment on proposed Rules changes: Proposed BOG Faculty Rule 4.7 should go into effect for a temporary and limited amount of time rather than for an indefinite amount of time. The proposed rule effectively does away with promotion and tenure, as well as job stability, which will have a chilling effect on academic freedom, hiring, retention, research productivity, and teaching effectiveness. Therefore, the rule should be reversed once the budgetary conditions and demographic shifts that, ostensibly, necessitated it no longer obtain and/or once the administration makes better long-range budget plans that take into account demographic and economic projections. Without an expiration date, the proposed rule jeopardizes the excellence of West Virginia University. Keeping the rule in place indefinitely also risks perpetuating bad budget planning since RiFs could be implemented at any time to "correct" budget errors--with disastrous effects for West Virginia's flagship institution of higher education.</li> </ul>
52	6/6/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	Clinical faculty in Health Sciences should also be entitled to severance proposals as faculty members. The omission of clinical faculty from the severance plans is inequitable when clinical faculty perform the same job duties and have the same level of experience as tenured or research faculty.
53	6/6/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	<p>My main issue with the document and RiF procedure deals with the use of "Performance" as the main criterion.</p> <p>This issue has been raised a number of times in the past, using the Performance evaluation as a metric for both Merit increases and now RiFs seems problematic. Supervisors are NOT required to complete performance evaluations; supervisors have been known to use very arbitrary and/or across the board reviews for entire units; and some supervisors have been known to use blatant favoritism in their evaluation process. If you're using performance ratings in this manner, then there should be consequences for those people leaders who do not effectively evaluate their employees or fail to evaluate them. Especially if these performance metrics may cost employees their positions. I would hope that these concerns are addressed before any classified employees are released.</p>

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54	6/6/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	BOG 2.7. Remove "evaluation performance criteria"  BOG 2.7.1 Remove entire paragraph.
55	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>
56	6/7/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an "offer of first refusal" and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both "the academic review process which could lead to a RIF plan," and in the "formulation of a specific RIF plan" for programs.</p>

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57	6/7/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 2.2: Rather than limiting faculty involvement to only one stage (e.g., the program review or RIF planning), WVU should involve “appropriate” faculty members in both stages.</p> <p>Section 3.1.2: WVU has invested significant resources in the faculty it has and should seek to maximize the use of those resources for the mutual benefit of itself and faculty. If faculty development programs and funds, release times, or leaves of absence would facilitate retaining faculty in reassigned roles, the university should encourage this.</p> <p>Section 3.1.3: Faculty who are RIFed should be given first priority for filling new positions that are appropriate for their skills, whether they be in the same academic unit or a different one as many units have closely related programs (like MIS and CSEE). I can perhaps see softening the language from right of first refusal, but rehiring RIFed faculty should be given an oversized weight in determining hiring decisions.</p> <p>Section 3.2.1: This section should be clarified to indicate the performance metrics are to extend solely beyond annual performance evaluations, which in many units are largely pro forma documents.</p> <p>Section 3.2.3: Many teaching-track faculty began as adjunct lecturers before being given full-time positions. They should be given proportional credit for this time as a lecturer when determining seniority.</p> <p>Section 5.2: The proposed reduction in severance pay is unacceptable. Going from a year's worth of base pay to, in some cases of junior teaching faculty, perhaps as few as two weeks, imposes an unfair level of hardship on faculty and is inconsistent with expectations faculty had when they joined the university. Further, faculty of all ranks and tracks (e.g., tenure-, teaching-, research-) should receive comparable packages.</p> <p>Section 5.3: An employee should not have to release actionable claims, especially those against individuals other than the university itself, to receive severance pay. The existing rule already adequately protects the university's interests.</p> <p>Section 6.9: Aside from cases of outright program elimination, the university should seek to use attrition and/or reassignment to other duties to effectuate reductions in staff rather than RIFs.</p> <p>General Comments: Since the current budget situation that these changes are being proposed to address is being portrayed as a temporary period that WVU expects to move beyond quickly, the proposed changes should be set to sunset at a definite date with the policy reverting to its previous version after that point. Retaining the changes as proposed would undermine tenure and job stability for faculty and would negatively affect the university's ability to recruit talent.</p>
58	6/7/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	<p>Section 4.3: An employee should not have to release actionable claims, especially those against individuals other than the university itself, to receive severance pay. The existing rule already adequately protects the university's interests.6/</p>
59	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The change in reducing or eliminating severance is absolutely abhorrent. I realize that the university has to shore up its financial budget, but clearly there was a failure by the highest leadership and they have had no accountability to their failures. Instead, faculty - who have been doing their jobs with diligence and dedication - are the only ones to face any fallout from the failures of our leaders. To have only 2-8 weeks of severance is to send the message to all faculty that we are unimportant to the university, when in reality, we do the very work that makes the university an institution of higher education.</p>

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			Furthermore, faculty signed contracts under the existing rules, expecting that the university would abide by its existing rules. This proposed amendment amounts to one side changing the rules of the game to the other side's detriment while play is underway. A public institution such as WVU has an obligation to fairness for the sake of its constituents. This policy change is not fair and highlights the very ways that WVU's leadership has failed all of its constituents - faculty, staff, and students. The Board of Governors has an obligation to set the ship aright. This rule change is not the way to make things right.
60	6/7/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>I realize the challenging situation the University faces, and I am sensitive to financial implications resulting from the situation, but I find the measures to address reductions in faculty to be extreme, bordering on punitive. As was witnessed in the most recent (6/5/2023) Faculty Senate meeting Q&amp;A period, there is plenty of pent up angst, frustration, and confusion surrounding the idea that we find ourselves in this situation by surprise, when in fact the trends predicting the situation have been recognized for at least a decade. Yes...COVID certainly accelerated the downward spiral, but the spiral was not caused by COVID, or by the increases in PEIA. There needs to be a more thoughtful severance process and package (a true severance package, not a "completion of your contract that we will call severance" as was pointed out by our B&amp;E HR colleague.</p> <p>When it comes to repositioning within the system those faculty who have been terminated, that process should be based on the principle of "we will find a place for you" as the primary goal. I read the clause to be "there may be a place for you if you have the right skill set." We are told over and over again how flexible we have to be as faculty--we routinely learn new skills to deal with the ever changing demands placed on college faculty, so to assume that there might be limited opportunities for a displaced faculty to contribute to the University is not the correct mindset. Sure, I am not going to walk into teaching a Classic Literature curriculum, but I'd bet dollars to donuts that I could learn and be successful at a number of positions in the system, as could my fellow faculty members. The faculty member should have a definitive right of first refusal for positions that will still be available.</p>
61	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The proposed schedule and accompanying top-down approach is unacceptable. Faculty need to be included at every step of the process.</p> <p>As I'm not sure where else to make a general comment on the situation we find ourselves in, I'll do it here. Last I checked, Rob Alsop, talented as he is, is not the President of WVU. He may be heavily involved in moving the University forward with its' goals, but he is but one member of a team that is led by, as we often hear, 'the only university president to be mentioned in the Old Testament.' I find President Gee's absence from this crisis highly disturbing. Who cares how easy it is for him to give \$3.5 million back to the University. Likewise, who cares how easy it is for Rob Alsop to give \$50,000 for a study room in Reynolds Hall, or how much money his spouse makes, which makes giving the \$50,000 an easy thing to do. When you are in the foxhole with shells exploding all around, you don't inspire your soldiers with speeches about how much you did for them in the past, you inspire by what you are going to do in the moment. The University is taking a very surgical approach to this crisis....that is needed, for certain. But it needs tempered with the care, trust, and commitment of a nursing staff. I also get that the athletic programs are basically independent entities from the University, but you want to talk about morale killers...Will Grier's half-baked Heisman run being the bright spot Rob could point to in terms of the sports teams' impact on enrollment at WVU? I'm sorry, but that is completely uninspiring.</p>
62	6/7/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>I object to the proposed changes to Faculty Rule 4.7, particularly the retraction of meaningful and necessary severance pay. The university has been devising ways to abandon commitments to its employees for some time now, and this latest effort must be understood in that context to appreciate the amendments' role in a merciless and damaging administrative agenda.</p> <p>To see how the amendments add injury to injury, we should start with the base text of the Rule, which outlines two scenarios in which a RIF may be established. One of these is "financial exigency"; the other is "institutional reorganization as a result of a Program Reduction or Program Discontinuation." The first scenario may be said to imply a temporary condition, but the BOG rule does not make that clear, nor does it put limits on what qualifies as "exigency" or how long that condition could last. The second condition is also expansive: a "program reduction" could be invoked to justify the termination of a single instructor's employment, and the condition includes "program reorganization" as sufficient cause for layoffs, without stipulating the scope of restructuring required for a RIF. The looseness of the rule enables a RIF to be put in place for almost any reason at any time, needing only a report by a Dean or Chair.</p>



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			<p>Like other “state-of-emergency” declarations, the RIF nullifies prior negotiations, contractual or verbal agreements, and measures of security grounded in years of service or past performance. It is a broad retraction of the university’s responsibilities and assurances, based on the premise that a temporary state of extremity demands a redirection of resources. These kinds of measures become particularly oppressive when they are deployed primarily as a means of releasing a powerful collective from its social and ethical obligations.</p> <p>The Rule makes it possible to ignore faculty achievement, years of employment, or tenured or contractual status. It states only that a Dean or Provost should “give consideration” to “performance, knowledge and qualifications, and seniority.” It does not offer specific protections or guarantees of continued employment based on excellence or experience. Even if it did, “financial exigency” and “program reduction” would render those guarantees meaningless. The language of the rule is crafted to give only the appearance of due process without real commitment to it.</p> <p>In light of recent initiatives by the Provost's office to revise the terms of faculty employment and continuation at WVU, it is not difficult to understand the RIF Rule as walking back the protections and freedoms offered by tenure and other negotiated conditions of employment. In the 2022-23 school year, faculty were presented with a governance document making it easier for both tenured and non-tenured instructors to be dismissed. We were told by administrators that these new guidelines were in line with both professional standards and usual practices at peer institutions. They were not, as confirmed by AAUP representatives and review of other Big 12 schools. It is clear, then, that the university’s administration has been attempting to undermine the security of faculty employment for some time before the current financial crisis was suddenly “discovered” in March of 2023 and that it has been less than truthful when presenting related measures.</p> <p>This short review of WVU's recent policies and practices suggests that the proposed amendments to the RIF rule are just the latest manifestation of this administration's conviction that, as an employer, the university--which instructors of all ranks join based on assurances of security and fair consideration in return for our time, effort, and dedication--owes us nothing.</p> <p>Who wants to work at such a place?</p>
63	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks or completely revoked, depending on seniority. (To call what is essentially a notice period 'severance' and to call a possible retention beyond a standard termination date a 'bonus' is Orwellian.) Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract.</p> <p>If financial exigencies created by the loss of enrollment, the current administration's failure to anticipate this (and their large financial bets on the opposite outcome) combined with the steep decline in state funding require faculty and staff to be let go under special circumstances that are harmful to faculty and staff, it should be a new administration that carries out such measures. The captain(s) go down with the ship: if anyone loses their jobs in the RIF it should be the top brass first.</p>
64	6/7/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p>

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			<p>If extreme steps are necessary they should be carried out by a new administration. The efforts by the current administration to shirk responsibility for the situation the university finds itself in while failing to consider even a reduction in their very high salaries would never be allowed by a competent governing body. It is quite likely that the university will have to go through some pain -- the current administration has zero credibility for carrying out those steps. If the Board wants the university to thrive in the future and not lose its strongest faculty and staff to other, healthier institutions it should ask for the resignations of Gee, Alsop, Reed and Congelio.</p>
65	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>I'm going to be frank here—the modifications to severance in Section 5.2 are outrageous. The drastic reduction from one year of annual base pay to 2–8 weeks is appalling and would create immense financial hardship for anyone subject to the RIF. There is a reason why most institutions allow for an additional year of employment when someone is denied tenure—it is not easy to find an academic position and all the more so at this time when academic and especially tenure track positions in many disciplines are declining.</p> <p>When faculty signed our employment contracts, we did so with the expectation that WVU would follow existing rules and that any changes would be made in a reasonable way, with real opportunity for dialogue and consideration of faculty perspectives through a process of shared governance. It is beyond disappointing that the administration would attempt to push through such a drastic cut in the middle of summer.</p> <p>On that note, I'm concerned about the expediency with which these seemingly permanent changes are being made, and even more so that this is happening in the summer while many faculty are not being paid. This timing does not inspire trust that these decisions are being made through a process guided by principles of transparency, trust, and mutual respect between faculty and upper administration. It is also not reassuring that decisions are being made in an accountable and equitable way.</p>
66	6/7/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Proposed BOG Faculty Rule 4.7 effectively does away with promotion and tenure, with deleterious consequences for academic freedom, hiring, retention, research productivity, and teaching effectiveness. As a result, the proposed rule jeopardizes the reputation of West Virginia University and would moreover negatively impact not only faculty recruitment and retention but also student enrollment, which is said to be a key source of the anticipated budgetary shortfall. It seems unlikely that this move would truly solve our budgetary problems. It seems instead like it could exacerbate the problem.</p> <p>With this being said, I am extremely concerned with how the administration is again seeming to push through policy changes that effectively weaken tenure protections for faculty, after the revisions to the T&amp;P guidelines were stepped back earlier in the academic year. The fact that this is taking place in an expedited way during the summer (just as the last attempt required that faculty read and respond to lengthy documents during winter break) makes this decision all the more problematic and disappointing.</p> <p>Moreover, to have faculty and staff—and especially the most vulnerable faculty among us (underpaid and non-tenure track faculty)—pay for administrative miscalculations is wrong and not the way a university should be run. I truly hope that the administration will consider alternative approaches to addressing the budget shortfall, including but not limited to reductions to over-inflated administrator salaries (specifically those making more than 150,000 a year); a strategic and creative recruitment campaign that includes attention to diversity, equity, and inclusion; and other efforts that truly put students first.</p>
67	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>I stand with the WV Campus Workers (WVCW) views on the proposed BOG changes. We as faculty signed our contracts with the understanding that BOG rules that applied at that time would be followed. The severance plan is completely unfair, and is not acceptable.</p> <p>Herein I attached the WVCW response, which I agree with completely:</p> <p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and</p>

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			<p>this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance: This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>
68	6/7/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>I stand with the WV Campus Workers on the proposed BOG rule changes:</p> <p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal: 3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation: Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
69	6/7/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>It is not lost on most of us that this request in changes to the BOG rules come to ease the way to terminate those at the program, department and faculty levels without any accountability whatsoever at the top levels of the University Leadership that created this crisis. Not only was this crisis manufactured but there has been no request to our State Legislature to ease the cuts to the flagship university of the state. This should be a joint responsibility to correct the course without such extreme measure and cuts unilaterally across the board. These cuts will have drastic economic repercussions for the state and local economy. The reasoning for the speed at which these decisions are made is so that Foundational funds could be accessed this year--the State can provide funds any and every year to help restructure the university in a responsible way. To make cuts at all levels without any kind of strategy or process is negligent at best and a disservice to taxpayers. To be so far in a deficit that there is no money to even recruit new students is ridiculous. If the Legislators do not want to fund Higher Ed in a responsible way, make them say no and make them do it publicly. If DHHR was facing a budget crisis such as this, would we expect them to fix it by just firing staff at all levels? No we would expect the state government to take appropriate action to make sure the needs of the people were being met. My comments in direct response to some of the suggested rule changes are below. Hopefully more than just some soul searching will be done moving forward.</p> <p>Response to the following sections: Section 2.2: Rather than limiting faculty involvement to only one stage (e.g., the program review or RIF planning), WVU should involve “appropriate”</p>

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			<p>faculty members in both stages.</p> <ul style="list-style-type: none"> <li>• 3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</li> <li>• 3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were RIFd.</li> <li>• 3.2.1. The restriction of performance evaluation to the annual evaluation limits a full accounting of the faculty member’s broader accomplishments in Teaching, Research, and Service. Annual review criteria are often written solely to evaluate a year’s work product, whereas one’s overall performance as a WVU employee has a broader scope and should include more metrics of evaluation, such as long-term activities and projects, as well as productivity that exceeds normal annual metrics, such as numerous publications or products within an annual review period. Such high achievement is only ever marked as “Excellent,” even when traditional metrics are exceeded.</li> </ul> <p>Section 5.2: This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contracts.</p> <p>Section 5.3: The current rules already require that employees release all claims against the University, a substantial imposition on their rights. The BoG’s primary duty is “The control, supervision and management of the financial, business, and education policies and affairs of West Virginia University.” Given that the university’s interests are already protected in the current rules, the BoG has no business extending waivers to individual representatives, agents, etc. On the contrary: if individuals associated with the University are behaving in legally actionable ways, it is the financial, legal, and moral duty of the BoG to see that these bad actors face consequences for their actions. It is grossly inappropriate to ask faculty to relinquish such rights.</p> <p>Section 6.2 and 6.9: The implication of this change is that, by defining “Program Reduction” thus, the University is attempting to bypass personnel rules relating to declaring financial exigency to reduce and/or remake faculty positions.</p> <ul style="list-style-type: none"> <li>• Proposed Severance Package Schedule.</li> <li>• All faculty should be treated equally in terms of severance. There should be no distinctions in terms of severance packages beyond those already stated (e.g., performance, qualifications, and seniority).</li> <li>• “Faculty Needed to Teach Out Beyond May 2024 – Retention Bonus.” This proposal is not a bonus; it is extended severance for extended work. Fulfilling one’s contractual obligations and receiving pay for that work is doing one’s job.</li> </ul> <ul style="list-style-type: none"> <li>• General comment on proposed Rules changes: Proposed BOG Faculty Rule 4.7 should go into effect for a temporary and limited amount of time rather than for an indefinite amount of time. The proposed rule effectively does away with promotion and tenure, as well as job stability, which will have a chilling effect on academic freedom, hiring, retention, research productivity, and teaching effectiveness. Therefore, the rule should be reversed once the budgetary conditions and demographic shifts that, ostensibly, necessitated it no longer obtain and/or once the administration makes better long-range budget plans that take into account demographic and economic projections. Without an expiration date, the proposed rule jeopardizes the excellence of West Virginia University. Keeping the rule in place indefinitely also risks perpetuating bad budget planning since RIFs could be implemented at any time to "correct" budget errors--with disastrous effects for West Virginia's flagship institution of higher education.</li> </ul>
70	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>the speed with which the BoG is changing the essential rules of employment and the tenure process are too fast and the change is too dramatic. There are many other options to buy time in order for WVU to make strategic decisions at a reasonable pace, options that have been implemented by other universities. For example, furloughing all faculty for 5-10 days per year would buy time. See U. of Arizona strategy to get through the pandemic.</p>

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71	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>As a teaching professor who has taught large Introduction to Theatre classes since 1997, I am concerned that I (and all other TAP and CAP faculty) am not being treated as an equal to tenure track faculty. The policy, as stands, would mean that I, with over twenty-five years of service, would receive far less severance pay than a tenure track faculty member whose contract began as early as 2022.</p> <p>We are often told that students are the main priority of the University. Teaching faculty do just that; make the education of our students our priority. However, this proposed policy negates our importance to the University.</p> <p>I have always loved sharing my passion of theatre, the arts, and their history with my general course students and believe that sparking interest and imparting knowledge of the arts is a vital aspect of their learning experience.</p> <p>Another disturbing point (which frankly borders on blackmail) is the policy that if one signs a severance package, no action can be taken to fight the RIF. Only if one refuses the severance can one take recourse. This is a strong-armed action that corporations use when firing employees. I have always thought of myself and my colleagues as members of a great University and its community. Indeed, administration has often lauded our importance; now it seems we are employees with the possibility of being terminated without the respect we have earned and deserve.</p>
72	6/7/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>It is unacceptable to separate faculty. All faculty serve the University and should be compensated equally. It is unfair and discriminatory to offer a lesser severance package to non-tenure track faculty. Moreover, the proposed severance package is not a severance package. Being allowed to work the remainder of a contract is not a severance package</p>
73	6/8/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:            This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>
74	6/8/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:            3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p>

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75	6/8/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are supposed to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance: This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>
76	6/8/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal: 3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation: Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
77	6/8/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>This change is unacceptable. It is a backhanded attempt to cheat faculty out of a severance package that was part of the initial policies upon hire. Decreasing a severance package from one year to 2-8 weeks and allowing the University administration total discretion in this area blatantly disregards the rights of faculty members and their good faith engagement with the university. It creates a substantial financial hardship for faculty impacted by the RIF. I would also like to note that this will impact faculty who have done nothing but provide quality services for the university and the students, but that the administrators who have played a role in the current budget crisis are not being impacted in any substantial way. Moreover, making these sorts of</p>

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			policy changes creates an atmosphere in which talented faculty that the university wants to retain will leave (and new ones, if we can ever hire again, will not want to join us). This will create a ripple effect that will lower the quality of the institution, which will negatively impact student enrollment, tuition revenues, the willingness of granting institutions to award money to faculty, and overall morale. It is a short-term solution that will create longer-term problems for the health of the university. I strongly urge the BOG to look at the larger picture and consider the consequences of amending this rule.
78	6/8/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:  3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:  Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
79	6/8/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract
80	6/8/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Regarding 3.1.3: This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.
81	6/8/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:  3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p>

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82	6/8/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>
83	6/9/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>
84	6/9/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p>



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			<p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation: Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
85	6/9/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract.</p>
86	6/9/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation: Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which</p>

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			could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.
87	6/9/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	This change is simply unacceptable and a breaking of the contract existing with faculty. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract
88	6/9/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
89	6/10/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract.</p>

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			Additionally, the severance package is inequitable. All faculty contribute to the university's core missions of Teaching, Research, and Service. Therefore, all faculty, regardless of tenure status or faculty track (Teaching, Service, Librarian, Clinical, Research), must receive equal severance packages, with distinctions only based on years of service. We are all faculty; we must all receive equal severance packages.
90	6/10/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
91	6/11/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract.
92	6/11/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
93	6/11/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>General: There is no reason that rule changes should be implemented while a Reduction in Force is already underway, unless it is to weaken potential opposition to the Reduction in Force. Though billed as a “clarification” of existing policies, the changes shore up the position of the administration in significant ways (e.g., by enumerating the personnel who are released from claims, Section 5.3) while undermining that of the faculty. This transparently cynical effort must be rejected.</p> <p>Section 2.2: limits faculty involvement in any RIF plan to the regular BOG program-review process, i.e. to historical information provided by program administrators in a context unrelated to RIF. Any active RIF discussions should include real-time feedback from the full program faculty.</p>

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			<p>Section 3.1.3: encourages terminated faculty to reapply for their own jobs, assuming the latter become vacant at all, rather than offer them first refusal. The message is that the university owes its faculty nothing.</p> <p>Section 5.2: further reduces what is already a meager severance package. Since terminated faculty will need to “work out the year”, the actual severance pay can be measured in weeks. Almost more insulting than nothing at all.</p> <p>Section 6.9: effectively ends tenure. This is not a “clarification” but an expansion of the Program Reduction ambit. As usual, administrative positions appear to be the only ones that are inviolate. Unacceptable.</p>
94	6/12/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>
95	6/12/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply.</p>

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			<p>This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
96	6/12/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p><i>This commenter only provided a link to the below website as their comment.</i></p> <p><a href="https://wvufacts.wordpress.com/?fbclid=IwAR1AIBVVeljB8eUMRQFrN2ix8UquZ_8JMksUwq94RHSN2f9_wctRiCc-cY">https://wvufacts.wordpress.com/?fbclid=IwAR1AIBVVeljB8eUMRQFrN2ix8UquZ_8JMksUwq94RHSN2f9_wctRiCc-cY</a></p>
97	6/12/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p><i>This commenter only provided a link to the below website as their comment.</i></p> <p><a href="https://wvufacts.wordpress.com/?fbclid=IwAR1AIBVVeljB8eUMRQFrN2ix8UquZ_8JMksUwq94RHSN2f9_wctRiCc-cY">https://wvufacts.wordpress.com/?fbclid=IwAR1AIBVVeljB8eUMRQFrN2ix8UquZ_8JMksUwq94RHSN2f9_wctRiCc-cY</a></p>
98	6/12/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	<p><i>This commenter only provided a link to the below website as their comment.</i></p> <p><a href="https://wvufacts.wordpress.com/?fbclid=IwAR1AIBVVeljB8eUMRQFrN2ix8UquZ_8JMksUwq94RHSN2f9_wctRiCc-cY">https://wvufacts.wordpress.com/?fbclid=IwAR1AIBVVeljB8eUMRQFrN2ix8UquZ_8JMksUwq94RHSN2f9_wctRiCc-cY</a></p>
99	6/14/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The severance package seems like a very low offering for the amount of service one puts in as faculty. Six weeks pay for up to 19 years of service to the University seems like a very weak offer, especially when staff (albeit possibly lower in current pay) are offered between 12 and 24 weeks of severance. There is also no mention of tenure-track faculty offered the three months of PEIA coverage upon loss of employment. That needs to be addressed as well.</p>
100	6/15/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contracts.</p> <p>As to section 5.3, The current rules already require that employees release all claims against the University, a substantial imposition on their rights. The BoG's primary duty is “The control, supervision and management of the financial, business, and education policies and affairs of West Virginia University.” Given that the university's interests are already protected in the current rules, the BoG has no business extending waivers to individual representatives, agents, etc. On the contrary: if individuals associated with the University are behaving in legally actionable ways, it is the financial, legal, and moral duty of the BoG to see that these bad actors face consequences for their actions. It is grossly inappropriate to ask faculty to relinquish such rights.</p> <p>All faculty should be treated equally in terms of severance. There should be no distinctions in terms of severance packages beyond those already stated (e.g., performance, qualifications, and seniority).</p>

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			<p>“Faculty Needed to Teach Out Beyond May 2024 – Retention Bonus.” This proposal is not a bonus; it is extended severance for extended work. Fulfilling one’s contractual obligations and receiving pay for that work is doing one’s job.</p>
101	6/15/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 3.2.1: The restriction of performance evaluation to the annual evaluation limits a full accounting of the faculty member’s broader accomplishments in Teaching, Research, and Service. Annual review criteria are often written solely to evaluate a year’s work product, whereas one’s overall performance as a WVU employee has a broader scope and should include more metrics of evaluation, such as long-term activities and projects, as well as productivity that exceeds normal annual metrics, such as numerous publications or products within an annual review period. Such high achievement is only ever marked as “Excellent,” even when traditional metrics are exceeded.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p> <p>Proposed BOG Faculty Rule 4.7 should go into effect for a temporary and limited amount of time rather than for an indefinite amount of time. The proposed rule effectively does away with promotion and tenure, as well as job stability, which will have a chilling effect on academic freedom, hiring, retention, research productivity, and teaching effectiveness. Therefore, the rule should be reversed once the budgetary conditions and demographic shifts that, ostensibly, necessitated it no longer obtain and/or once the administration makes better long-range budget plans that take into account demographic and economic projections. Without an expiration date, the proposed rule jeopardizes the excellence of West Virginia University. Keeping the rule in place indefinitely also risks perpetuating bad budget planning since RIFs could be implemented at any time to “correct” budget errors--with disastrous effects for West Virginia’s flagship institution of higher education.</p>
102	6/15/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>he BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p>

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103	6/15/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis. Section 3.1, Rehire/Right of First Refusal: 3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers. 3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF. Section 2.2, Limiting Participation: Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.
104	6/15/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<i>This comment is a signed letter received by the University. A link to the letter is below.</i>  <a href="https://policies.wvu.edu/files/d/4ceed9f0-e91f-41b3-901b-c1e0e4b62767/open-letter-on-wvu-rif.pdf">https://policies.wvu.edu/files/d/4ceed9f0-e91f-41b3-901b-c1e0e4b62767/open-letter-on-wvu-rif.pdf</a>
105	6/15/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<i>This comment is a signed letter received by the University. A link to the letter is below.</i>  <a href="https://policies.wvu.edu/files/d/6ed83de3-a2d1-4dd3-9ec3-51cf675266ce/to-the-board-of-governors-of-wvu.pdf">https://policies.wvu.edu/files/d/6ed83de3-a2d1-4dd3-9ec3-51cf675266ce/to-the-board-of-governors-of-wvu.pdf</a>
106	6/15/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>  <a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<i>This comment is a signed letter received by the University. A link to the letter is below.</i>  <a href="https://policies.wvu.edu/files/d/affba39b-e11a-4c53-9b31-08ff8f71f357/cofe-letter-with-signatures.pdf">https://policies.wvu.edu/files/d/affba39b-e11a-4c53-9b31-08ff8f71f357/cofe-letter-with-signatures.pdf</a>
107	6/16/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	Severance is a standard in professional positions. Faculty and staff merit this commonplace practice so as to not devastate their personal finances. Considering that faculty and staff are not responsible for student demographic changes nor for upper leaderships' failure to better manage the university budget over the past several years, this elimination of jobs, as well as severance, is an injustice.
108	6/16/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	As I noted in reference to cutting severance, considering that faculty and staff are not responsible for student demographic changes nor for upper leaderships' failure to better manage the university budget over the past several years, this elimination of jobs (and severance) is an injustice.

Comment No.	Date Received	Proposed Rule	Comment
109	6/16/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>For starters, it seems really problematic that we're seeing this proposed rule change right at the beginning of a RIF. We all signed on to our jobs with a certain set of rules, and it feels somewhat dishonest that this rules change is formulated with the current RIF in mind, rather than having established the right way to RIF in advance. It looks like the rules are being changed mid-game to benefit administration and deprive faculty of previously promised rights. In part 1.2, it doesn't explicitly state that it applies to librarian-track faculty. Please specify whether or not we're included in this, or whether we're covered in Talent and Culture Rule 3.9 – Reduction in Force.</p> <p>In section 2.2, it seems unwise to remove faculty from the proposal development process for the RIF, relegating them only to the academic program review. Why not let faculty participate in both parts?</p> <p>The removal of text from section 3.1.2 would eliminate aid for faculty undergoing the RIF process -- non-faculty, per rule 3.9, will still be offered aid. It feels dishonest for our administration to remove this aid at this point.</p> <p>In Section 3.1.3, the change deprives faculty of previously-promised rights. "Encouraged to apply" is a slap in the face. Classified staff, in rule T&amp;C 3.9, are offered the right of first refusal, so why is it being specifically denied to faculty? Without an explanation, this section seems either intentionally punitive toward faculty, or an attempt to lay off expensive tenured faculty and fill the roles with new faculty at lower salaries.</p> <p>In section 3.2, I really appreciate the Deans being included in this, as they know their units best.</p> <p>I have a problem with 3.2.3, because I don't appreciate that rule 3.7 penalizes people who take leave for caregiving or medical purposes, or have to cut back their hours for the same reasons. When I had to take three months off and return at reduced hours (birth and parenting during the pandemic), the work I was doing counted for nothing, and a large part of that is because I'm female, as women historically shoulder more of the caregiving burden. Consider giving people a decreased increment equivalent to their FTE so you aren't discriminating against parents and sick people. I promise that this university's staff can judge seniority based on total FTE worked, to make it marginally more equitable.</p> <p>The change in section 5.2 is unfortunate because it gives the impression that administration is out to give faculty as small of severance packages as they can get away with, otherwise why change the rule?</p>
110	6/16/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Clarification is needed regarding which faculty members may be subject to a RIF in response to a Program Reduction or Program Discontinuation. Currently, the language of Clause 2.1 (stating that a RIF may occur in response to a Program Discontinuation or Reduction) does not explicitly limit the RIF to only those programs that are reduced or discontinued. This raises concerns that faculty members from unrelated programs could be affected by a RIF resulting from a program reduction or discontinuation. Taken literally and to an extreme, a program in unit A could be reduced, and as a result, faculty in unit B could be then subject to a RIF even if their program is completely unrelated to unit A and remains intact.</p> <p>To provide assurances and clarity, it is recommended to include a statement such as: 'If a RIF occurs due to a Program Reduction or Program Discontinuation, then only faculty members associated with that specific program may be subjected to the RIF.'</p> <p>By explicitly stating that the RIF would only impact faculty members associated with the reduced or discontinued program, it ensures that the intention of the policy aligns with fairness and targeted decision-making. This revision helps avoid any unintended consequences and promotes transparency in the RIF process.</p> <p>Alternatively, if the intention of the policy is to allow a reduction in any program to justify the elimination of faculty positions even in different units, the administration must clearly state this intention. Assuming that this is not the intention, explicitly specifying that the RIF will only impact faculty members associated with the reduced or discontinued program would provide necessary clarity and prevent faculty from unrelated programs from being affected or unduly concerned.</p>
111	6/16/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>There is a lack of clarity and consistency in the usage of the term "Faculty Member" within Section 3.1 of the Rule. While the term "Faculty Member" is defined broadly in Section 6, the context and language used in Section 3.1 suggest that it may be referring here specifically to just those faculty members affected by the RIF process in some way. To address this issue and provide clarity, it would be advisable to revise Section 3.1 to use language that clearly specifies which faculty members are being referenced. Using language similar to that used in Sections 3.2 and 3.3, such as "individual Faculty</p>



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			Members potentially subject to the Faculty RIF" or "each Faculty Member whose position is terminated," can help make it clear that the section pertains to just the faculty members impacted by the RIF process, and, specifically at what stage they are in the RIF process (e.g., considered for RIF? Actually terminated?). By using more specific and consistent language, the revised section will ensure that readers understand the scope and context of the Rule, and will be able to interpret it accurately.
112	6/16/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	As revised, Section 3.1.3 seems redundant. It essentially states that if a faculty position becomes vacant following a faculty RIF, the terminated faculty member is encouraged to apply for the position through the normal university process. This would already be understood, as it is generally expected that any qualified individual can apply for a vacant position through the normal university process, regardless of their previous employment status. Therefore, including this statement in its revised form is redundant and does not add any new or necessary information to the Rule. To streamline the Rule and avoid redundancy, this specific statement should now be removed. The edits have rendered it now meaningless.
113	6/16/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The third bullet point states that if an individual leaves before their "employment end date," they waive the right to severance. It would be clearer to rephrase it as "contract end date" to avoid confusion. The term "employment end date" in the context of the policy apparently refers to the specific date specified in the individual's employment contract as the agreed-upon end date of their employment. By revising it to "contract end date," the statement aligns with common terminology and avoids creating a seemingly impossible conditional, as the employment end date is indeed the date when one leaves employment – hence, it is impossible to leave employment before one's employment end date.</p> <p>There is a similar statement in the section on "Retention Bonus" (second bullet), but here it is not clear what an "employment end date" would correspond to during a teach out. Are faculty in a teach out given contracts that extend to the end of the teach out? In that case should "employment end date" again be changed to "contract end date", and, moreover, a statement added that faculty in a teach out shall be given contracts that will extend until the end of the teach out?</p>
114	6/18/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	I would like to suggest that Proposed BOG Faculty Rule 4.7 the con for a temporary and limited amount of time rather than for an indefinite amount of time. The proposed rule effectively does away with promotion and tenure, as well as job stability, which will have a chilling effect on academic freedom, hiring, retention, research productivity, and teaching effectiveness. Therefore, the rule should be reversed once the budgetary conditions and demographic shifts that, ostensibly, necessitated it no longer obtain and/or once the administration makes better long-range budget plans that take into account demographic and economic projections. Without an expiration date, the proposed rule jeopardizes the excellence of West Virginia University. Keeping the rule in place indefinitely also risks perpetuating bad budget planning since RIFs could be implemented at any time to "correct" budget errors--with disastrous effects for West Virginia's flagship institution of higher education.
115	6/19/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Replace "The amount of severance that a Faculty Member may be offered will be determined based upon a schedule approved by the Board" with "The amount of severance that a Faculty Member will be offered will be determined based upon a schedule approved by the Board."
116	6/19/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	Replace "All tenured and tenure-track faculty will receive a severance equivalent to twelve weeks of their base salary payable in bi-weekly installment payments starting after May 9, 2024" with "All tenured and tenure-track faculty will receive a severance equivalent to one year of their base salary, payable in bi-weekly installment payments starting after May 9, 2024."
117	6/19/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Ultimately, under the stress of pending financial changes it seems the president and provost (and BOG) find it more advantageous to make many changes to the rules we have said we'd use to manage and govern the university operations. Changing these in such a manner smacks of changing the law to suit administration, rather than working within established guidelines. Yes, there is a situation/crisis -but changing the laws to "fit" in this situation only mirrors poor governance or embodies power shifting to suit administration under the umbrella of crisis. Should we change what was calmly set out prior to such? And work within what was felt to be the best practice for governance? Would we want our politicians to do the same with our rights as citizens of the United States? And while some might comment they are/have done (and more recently than removing Japanese-American Citizens to camps just by changing the rule of law -see WWII) --thinking more close to home perhaps WVU and the administration could set the example, rather than

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			<p>use this technique. Unfortunately it does appear that under this president and provost –a crisis (not all of their doing of course, but with even a cursory examination they are clearly not unwitting victims of circumstance) means change the rules.</p> <p>It is curious to me –will the BOG hold this administration responsible for their role in the current financial crisis? Or will political appointee ties/favors reign supreme much like in federal and state politics? Will the BOG do actual diligence and fact check themselves rather than accept administration’s word as ... fact? Has anyone checked the pay at peer institutions for provost/president? Or will the BOG just accept Gee and Reed’s ‘we are paid comparable salaries’? And look into the vats of money this administration has and is paying to 3rd party consultants to compile metrics that pretty clearly could fall under the umbrella of the numerous administrators job duties? Time I guess, will tell. I hope the BOG steps up and asks hard questions rather than server as a rubber stamp for Gee and Reed.</p> <p>Section 2:2:  Rather than limiting faculty involvement to only one stage (e.g., the program review or RIF planning), WVU should involve “appropriate” faculty members in both stages.</p> <ul style="list-style-type: none"> <li>• 3.2.1. The restriction of performance evaluation to the annual evaluation limits a full accounting of the faculty member’s broader accomplishments in Teaching, Research, and Service. Annual review criteria are often written solely to evaluate a year’s work product, whereas one’s overall performance as a WVU employee has a broader scope and should include more metrics of evaluation, such as long-term activities and projects, as well as productivity that exceeds normal annual metrics, such as numerous publications or products within an annual review period. Such high achievement is only ever marked as “Excellent,” even when traditional metrics are exceeded.</li> </ul> <p>5.2  This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contracts.</p> <p>5.3  The current rules already require that employees release all claims against the University, a substantial imposition on their rights. The BoG’s primary duty is “The control, supervision and management of the financial, business, and education policies and affairs of West Virginia University.” Given that the university’s interests are already protected in the current rules, the BoG has no business extending waivers to individual representatives, agents, etc. On the contrary: if individuals associated with the University are behaving in legally actionable ways, it is the financial, legal, and moral duty of the BoG to see that these bad actors face consequences for their actions. It is grossly inappropriate to ask faculty to relinquish such rights.</p> <p>6.9  The implication of this change is that, by defining “Program Reduction” thus, the University is attempting to bypass personnel rules relating to declaring financial exigency to reduce and/or remake faculty positions.</p>
118	6/19/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	You set a rule that severance should be equal to one year salary. You should honor the rule you set forth and approved. Changing this rule as you need to use it is unethical. Stick by your word.
119	6/19/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	Treating Non tenure track faculty who do a massive amount of work teaching and keeping the engine of WVU rolling day to day in this way –greatly disappoints and dispirits. We do plenty (often more than tenured faculty) and this codifies the reality of being 2nd class citizens in our own university. Work cheaper than tenured faculty and be treated poorly. It makes working at WVU seem ... a mistake. “One WVU”? not hardly. In crisis we often see the tenor of our leadership. This seems like Reed and Gee would just worry about outrunning a college when we’re all being chased by the hungry bear. This severance package feels like ‘trip the NTT -that will slow up the bear so we can get away’.

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			<ul style="list-style-type: none"> <li>All faculty should be treated equally in terms of severance. There should be no distinctions in terms of severance packages beyond those already stated (e.g., performance, qualifications, and seniority).</li> <li>“Faculty Needed to Teach Out Beyond May 2024 – Retention Bonus.” This proposal is not a bonus; it is extended severance for extended work. Fulfilling one’s contractual obligations and receiving pay for that work is doing one’s job.</li> </ul>
120	6/19/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>These rules have been in place since 2018 and before that, very similar provisions were contained in the corresponding rules that the 2018 edit replaced. Changing them now, mere weeks before the reductions in force are set to begin, amounts to an attack on norms, rules, and governance in general. If administrators make up new rules whenever they want to do something that violates the existing rules, then in effect there are no rules. There is anarchy. Allowing the current administration to dictate these changes now is a gross dereliction of the BOG’s duty to the university, to the state, and to the taxpayers of West Virginia. The proposed changes are themselves unacceptable: in every case they remove rights or benefits that current WVU employees were led to expect would be part of any reduction process. This includes drastically reduced severance benefits, the right of faculty to participate in RIF decisions, and the right of first refusal for new jobs in their areas, among other things. No employee would willingly accept these changes when they were hired under different policies; allowing the WVU administration to make these changes now amounts to riding roughshod over the interests and rights of current faculty and other employees.</p>
121	6/19/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>This rushed amendment has made no room for faculty participation to respond during this sudden reveal of financial crisis and is stifling of our voices. Hopefully these comments will be taken into serious consideration, granting faculty a role in the reshaping of the university.</p> <p>The reduction in severance is so drastically dropped to a mere handful of weeks, varying on seniority, that the financial hardship imposed on any faculty member in a circumstance of dier straits. Not only would the individual faculty be strained, but it would impact members of entire families employed by the University and the economics of the communities of Morgantown/Monongalia/West Virginia at large. This weighty decision cannot be made on a rushed proposal, a brief comment period, and no further discussion with the faculty who have committed to this University.</p>
122	6/19/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>This rushed amendment has made no room for faculty participation to respond during this sudden reveal of financial crisis and is stifling of our voices. Hopefully these comments will be taken into serious consideration, granting faculty a role in the reshaping of the university.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This would hinder any aid for folks needing to find new avenues/routes for their career after being cast into the RIF process. Faculty should receive help in this area after tailoring careers to the desires and demands of this institution.</p> <p>3.1.3. This change could be a detriment to current WVU employees who will go through the RIF and seek employment elsewhere.</p> <p>Section 2.2, Limiting Participation: Faculty must have more say in the academic review process and formulation of specific RIF plans for their programs. Outside eyes and ears on the problem cannot find the greatest issue, it must come from within.</p>
123	6/19/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The proposed edits to BOG Faculty Rule 4.7 are predominantly geared towards alleviating the university’s obligations to help faculty who are eliminated due to a reduction in force. Collectively, these changes will break the university’s commitment to help reassign or reinstate faculty members when possible. One of the changes will eliminate the university’s responsibility to offer a first refusal to faculty affected by an RIF, even if a position that they are QUALIFIED for becomes available within the year. These changes suggest that WVU is not intending to make RIF related decisions out of necessity. This desire to layoff qualified faculty and have the ability to replace them within a year indicates that these difficult decisions are being made for suspicious reasons that are ulterior to financial hardship.</p>

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			<p>If WVU was a corporation, these changes might not be surprising, but WVU is a public university that grants tenure to many of its faculty to safeguard academic freedom and, presumably, to attract competitive faculty even after this crisis has concluded. Program reductions and discontinuations may be warranted in many cases, but watering down the university's commitment to take "every reasonable effort" to defend the job security of tenured faculty who may be affected by academic transformation signals that the university is abandoning its support of the tenure system altogether.</p>
124	6/19/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	<p>Faculty Rule 4.7 2.2 Upon completion of the program review process, the Dean shall notify the Provost and, in consultation with appropriate Faculty Members, develop a proposed RIF Plan in the form and substance required by the Provost. At a minimum, the RIF Plan shall:...</p> <p>Suggestion: Do not eliminate the involvement of the appropriate faculty from the process: in consultation with appropriate Faculty Members, Comments: The concerned faculty have the best understanding of their students' needs. The faculty know how and why the courses fit in the curriculum. The curriculum objectives and student learning outcomes are not reflected in administration decisions, only course enrollment. The current budgetary decisions affect primarily the faculty and staff, not the deans and provost.</p> <p>2.2.7 Describe the extent to which faculty were involved in the academic program review process that led to the RIF Plan developing the proposal; and Suggestion: Again, do not eliminate faculty input/involvement in developing a solution proposal.</p> <p>----- Comments: The concerned faculty have the best understanding of their programs and how they meet students' goals and needs.</p> <p>2.3 The President of the University shall establish and appoint a Review Committee to consider and approve any plan proposed by the Provost the RIF Plan to implement a Faculty RIF. The members of the Review Committee should include, but are not limited to, representatives from the Provost's Office, Strategic Initiatives, and Talent and Culture, with advice from the Office of General Counsel. Suggestion: Again the faculty are eliminated from this review committee. Do not eliminate faculty input and do include a greater representation of the concerned parties. Comments: A more representative review committee should include a selection of elected Faculty Senators.</p> <p>3.1.1 If another program or a vacant Faculty position requiring equivalent competency exists in another program, the University shall make every reasonable efforts to reassign the Faculty Member. Suggestion: Why not give priority to WVU RIFed faculty first? Comments: I assume that there are procedures in place for spousal hires that give these candidates priority. These procedures could be adapted to RIFed faculty and staff as well.</p> <p>3.13 If within one year following the Faculty RIF, a Faculty position on in the same campus academic unit becomes vacant for which the Faculty Member is qualified, the University shall make every to the Faculty Member so terminated reasonable effort to extend an offer of first refusal the Faculty Member is encouraged to apply for that position through the normal University process. Suggestion: Keep the priority for the RIFed faculty (i.e., the right of first refusal). Comments: Why eliminate the right of first refusal for RIFed faculty? It has been made clear that the current situation is not the fault of the RIFed faculty members, and the lack of continued support of these faculty members is incomprehensible.</p> <p>3.2.3 Seniority: the length of service as defined by the rules established for the calculation of years of service outlined in WVU BOG Tal. &amp; Cult. R. 3.7 – Annual Increment. In a full-time (1.0 FTE) faculty position</p>

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			<p>Suggestion: Comments: How will this change affect the employees?</p> <p>3.3 The Provost shall initiate Faculty RIF action by giving each Faculty Member whose position is terminated written notice of termination by WVU electronic certified mail, with return receipt requested, first class mail, and electronic mail, which notice shall contain: Suggestion: Why not continue to use certified mail to make sure that everyone is notified? Comments: How will you verify that the notification has been received and seen especially at this time of year under these circumstances?</p> <p>5.2 The amount of severance that a Faculty Member may be offered will based upon a schedule approved by Board. Generally, the value of the severance package should be equivalent to one year of the Faculty Member's annual base pay. Any severance shall be paid in installments. The University may also subsidize health insurance for a predetermined period of time as determined the Review Committee. Any severance payments shall be discontinued if the individual is rehired by the University or an Affiliate prior to the end of the severance payments. Suggestion: The severance allowance should not be changed and alternative financial resources need to be explored. Comments: RIFed employees' severance packages are not the place to be cutting the budget further. Perhaps administrative budgets have projects or programmatic updates that can be eliminated or put on hold. WVU's faculty and staff are already bearing the brunt of the financial burden. Decreasing the severance package is an additional, unfair burden.</p>
125	6/19/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Faculty Rule 4.7</p> <p>2.2 Upon completion of the program review process, the Dean shall notify the Provost and, in consultation with appropriate Faculty Members, develop a proposed RIF Plan in the form and substance required by the Provost. At a minimum, the RIF Plan shall:...</p> <p>Suggestion: Do not eliminate the involvement of the appropriate faculty from the process: in consultation with appropriate Faculty Members, Comments: The concerned faculty have the best understanding of their students' needs. The faculty know how and why the courses fit in the curriculum. The curriculum objectives and student learning outcomes are not reflected in administration decisions, only course enrollment. The current budgetary decisions affect primarily the faculty and staff, not the deans and provost.</p> <p>2.2.7 Describe the extent to which faculty were involved in the academic program review process that led to the RIF Plan developing the proposal; and Suggestion: Again, do not eliminate faculty input/involvement in developing a solution proposal.</p> <p>----- Comments: The concerned faculty have the best understanding of their programs and how they meet students' goals and needs.</p> <p>2.3 The President of the University shall establish and appoint a Review Committee to consider and approve any plan proposed by the Provost the RIF Plan to implement a Faculty RIF. The members of the Review Committee should include, but are not limited to, representatives from the Provost's Office, Strategic Initiatives, and Talent and Culture, with advice from the Office of General Counsel. Suggestion: Again the faculty are eliminated from this review committee. Do not eliminate faculty input and do include a greater representation of the concerned parties. Comments: A more representative review committee should include a selection of elected Faculty Senators.</p> <p>3.1.1 If another program or a vacant Faculty position requiring equivalent competency exists in another program, the University shall make every reasonable</p>

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			<p>efforts to reassign the Faculty Member.            Suggestion: Why not give priority to WVU RIFed faculty first?            Comments: I assume that there are procedures in place for spousal hires that give these candidates priority. These procedures could be adapted to RIFed faculty and staff as well.</p> <p>3.13            If within one year following the Faculty RIF, a Faculty position on in the same campus academic unit becomes vacant for which the Faculty Member is qualified, the University shall make every to the Faculty Member so terminated reasonable effort to extend an offer of first refusal the Faculty Member is encouraged to apply for that position through the normal University process.            Suggestion: Keep the priority for the RIFed faculty (i.e., the right of first refusal).            Comments: Why eliminate the right of first refusal for RIFed faculty? It has been made clear that the current situation is not the fault of the RIFed faculty members, and the lack of continued support of these faculty members is incomprehensible.</p> <p>3.2.3            Seniority: the length of service as defined by the rules established for the calculation of years of service outlined in WVU BOG Tal. &amp; Cult. R. 3.7 – Annual Increment. In a full-time (1.0 FTE) faculty position            Suggestion:            Comments: How will this change affect the employees?</p> <p>3.3            The Provost shall initiate Faculty RIF action by giving each Faculty Member whose position is terminated written notice of termination by WVU electronic certified mail, with return receipt requested, first class mail, and electronic mail, which notice shall contain:            Suggestion: Why not continue to use certified mail to make sure that everyone is notified?            Comments: How will you verify that the notification has been received and seen especially at this time of year under these circumstances?</p> <p>5.2            The amount of severance that a Faculty Member may be offered will based upon a schedule approved by Board. Generally, the value of the severance package should be equivalent to one year of the Faculty Member’s annual base pay. Any severance shall be paid in installments. The University may also subsidize health insurance for a predetermined period of time as determined the Review Committee. Any severance payments shall be discontinued if the individual is rehired by the University or an Affiliate prior to the end of the severance payments.            Suggestion: The severance allowance should not be changed and alternative financial resources need to be explored.            Comments: RIFed employees’ severance packages are not the place to be cutting the budget further. Perhaps administrative budgets have projects or programmatic updates that can be eliminated or put on hold.            WVU’s faculty and staff are already bearing the brunt of the financial burden. Decreasing the severance package is an additional, unfair burden.</p>
126	6/19/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<ul style="list-style-type: none"> <li>• “ The options below assume a notice date of October 16, 2023, with a contract end date of May 9, 2024. This means the individual would have thirty 30 weeks of notice.”</li> </ul> <p>Suggestion: This makes it seem that the 30 week notice period takes the place of the one-year severance package currently in place.</p> <p>Comments: The RIFed employee should have the severance package of one year following the 30-week notice period.</p> <ul style="list-style-type: none"> <li>• “All tenured and tenure-track faculty will receive a severance equivalent to twelve weeks of their base salary payable in bi-weekly installment payments starting after May 9, 2024,”</li> </ul> <p>Suggestion: Current policy: Generally, the value of the severance package should be equivalent to one year of the Faculty Member’s annual base pay. The current policy for one year of severance pay is much more reasonable than 12 weeks.</p>

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			<p>Comments: Dictionary.com: Definitions for “severance pay” (noun) –  “money, exclusive of wages, back pay, etc., paid to an employee who has tenure and who is dismissed because of lack of work or other reasons beyond the employee's control.”  “compensation paid by an organization to an employee who leaves because, through no fault of his own, the job to which he was appointed ceases to exist, as during rationalization, and no comparable job is available to him.”  There is a clear distinction between being paid while completing your contract, i.e., doing your job and being paid a severance package for work related “reasons beyond the employee’s control.”</p> <ul style="list-style-type: none"> <li>• “All teaching-track and service-track faculty will receive a severance equivalent to the number of weeks indicated in the below chart, calculated based upon years of service. These severance payments will be payable in bi-weekly installment payments starting after May 9, 2024.”</li> </ul> <p>Suggestion: All faculty, regardless of tenure status or faculty track (Teaching, Service, Librarian, Clinical, Research), must receive equal severance packages, with distinctions only based on years of service. We are all faculty; we must all receive equal severance packages. The payments in the schedule table for non-tenure faculty are ranging from only 2 to 8 weeks.</p> <p>Comments:  WVU finds itself in a financial situation requiring extraordinary measures. It is NOT clear that the proposed changes are in the best interest of students, faculty, and staff who are not responsible for these circumstances. The lack of transparency in the process has led to frustration with and distrust in the system that has led us here. I urge the BOG to take care to consider all solutions to the current situation.</p>
127	6/20/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	<p>As concerned WVU faculty, we write to oppose the Reduction in Force (RIF) process currently underway at West Virginia University. Through this process, WVU administrators are laying off faculty and staff in an unprecedented manner. Although WVU needs to address the budget deficit, we believe the RIF will damage the university’s ability to deliver quality education and fulfill its land grant mission as well as threaten its status as a research institution.</p> <p>While the Provost’s office is now inviting comments on proposed amendments to a Faculty Rule enabling a RIF, the rule itself was adopted by the university’s Board of Governors (BOG) in 2018. At that time, Rule 4.7, which allows for faculty termination regardless of tenure-track, tenure, or contractual status, eviscerated the promotion and tenure system and the academic freedom tenure is meant to ensure. Section 9.1 plainly states that Rule 4.7 supersedes, replaces, and repeals the West Virginia Higher Education Policy Commission and previous BOG rules that outlined the critical role tenure plays in guaranteeing academic freedom and stated the BOG’s responsibility to protect academic freedom as crucial to WVU being able to fulfill its mission. With Rule 4.7, the crucial link between the tenure system and academic freedom was broken.</p> <p>Given that prior rule changes laid the ground for the current RIF as early as 2018 and that the 2023-24 RIF is already underway, it seems unlikely that faculty comment can reverse or alter its course. Nonetheless, we have urged the Board, at the very least, to reject the proposed amendments to Rule 4.7 which further reduce faculty input on the RIF process and severance compensation for those laid off. We also wish to call attention to the serious problems generated by Rule 4.7 as they are playing out in the current RIF process.</p> <p>We realize the current RIF responds to “financial exigency,” but Faculty Rule 4.7 does not define what constitutes sufficient cause for declaring a RIF and specific criteria for layoffs have not been made public. Further, the proposed amendments to Rule 4.7 explicitly exclude faculty from participating in developing the RIF plan. That means the Dean and Provost need only “give consideration” to a faculty member’s “performance, knowledge and qualifications, and seniority” in layoff decisions. Thus, Rule 4.7 does not protect employment based on a faculty member’s record of excellence or experience or ensure the RIF will not be used as “a performance management tool” (section 2.4). In sum, Rule 4.7 allows WVU to ignore faculty achievement, years of loyal service, and tenured or contractual status.</p>

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			<p>The Provost's office claims decision-making about layoffs will be "data-driven" and "transparent," but faculty have received conflicting messages on what data will be used and how. As "The WVU Budget Crisis" documents, administrators have twice hired external consultants to provide data the university already has, claiming the consultants will only be generating this redundant data and not participating in RIF decisions. Departments were first told they would be scrutinized based on class enrollment numbers, then on numbers of majors (but only primary majors). In the June 2023 meeting of the Faculty Senate, administrators still struggled to identify the metrics they are using to evaluate programs and terminate faculty, even though layoffs have already begun. Administrators claim down-sizing will be "student-centered," but the inconsistencies in program review practices suggest the academic "transformation" is, at best, proceeding by financial guess work.</p> <p>In his address to the Faculty Senate in May, President Gee said the University had arrived at this juncture in large part because we have failed our students and state—that we have been "arrogant," treated students as a "convenience," told the American public "what they should think rather than what they want to think," and have "drifted away" from our land grant mission (27:15-29:40). It is astonishing that the administration would lay blame for the circumstances necessitating the RIF on faculty who, along with staff, will be most harmed, not least because they are extraordinarily dedicated to WVU's students and the University's land grant mission. Without exception, the faculty of WVU are committed to teaching, to opening bright futures for each of our students, and to celebrating and strengthening the communities and cultures of West Virginia. We are here – despite lower salaries and shrunken operating budgets – because we care about our students and our state. Our mandated annual performance reviews substantiate faculty commitment to student achievement, the advancement of knowledge, and community engagement—even during the COVID pandemic and in the face of massive budget cuts.</p> <p>Despite its claims, the WVU administration has been neither transparent nor consistent in developing the RIF process as a solution to the budget deficit. Furthermore, the RIF threatens to undo institutional accomplishments and impede WVU's future functioning in the following ways:</p> <p>Student Centered: Program cancellation, reduction of faculty, increased faculty course loads and class sizes, and reduced support staff all work against WVU's goal to be "student-centered." Programs have already absorbed massive cuts that affect work productivity and teaching effectiveness, including the non-renewal of instructor contracts, non-replacement of faculty who have retired or left WVU, cuts to Graduate Teaching Assistant (GTA) lines, increased teaching loads, increased class sizes, increased fees on graduate and international students, and cuts to unit operating budgets. WVU faculty teach, advise, mentor, design, and administer academic programs, extracurricular activities, undergraduate research, and professional training with the goal of delivering a student-centered experience for the WVU community. It is disingenuous to assert that a RIF will make WVU a more student-centered institution.</p> <p>Research Intensive (R1) Carnegie Classification: WVU has earned an R1 designation, the highest possible level for a research university. To keep this ranking, we must maintain thriving graduate programs and high levels of faculty research productivity. The RIF, in conjunction with other budget cuts to graduate programs and increased fees on graduate students, would exacerbate problems recruiting PhD students who look for assurances of continuous grant-funded employment and/or consistent research supervision. In addition, faculty research agendas require long-range planning and implementation that depend on the continuity provided by the contract and tenure system. Furthermore, the faculty who bring in the most research dollars are the most likely to be recruited elsewhere as WVU's tenure system becomes meaningless and its ability to support research programs declines.</p> <p>Recruitment and Hiring: WVU cannot recruit and retain high quality faculty, especially those from underrepresented groups, without a strong tenure and promotion process and job stability. Faculty Rule 4.7 renders contracts essentially meaningless. Needed hires have already declined offers because of the current RIF.</p>



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			<p>Land Grant Mission: WVU faculty serve the residents of West Virginia by providing quality community service, research, and educational programming in areas of importance to West Virginia, such as teacher training, energy, health care, economic development, and cultural and environmental preservation. Many of these areas do not bring in large amounts of external funding, but some do. The RIF will severely compromise WVU's obligation to tax-paying citizens.</p> <p>Academic Freedom: The RIF process undercuts academic freedom by removing protections against punitive and retaliatory job termination. As previous BOG policy recognized, "academic freedom is necessary to enable the institution to perform its societal obligation as established by the Legislature and the Higher Education Policy Commission. The Board recognizes that the vigilant protection of constitutional freedoms is nowhere more vital than in the institution and campuses under its jurisdiction." The RIF thus jeopardizes WVU's mission in its entirety.</p> <p>The RIF approach to the budget crisis will impact academic freedom, program integrity, teaching effectiveness, research productivity, and labor conditions. It is one thing to restructure and reorganize due to a budget crisis and another to use that crisis to transform institutional structures in ways that could well jeopardize WVU's academic quality and freedom, while implementing exploitative labor conditions for faculty and staff for the foreseeable future. As stakeholders who care deeply about our students and the state of West Virginia, we urge the administration and the BOG to lead WVU toward more structurally sound solutions to the budget deficit.</p>
128	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>As concerned WVU faculty, we write to oppose the Reduction in Force (RIF) process currently underway at West Virginia University. Through this process, WVU administrators are laying off faculty and staff in an unprecedented manner. Although WVU needs to address the budget deficit, we believe the RIF will damage the university's ability to deliver quality education and fulfill its land grant mission as well as threaten its status as a research institution.</p> <p>While the Provost's office is now inviting comments on proposed amendments to a Faculty Rule enabling a RIF, the rule itself was adopted by the university's Board of Governors (BOG) in 2018. At that time, Rule 4.7, which allows for faculty termination regardless of tenure-track, tenure, or contractual status, eviscerated the promotion and tenure system and the academic freedom tenure is meant to ensure. Section 9.1 plainly states that Rule 4.7 supersedes, replaces, and repeals the West Virginia Higher Education Policy Commission and previous BOG rules that outlined the critical role tenure plays in guaranteeing academic freedom and stated the BOG's responsibility to protect academic freedom as crucial to WVU being able to fulfill its mission. With Rule 4.7, the crucial link between the tenure system and academic freedom was broken.</p> <p>Given that prior rule changes laid the ground for the current RIF as early as 2018 and that the 2023-24 RIF is already underway, it seems unlikely that faculty comment can reverse or alter its course. Nonetheless, we have urged the Board, at the very least, to reject the proposed amendments to Rule 4.7 which further reduce faculty input on the RIF process and severance compensation for those laid off. We also wish to call attention to the serious problems generated by Rule 4.7 as they are playing out in the current RIF process.</p> <p>We realize the current RIF responds to "financial exigency," but Faculty Rule 4.7 does not define what constitutes sufficient cause for declaring a RIF and specific criteria for layoffs have not been made public. Further, the proposed amendments to Rule 4.7 explicitly exclude faculty from participating in developing the RIF plan. That means the Dean and Provost need only "give consideration" to a faculty member's "performance, knowledge and qualifications, and seniority" in layoff decisions. Thus, Rule 4.7 does not protect employment based on a faculty member's record of excellence or experience or ensure the RIF will not be used as "a performance management tool" (section 2.4). In sum, Rule 4.7 allows WVU to ignore faculty achievement, years of loyal service, and tenured or contractual status.</p> <p>The Provost's office claims decision-making about layoffs will be "data-driven" and "transparent," but faculty have received conflicting messages on what data will be used and how. As "The WVU Budget Crisis" documents, administrators have twice hired external consultants to provide data the university</p>

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			<p>already has, claiming the consultants will only be generating this redundant data and not participating in RIF decisions. Departments were first told they would be scrutinized based on class enrollment numbers, then on numbers of majors (but only primary majors). In the June 2023 meeting of the Faculty Senate, administrators still struggled to identify the metrics they are using to evaluate programs and terminate faculty, even though layoffs have already begun. Administrators claim down-sizing will be “student-centered,” but the inconsistencies in program review practices suggest the academic “transformation” is, at best, proceeding by financial guess work.</p> <p>In his address to the Faculty Senate in May, President Gee said the University had arrived at this juncture in large part because we have failed our students and state—that we have been "arrogant," treated students as a "convenience," told the American public “what they should think rather than what they want to think,” and have “drifted away” from our land grant mission (27:15-29:40). It is astonishing that the administration would lay blame for the circumstances necessitating the RIF on faculty who, along with staff, will be most harmed, not least because they are extraordinarily dedicated to WVU’s students and the University’s land grant mission. Without exception, the faculty of WVU are committed to teaching, to opening bright futures for each of our students, and to celebrating and strengthening the communities and cultures of West Virginia. We are here – despite lower salaries and shrunken operating budgets – because we care about our students and our state. Our mandated annual performance reviews substantiate faculty commitment to student achievement, the advancement of knowledge, and community engagement—even during the COVID pandemic and in the face of massive budget cuts.</p> <p>Despite its claims, the WVU administration has been neither transparent nor consistent in developing the RIF process as a solution to the budget deficit. Furthermore, the RIF threatens to undo institutional accomplishments and impede WVU’s future functioning in the following ways:</p> <p>Student Centered: Program cancellation, reduction of faculty, increased faculty course loads and class sizes, and reduced support staff all work against WVU’s goal to be “student-centered.” Programs have already absorbed massive cuts that affect work productivity and teaching effectiveness, including the non-renewal of instructor contracts, non-replacement of faculty who have retired or left WVU, cuts to Graduate Teaching Assistant (GTA) lines, increased teaching loads, increased class sizes, increased fees on graduate and international students, and cuts to unit operating budgets. WVU faculty teach, advise, mentor, design, and administer academic programs, extracurricular activities, undergraduate research, and professional training with the goal of delivering a student-centered experience for the WVU community. It is disingenuous to assert that a RIF will make WVU a more student-centered institution.</p> <p>Research Intensive (R1) Carnegie Classification: WVU has earned an R1 designation, the highest possible level for a research university. To keep this ranking, we must maintain thriving graduate programs and high levels of faculty research productivity. The RIF, in conjunction with other budget cuts to graduate programs and increased fees on graduate students, would exacerbate problems recruiting PhD students who look for assurances of continuous grant-funded employment and/or consistent research supervision. In addition, faculty research agendas require long-range planning and implementation that depend on the continuity provided by the contract and tenure system. Furthermore, the faculty who bring in the most research dollars are the most likely to be recruited elsewhere as WVU’s tenure system becomes meaningless and its ability to support research programs declines.</p> <p>Recruitment and Hiring: WVU cannot recruit and retain high quality faculty, especially those from underrepresented groups, without a strong tenure and promotion process and job stability. Faculty Rule 4.7 renders contracts essentially meaningless. Needed hires have already declined offers because of the current RIF.</p> <p>Land Grant Mission: WVU faculty serve the residents of West Virginia by providing quality community service, research, and educational programming in areas of importance to West Virginia, such as teacher training, energy, health care, economic development, and cultural and environmental preservation. Many of these areas do not bring in large amounts of external funding, but some do. The RIF will severely compromise WVU’s obligation to tax-paying</p>

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			<p>citizens.</p> <p>Academic Freedom: The RIF process undercuts academic freedom by removing protections against punitive and retaliatory job termination. As previous BOG policy recognized, “academic freedom is necessary to enable the institution to perform its societal obligation as established by the Legislature and the Higher Education Policy Commission. The Board recognizes that the vigilant protection of constitutional freedoms is nowhere more vital than in the institution and campuses under its jurisdiction.” The RIF thus jeopardizes WVU’s mission in its entirety.</p> <p>The RIF approach to the budget crisis will impact academic freedom, program integrity, teaching effectiveness, research productivity, and labor conditions. It is one thing to restructure and reorganize due to a budget crisis and another to use that crisis to transform institutional structures in ways that could well jeopardize WVU’s academic quality and freedom, while implementing exploitative labor conditions for faculty and staff for the foreseeable future. As stakeholders who care deeply about our students and the state of West Virginia, we urge the administration and the BOG to lead WVU toward more structurally sound solutions to the budget deficit</p>
129	6/20/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	Full professors not required to submit to annual review but in my unit within Davis College can be underperformers - and expensive ones at that! Requiring review of the faculty who haven’t been reviewed in years (7 years?) would be a good first step in determining who could be RIF’d. We have one particular colleague who is pretty toxic, but without reviews there is no documentation.
130	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	How does this work if full professors in Davis College are not required to submit to annual reviews?
131	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>BOG rules and policies exist to ensure that WVU handles difficult decisions fairly during a crisis. The administration’s attempt to change the rules during a crisis is unprecedented and unfair. This is an outrageous and bald attempt by the administration to avoid its written and contractual responsibilities to employees. Basic decency demands that WVU abide by the current rules and policies.</p> <p>Reducing the severance packages from generally a year to possibly two to eight weeks is unacceptable. Expect law suits that will cost the university more than the current severance packages would. This move would be unethical, legally dubious, and financial unsound.</p>
132	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis strains the trust current faculty have in administration and undermines the potential trust future faculty might have. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic: going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>

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133	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>This proposed change will eliminate WVU's obligation to re-train employees for other positions. It's cruel and callous for a university, of all places, to renege on this obligation. WVU can afford to re-train and re-educate RIFed faculty and staff who want to pursue other careers. Cutting the severance and the opportunity to earn a different degree leaves former employees out in the cold with no options.</p> <p>Who would want to work at WVU under these proposed revisions to the BOG rules and policies? Who would feel pride or trust in such an employer?</p>
134	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis strains the trust current faculty have in the administration and undermines the potential trust future faculty might have. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an "offer of first refusal" and reduces that obligation to what amounts to an encouragement to apply, which is as good as nothing. This Rule "change" is, in effect, a straight up elimination of a protection for employees that have given loyal service to the University and the State.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both "the academic review process which could lead to a RIF plan," and in the "formulation of a specific RIF plan" for programs.</p>
135	6/20/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	<p>The proposed edit to Section 3.1.1 has the effect of weakening the university's commitment to reassigning faculty when possible if and when a RIF occurs. The university's faculty deserve better, and the change from "shall make every reasonable effort" to "shall make reasonable efforts" should not be made.</p> <p>The proposed edit to Section 3.1.2 also has the effect of weakening the university's commitment to reassigning faculty when possible, and this change should not be made.</p> <p>The proposed edit to Section 3.1.3 has the effect of weakening to university's commitment to making reasonable and appropriate efforts to re-place faculty who have been subject to RIFs at the university when possible. This proposed change is likely well out of line with professional norms and could significantly damage the reputation of the university, especially among prospective job applicants.</p> <p>The proposed edit to Section 5.2 has the potential to drastically reduce the amount of severance that a faculty member subject to an RIF receives. This edit should not be made. In most cases, faculty subject to an RIF will have done nothing to cause their own termination, and such faculty will have provided years if not decades of valuable contributions to the university. Furthermore, the nature of the academic job market is such that significant severance is warranted in cases of RIFs. The proposed edit to Section 5.2 may also have negative consequences for the university's reputation.</p> <p>While programs being discontinued may on occasion be necessary, in this particular case, the university administration failed to anticipate a major budget</p>

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			<p>deficit and is planning on cutting programs on an accelerated time schedule due to the administration's own mistakes. The current administration should not be trusted with the task of academic transformation.</p> <p>In addition to failing to anticipate the current deficit and the magnitude of now-projected deficits, the university's reputation has declined substantially since the current administration took over in 2014. While all university rankings are problematic in one way or another, the university was ranked in the 150s and 160s among national universities in U.S. News rankings around the time that the current administration took over and has fallen precipitously to the 230s and 240s in recent years. While it would be unfair to place all the blame for this decline on the administration, the administration should also bear significant responsibility for it. The decline will certainly not help the university recruit more students as the university-going population in West Virginia declines. The university needs new leadership.</p>
136	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The elimination of faculty involvement places the sole discretion with the Dean. We are keenly aware that Dean's face enormous pressure to do as the Provost/President office see fit. This equates to another attack on faculty governance. The removal of the year of severance pay shows that is absolutely no foresight by the administration since they feel they must deal with the current issue by simply slashing positions immediately with little to no real severance. These changes should be placed before the entire faculty assembly if not at least the senate.</p>
137	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>Thank you for taking the time to review these public comments. As clinical faculty at this university, I am concerned that we would not be included in the severance package if our contract was to be ended. My personal teaching percentage is 75% as a full-time faculty member, with my "clinical" percentage being integrated into my research percentage (10%) and service percentage (15%). The actual amount of time I spend providing clinical services is equal to roughly 5% of my time. I am also concerned about the precedent this sets for any future policies, with the impression being that clinical faculty are not seen as important or valuable as other faculty. Any full-time faculty member, regardless of designation, should be included in the severance package as a lecturer could be just as affected by losing their job as a tenure-track faculty member.</p>
138	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>This document assumes a notice date of October 16, 2023. That notice date is later than application deadlines for most tenure-track positions and many non-tenure-track positions that have Fall 2024 start dates. Hence, even setting aside the competitiveness of the academic job market, in many cases, if one were to apply to positions at other universities after being notified of termination, one would be highly unlikely to be able to secure a similar position at another college or university for the 2024-2025 academic year. Moreover, the proposed severance would effectively run out before the start of the 2024-2025 year, even for tenure-track faculty who receive 12 weeks of severance. Faculty and staff deserve better.</p> <p>The amount of severance being offered to non-tenure-track faculty and staff under this proposed schedule is extremely small and not proportionate to the amount of service that such employees have provided to the university. Along with the proposed changes to Faculty Rule 4.7, offering the small amount of severance listed here will likely do significant damage to the reputation of the university, particularly among people considering applying to university positions in the future.</p>
139	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The overall rush to modify the BOG rule to prepare for pending RIF efforts changes the rules that were in place when faculty were hired at the university. The language and text modifications in the current rule review remove faculty participation in efforts to address shortcomings in programs that could help avoid the need to reduce faculty. Faculty participation in the process has been nearly eliminated and external consultants and upper administration are making decisions without full information that faculty could help provide. I request that the BOG and upper administration at the university seek input from faculty and allow them to participate more fully in the effort to address the financial crisis.</p> <p>Section 2.2 Limited Faculty Input: The title “Dean” may be clear and consistent across colleges; however, “Chair” is vague and could mean something different to depending on the programs. In some cases, the leader of a “unit” could be called “Director” and in other cases “Chair”. It is not clear from the text what is meant.</p> <p>Additional text may be required to clarify what is meant by “where appropriate”. Who determines what is appropriate and what are the criteria for establishing what is appropriate? Furthermore, what does the phrase “where appropriate” refer to? Its placement in the sentence could be read that either</p>

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			<p>the Dean or Chair must consult with faculty, or they must “where appropriate, consult...”. The way it is written could lead to different interpretations. If they must consult with faculty, “when appropriate”, again, what are the criteria for determining when it is appropriate and who determines it? I believe faculty should provide input early in any RIF evaluation process and be very involved in developing the RIF plan. As written, the text indicates that the Dean or Chair is responsible for developing the plan independently. Faculty input should be required.</p> <p>Section 3  Section 3.1.1: “Reasonable efforts” is vague. If the faculty is qualified for an open faculty position in another program, would it be existing faculty in the new program that would determine the fit for the candidate? Would the “reasonable effort” by the university simply be identifying a potential match? I think this section should be written in language that more clearly describes the situation.  Section 3.1.3: The change in this section provides a way for administration to make up for a hastily implemented RIF plan. If appropriate planning is conducted during the academic transformation process and RIF assessment, there should be no positions that become available within a year. This section allows administration to either eliminate higher paid faculty from programs that could be filled within a year with a lower paid faculty member; or to amend a poorly planned decision to eliminate a faculty member when it was, in fact, not the appropriate step. Furthermore, it reflects a clear lack of respect and loyalty from the university to its faculty when there is a requirement for a qualified individual to get in line with all other external applicants for the opportunity to remain with the university in the same academic unit. Assuming this entire process is a cost savings, this approach allows the university to rehire faculty at lower salaries than before they were terminated. I hope the university administration and BOG reconsider this approach and allow current faculty to be the only candidate, likely for their own position or one for which they are well qualified.  Section 3.3: I recognize that technology has made communication simpler and more efficient, however, receiving a notice through electronic mail that your job has been eliminated and your service to the university (no matter how long you have dedicated your life to them) is no longer needed is not appropriate. Receiving a job offer through e-mail is one thing – receiving a notice that your job is eliminated should be approached differently. I hope the university administration and BOG consider a kinder way of notifying faculty that they no longer have a position at the university.  Section 5.2: Faculty Severance: The current Section 5.2 indicates that “the value of the severance package should be equivalent to one year of the Faculty Member’s annual base pay”. The proposed modification drastically reduces this to a vague “determined based upon a schedule approved by the Board” which is currently completely unknown. Since the RIF process has already begun, modifying the severance that would be offered to faculty already facing severe hardship and stress due to the process itself, is completely inappropriate. I hope the university and the Board of Governors reconsider this modification that changes the rules under which faculty were hired.</p>
140	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	All faculty should be treated equally in terms of severance. There should be no distinctions in terms of severance packages beyond those already stated (e.g., performance, qualifications, and seniority).
141	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	“Faculty Needed to Teach Out Beyond May 2024 – Retention Bonus.” This proposal is not a bonus; it is extended severance for extended work. Fulfilling one’s contractual obligations and receiving pay for that work is doing one’s job.
142	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 2.2. “Amendments to Section 2.2 clarify that faculty should be involved in the academic review process which could lead to a RIF plan for that program, as opposed to the formulation of a specific RIF plan, to ensure faculty input early in the process.”</p> <p>Response: Rather than limiting faculty involvement to only one stage (e.g., the program review or RIF planning), WVU should involve “appropriate” faculty members in both stages.</p>

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143	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 3.1. “Amendments to Section 3.1 first eliminate the affirmative obligation to offer a first right of refusal to a RIF’d faculty member of another faculty position that becomes vacant that the RIF’d faculty for which the faculty member is qualified. The amendments replace with that language with the fact that RIF’d faculty members are encouraged to apply for any new or opened positions through the normal University hiring process. Next, the amendments to this Section eliminate any potentially implied obligation of the University to re-train faculty members to be qualified for other faculty positions.”</p> <p>Response: 3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were RIFd.</p>
144	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 3.3. “An amendment to Section 3.3 clarifies that all notifications will be communicated to Faculty through their WVU email account instead of regular mail.”</p> <p>Notices should be sent by MAIL instead of a WVU controlled system that can lock the RIF’d worked out. Spend the 60 cents on postage and mail the notices.</p>
145	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 5.2. “An amendment to Section 5.2 eliminates the following language: “Generally, the value of the severance package should be equivalent to one year of the Faculty Member’s annual base pay.” Amendment replaces that language with: “The amount of severance that a Faculty Member may be offered will be determined based upon a schedule approved by the Board.” The current language is permission and does not require the payment of a year’s severance. It also does not require any faculty feedback in setting the schedule. Under the new language, the faculty would have the opportunity through the public comment period to review and provide feedback to the severance package plan before it is approved by the Board.”</p> <p>Response: This change is unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-12 weeks, depending on logevity and/or tenure status. Such a reduction represents a huge financial hardship to any faculty member subjected to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contracts.</p>
146	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 5.3. “An amendment to Section 5.3 would ensure that any waiver in a severance agreement releases the University as well as current and former agents, employees, board members, servants, and representatives and to add a clarifying cross-reference.”</p> <p>Response: The current rules already require that employees release all claims against the University, a substantial imposition on their rights. The BoG's primary duty is “The control, supervision and management of the financial, business, and education policies and affairs of West Virginia University.” Given that the university’s interests are already protected in the current rules, the BoG has no business extending waivers to individual representatives, agents, etc. On the contrary: if individuals associated with the University are behaving in legally actionable ways, it is the financial, legal, and moral duty of the BoG to see that these bad actors face consequences for their actions. It is grossly inappropriate to ask faculty to relinquish such rights.</p>
147	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 6.9. “An amendment to Section 6.9 clarifies that Program Reduction may include reducing tenured, tenured-track, or certain faculty positions with multi-year contracts.”</p> <p>Response: The implication of this change is that, by defining “Program Reduction” thus, the University is attempting to bypass personnel rules relating to declaring financial exigency to reduce and/or remake faculty positions.</p>

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148	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Proposed BOG Faculty Rule 4.7 should go into effect for a temporary and limited amount of time rather than for an indefinite amount of time. The proposed rule effectively does away with promotion and tenure, as well as job stability, which will have a chilling effect on academic freedom, hiring, retention, research productivity, and teaching effectiveness. Therefore, the rule should be reversed once the budgetary conditions and demographic shifts that, ostensibly, necessitated it no longer obtain and/or once the administration makes better long-range budget plans that take into account demographic and economic projections. Without an expiration date, the proposed rule jeopardizes the excellence of West Virginia University. Keeping the rule in place indefinitely also risks perpetuating bad budget planning since RIFs could be implemented at any time to "correct" budget errors--with disastrous effects for West Virginia's flagship institution of higher education.
149	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	So when is the official declaration of financial exigency going to happen? Must not be that serious if there has not been such a declaration.
150	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contracts.
151	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	0) The state has a surplus--why didn't upper administration push for part of the surplus to be shared with the university to avoid this situation in the first place? It is entirely a self-inflicted wound, and VP Alsop talking about how he isn't the main breadwinner for his family and bragging about the Alsop Study Hall secured with a \$50,000 donation means that he is A) extremely wealthy by WV standards, B) a cheapskate if that's all he donated, and C) giving off extreme Marie Antoinette 'let them eat cake' vibes to the regular faculty. 1) With that preamble out of the way, and you're probably going to dismiss the rest of the comments even if you bother to read them, because it is clear I am opposed to the entire process, and this is a fait accompli so why bother asking for comments anyway, but here they are just in case. The time period for the severance is in practice a few weeks, not most of a year, because any RIFed faculty are being expected to teach the remainder of the academic year. What plans are in place to deter someone from leaving mid-semester? What plans are in place to ensure that the courses are covered when they do inevitably do leave mid-semester? (I might be able to secure a considerably higher-paying job outside academia: a few weeks of extra severance after the academic year ends to encourage me to stay would not be sufficient.) 2) Weakening the language about making efforts to find positions for qualified faculty in other programs, or merely encouraging faculty to re-apply if a position is created in their program, adds insult to injury for the RIFed faculty. If I find myself in that position, why would I want to apply for my own job back? This seems designed to ensure people walk out the door, not acting as if you want to truly ensure as much talent remains at WVU as possible. I object to those edits and prefer that the original language be retained.
152	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract.
153	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.



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			<p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs. Faculty should be involved in the process from beginning to end.</p>
154	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>"2.2 Prior to undertaking a Faculty RIF, the Dean or Chair, where appropriate, must consult with Faculty Members as part of the academic program review process detailed within BOG Academic Rule 2.2."</p> <p>The language in 2.2 is imprecise and can be understood in different ways leaving too much to interpretation. Does “where appropriate” mean where having a Chair is appropriate to the RIF process? Does the term “Chair” include Directors? In stating, "where appropriate, does it mean that a Dean or Chair consult with faculty if they think it is appropriate, so is it possible that a Dean or Chair may NOT consider such consultation appropriate? Who determines appropriateness?</p> <p>"2.2.7 Describe the extent to which faculty were involved in the academic program review process that led to the RIF Plan."</p> <p>2.2.7 does not stipulate that faculty must be included in the process. It just asks the Dean to explain the extent to which they have, which may have been none at all.</p> <p>"2.3 The President of the University shall establish and appoint a Review Committee to consider and approve any plan proposed by the Provost the RIF Plan to implement a Faculty RIF. The members of the Review Committee should include, but are not limited to, representatives from the Provost’s Office, Strategic Initiatives, and Talent and Culture, with advice from the Office of General Counsel."</p> <p>This Review Committee does not stipulate any faculty representation nor does it include peers who are selected BY the faculty. It is essential that faculty who do the work of the university are represented in the RIF process.</p> <p>"2.4 A Faculty RIF is not intended to be a performance management tool."</p> <p>The language is not forceful and does not PROHIBIT the RIF being used as a performance management tool.</p> <p>"3.1.1 If another program or a vacant Faculty position requiring equivalent competency exists in another program, the University shall make every reasonable efforts to reassign the Faculty Member."</p> <p>3.1.1 is a less stringent standard than the previous standard and should be kept as originally written. Who is “the university” in this case? With whom would the faculty member discuss options that they are qualified for, especially when “the university” may not be aware of those qualifications?</p>

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			<p>"3.1.2 Reasonable effort should be made by the Provost to reassign the Faculty Member to instructional or non-instructional duties commensurate with the Faculty Member's training and experience., and offers of release time or leaves of absence should be made to enable such persons to acquire capabilities. Faculty development programs and funds should be used to facilitate such reassignments."</p> <p>Removing the previous language and training support in 3.1.2 puts the onus on faculty to have already been preparing for other positions within the university WHILE conducting their teaching, research, and service as outlined in their contracts. Again, as in 3.1.1, how will the Provost know what training and experience each RIF faculty member has? What is the process for relaying this information since it is not outlined in this document?</p> <p>"3.1.3 If, within one year following the Faculty RIF, a Faculty position on in the same campus academic unit becomes vacant for which the Faculty Member is qualified, the University shall make every reasonable effort to extend an offer of first refusal to the Faculty Member so terminated the Faculty Member is encouraged to apply for that position through the normal University process."</p> <p>3.1.3 conveys the complete lack of respect and loyalty administration has for current faculty. There is absolutely no reason for terminating a faculty member, reopening the position or one they are qualified for in the same unit, and hiring another applicant except to claw back a higher salary and rehire at a lower one or remove individuals for punitive reasons. Keeping "the right of first refusal," would go a long way toward maintaining some sense of fairness in the RIF process.</p> <p>Additionally, the narrowing from a faculty position "on the same campus" to "in the same unit" counters 3.1.1 and unnecessarily restricts opportunities the faculty member may be qualified for even as realignments in colleges and across units continue. It is diametrically opposed to "breaking down silos," which we have heard from President Gee and others in administration.</p> <p>"5.2 The amount of severance that a Faculty Member may be offered will be determined based upon a schedule approved by the Board. Generally, the value of the severance package should be equivalent to one year of the Faculty Member's annual base pay. Any severance shall be paid in installments. The University may also subsidize health insurance for a predetermined period of time as determined the Review Committee. Any severance payments shall be discontinued if the individual is rehired by the University or an Affiliate prior to the end of the severance payments."</p> <p>Faculty members signed employment contracts in good faith that WVU would honor its commitments, including those related to unforeseen financial exigencies and RIF. Changing rules in the midst of the RIF process and offering tenured/tenure-track faculty twelve weeks of salary, or about one-third of their yearly base income, instead of approximately 39 weeks, or a year of annual base pay is an egregious breach of trust.</p> <p>The proposed Severance Package for Teaching and Service-Track Professors is contrary to the mantra of OneWVU. When President Gee discussed Teaching-Track Professors in Faculty Senate, he stated that the university needed this category to do what they do best, teach, and to do enough of it that research faculty could focus less on teaching and succeed in their jobs as we attained R1 status. This Severance package belies this ethos. Teaching and Service-Track Professors at all levels should have the same rights and privileges as Tenured/Tenure-Track Faculty and be offered the same Severance package. To offer a dedicated 19-year employee with qualifications 6-weeks of pay, at a rate yet to be determined instead of base salary, rather than the same as tenured and tenure-track faculty makes a mockery of having the three tracks that made WVU an R1 institution.</p> <p>Signed, a WVU Faculty Member</p>

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155	6/20/23	<a href="#">BOG Talent and Culture Rule 3.9 – Reduction in Force</a>	<p>Section 4.3 should not be changed. Employees who are terminated should not be required to release claims against agents of the university (current or past). This change, if adopted, could 1) let university leaders who have engaged in gross financial mismanagement off the hook, and require faculty and staff who have done nothing wrong to bear the costs of their misdeeds instead, and 2) preclude faculty and staff from pursuing other fully-warranted, workplace-related claims (for example, of harassment or Title IX sorts of things) against agents of the university who have damaged it. If the Board of Governors is committed to a well-functioning university where accountability is not expected only of faculty and staff, but also of senior administrators, it will reject this (almost transparently self-serving) proposal that is being put forward by the administrators themselves.</p>
156	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p> <p>These rule changes are not only terrible for existing faculty, but are already making it difficult to recruit and hire talented new members of the faculty. Those with any other realistic option will take them before joining a university pursuing such disastrous changes.</p>
157	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>

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158	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	As I recall, there was an extensive process for revision of this and other BOG rules, which included participation of WVU's Office of General Counsel and other relevant units in the writing/revision process as well as provided time for feedback from the campus faculty/staff and resulted in the version effective May 22, 2022. This version of this rule (4.7) has never yet been implemented. My understanding is that since the Office of General Counsel was part of the team which drafted the May 22, 2022, version, they provided all needed input into the process at that point, given that this was their responsibility at that point, and the resulting rule represents a set of guidelines under which all parties involved participated in good faith and to which we should all adhere for the strength of the institution during these challenging times. I would feel more confident in the administration of the institution if the focus was on implementation of the existing processes, given that they were drafted with time for extensive thought and feedback. Currently, the institution and its administration are in a state of crisis and stress, which is not a good set of circumstances under which to change policies and procedures and does not set a good precedent for future crisis management.
159	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	The Office of General Counsel and other relevant offices contributed to the version of the rule 4.7 accepted May 2022 after review by the campus. This has never been implemented. It was the responsibility of those offices to draft appropriate policies during the preceding process. If this was the language that passed by those Offices at that point in time " Generally, the value of the severance package should be equivalent to one year of the Faculty Member's annual base pay. Any severance shall be paid in installments" then they should be bound by it now. If the institutional offices can change the rules after writing them before they are implemented even one time, then this indicates that the institution offices do not see themselves as bound by the process so, effectively, there isn't really a process. Severance is not the same thing as working for pay so the indication that providing 7 months of notice is the same as the original language about severance is a false equivalency. This doesn't exactly inspire trust in those who are proposing these revisions.
160	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	All faculty regardless of classification (tenure, service, teaching) should receive the same 12-week package based off their salary.
161	6/20/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>RE: Section 5.2, Severance</p> <p>Going from one year of annual base pay to a possible 2-8 weeks, depending on seniority is an extremely severe measure.</p> <p>To change the Board of Governor's Rules for how to handle exceptional circumstances when a new circumstance arises is unfair and undermines trust in our system's policymakers and institution's leadership.</p> <p>This in turn erodes morale of existing faculty and staff and finishes WVU as an "employer of first choice" for potential future faculty. Neither offer optimism for the long term quality of teaching and scholarship within our system and for the employment of skilled staff.</p> <p>In the short-term, such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract.</p> <p>I urge you, if a policy change must be made, to grandfather faculty and staff currently under contract, or, at the very least, offer a sunset period of 3-5 years where the reduction is stepped down over that time. Such measures would demonstrate a fairness to your workforce which will pay dividends in loyalty of existing faculty/staff and attractiveness to potential faculty/staff.</p> <p>Thank you in advance for your consideration.</p>

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162	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of a extreme event strains the trust faculty and staff have in administration. The top down approach - I.e. the lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Regarding the revision to the RIF rules:</p> <p>Section 3.1, Rehire/Right of First Refusal:  3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:  Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p> <p>I ask that you NOT implement these changes.</p> <p>Thank you for your consideration.</p>
163	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>This proposal should be rejected by the Board of Governors. It contains several aspects that will permanently weaken WVU, but in order to be relatively concise I will limit myself to addressing 3 egregious flaws.</p> <p>First, in putting this forward the Gee administration is asking the Board to take the position that BoG Rules are meaningless. If the Rules of the University can be fundamentally changed whenever a moment of crisis appears, there are no Rules. We already have a Rule in place to deal with RIF situations and the Board should insist that it be followed. If it does not, it will be conveying that the University lacks trustworthy leadership, that everyone touched directly or indirectly by WVU should expect our University to flail about in unpredictable ways during tough times, that we are not systematically, even competently, managed. When the University is in a crisis situation it should follow its existing rules for such a situation. If the President and Provost choose not to follow the existing Rules, the Board should relieve them of their responsibilities and find new leadership that can function according to the terms of Rules that have been put in place (following careful consideration) for precisely this situation.</p> <p>Secondly, the details of the changes to severance packages that are being proposed by the Gee-Reed administration are appalling - an absolute betrayal of commitments that were made to the faculty. Longstanding, high-performing faculty members should not be the ones who suffer the ill effects of the senior administration's financial mismanagement. I well understand that some people who are not deeply-immersed in academia may see the existing severance packages as overly generous, but academia is in some ways an unusual economic sector. Most fields have brief hiring seasons that happen only once per year, so if you miss that window ... And of course similar to tenure (which was developed not only to protect academic freedom but to provide a modicum of employment stability, in order to attract highly-qualified people into fields that would require many years of education but often not salaries comparable to the private sector) severance packages were put in place to create conditions that would raise the quality of people who would choose to work at a particular institution. By gutting severance packages the Gee-Reed leadership team is not only going to betray long-valued</p>

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			<p>Mountaineers, they will be making WVU a less attractive place for top-flight talent to work in the future. Does the Board of Governors want to harm our appeal and our reputation in that way?</p> <p>Finally, in effect, this Rule change greatly weakens tenure, and by doing so this will have an enormously negative impact on WVU going forward. Now all it will take for tenure to go out the window is an announcement from some administrator that they wish to "reduce" a program, at any time, under any conditions. Remember that just this year the faculty overwhelmingly voted against weakening tenure (the spin doctors in University Relations focused on the supposedly low level of turnout in that vote; but keep in mind that it was only low if you could all the Medicine faculty, most of whom didn't vote since they work under different hiring and evaluation procedures). It could have been seen - perhaps should have been seen - as of vote of no confidence by the WVU faculty in Provost Reed and perhaps especially in her Associate Provosts who led on the creation of that flawed proposal, Melissa Latimer and Chris Staples (people with enormous state-funded salaries that spent much of the past year working on that document, only to lose the confidence of the faculty in the process). This Rule change will be, in effect, a surreptitious way of getting around the overwhelming vote to keep tenure in place. Why is tenure so important? It's partially about academic freedom, but in the context of the current crisis it's mostly about two things - stability and prestige/reputation. For faculty members, it is about stability. Despite the claims of university administrators or politicians that tenure is "a job for life", that is not what tenure is. It is simply a due-process employment protection. Ways exist to fire poorly-performing faculty, whether or not they have tenure. Tenure is crucial to the everyday faculty member because it provides basic workplace protections while working in fields with constraining limitations on employment (calendar of hiring, for example). Given those constraints, being assured of being treated fairly in your current position is critical. And since many teachers/researchers work on projects that take years to complete, that stability is also crucial to maintaining the possibilities of the research endeavor. While tenure is crucial for faculty, given the stability it provides, both for themselves and for their research projects, for universities - perhaps especially universities like WVU, that are relatively underfunded or disrespected, compared to other flagships - tenure is critical because of prestige/reputation. This plays out in a couple of ways. WVU can't compete with many other flagship universities for talent when it comes to salaries, but by offering tenure WVU can still reliably signal to top-ranked teachers, researchers, and graduate students that we are a first-tier university that works within professional norms. It also signals to key institutions across the landscape of research and Higher Education (the NSF, the Ford Foundation, etc.) that WVU is committed to employment practices crucial to undergirding the research mission. Weakening tenure at WVU would mean making WVU a less attractive place to work and a less respectable institution to work with. The quality of our faculty would decline and surely the amount of external funding we would be able to bring in would plummet. In those ways, approving this Rule would permanently harm WVU.</p> <p>Please vote against this proposal. Keep us a rules-based institution that fulfills its commitments to its hard-working employees, maintains our ability to recruit and retain top faculty and students, and keeps us within the norms of professionally-functioning flagship universities. At a minimum, if you believe the financial crisis requires this in the immediate term, please amend the Rule to expire on June 30th, 2024. Making this Rule permanent will do irreparable harm to West Virginia University.</p>
164	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Please understand how demoralizing, heartbreaking, and scary it is to think you are secure in your faculty position only to now live in fear every day that it will be cut. And with these proposed changes, there will be no protection, little severance, and an organizational climate that is very difficult to go to work in everyday.</p> <p>I really want the BOG to see that faculty members truly want to do good work, serve students, and be Mountaineers. But most of us are so, so sad watching colleagues and friends cut. And truly scared for our own livelihoods and careers and programs. It's become such a draining and painful climate at work. And these changes that are proposed only amplify that feeling of "going down the drain". It is bleak. Imagine yourself in that position, look at your own kids and wonder if you will still be able to pay the bills, worry every night about your employment. After all of this, NO faculty member will be in a position psychologically to truly be their best for the students, even if they try. Please hear the fear in these comments.</p>

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165	6/20/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>I am mostly bothered by the change to Rule 5.2 "The amount of severance that a Faculty Member may be offered will be determined based upon a schedule approved by the Board."</p> <p>It is simply unethical to change this policy immediately prior to a RIF. This effectively takes a "guaranteed" one-year severance for those affected and eviscerates it. This type of major change should have some form of a legacy clause where people employed prior to a certain date will retain 1-year of salary. If this rule is enacted as written this essentially makes the BOG rules worthless and meaningless in my opinion as it sets a precedent that the BOG rules can be changed at any time on a whim. This change is not consistent with Mountaineer values. I understand that RIF is necessary in the current environment, but we must do everything we can to help those affected. This policy is essentially kicking someone while they are down.</p>
166	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	It is unfair to eliminate positions, teaching assistants, faculty, staff, departments, and programs that are not making decisions about causing this budget crisis. Should "performance, knowledge and qualifications, and seniority" be implemented to decide the eliminations be the only reasonable method, regarding equality and transparency, the same criteria should be applied to evaluate the entire university.
167	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	The timing of changes to these rules begs the question, "Why are rules needed in the first place if they can be changed to suit the enforcer at an opportune time?" Faculty have put in years of tears and sweat, evenings and weekends, working with students, dealing with their mental health, doing everything and anything possible to help the students succeed. Sadly, many faculty will not get the peace of knowing they have a year to look for a new position without a financial burden on them and their families.
168	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	"One WVU", huh? This policy is insulting, and is dubiously legal given the terms of our faculty contracts. A grace year has been the standard for tenured faculty to find new employment; this is appalling.
169	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	This policy effectively eliminates tenure at WVU.
170	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Since most, if not all, of the proposed changes are financially rather than academically motivated, it is clear that they are being proposed by the WVU Administration. Unfortunately, it is that same administration whose poor planning and mismanaged spending have gotten WVU into this situation. I would urge the BOG to consider that there may be more balanced and unrushed solutions possible from a more balanced group of concerned parties. Taking student, faculty, and staff interests out of the process gives all of the power to the administration, i.e., an administration which is clearly ill-prepared to lead the university at this time.
171	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Since most, if not all, of the proposed changes are financially rather than academically motivated, it is clear that they are being proposed by the WVU Administration. Unfortunately, it is that same administration whose poor planning and mismanaged spending have gotten WVU into this situation. I would urge the BOG to consider that there may be more balanced and unrushed solutions possible from a more balanced group of concerned parties. Taking student, faculty, and staff interests out of the process gives all of the power to the administration, i.e., an administration which is clearly ill-prepared to lead the university at this time.
172	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	As the program I've been working with closed, I and my colleagues will likely be rified. Based on my seniority, I may be given a few weeks of salary based on the proposed changes! The amount of severance not only undermines all of the years I've worked at WV (almost two decades!!!) but also are inhumane. As a faculty member, I feel unvalued and used. As a father looking after dependents, I feel devastated. The administration decisions for RIF and proposed changes to severance are sneaky and shameful.
173	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	The leadership of WVU has demonstrated bad decision-making over the past several years, and indeed is responsible for the current budget crisis. President Gee and the the legions of highly paid administrators refuse to even acknowledge their role in not planning for the current state of affairs and they refuse as well to share in the cuts.

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			<p>The faculty members who will be terminated as a result of the rules changes are in fact the revenue generating members of WVU. Administrators are support staff for the faculty. It is the faculty who are carrying out the mission of the university in teaching students, doing research, and carrying an administrative burden themselves. Administrators are the least essential members of the university community and certainly in this case of catastrophically poor planning and disastrous decision-making at WVU they should be the ones held to account first..</p>
174	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract</p>
175	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>



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176	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>Section 5.2, Severance:</p> <p>This proposed change is unacceptable and, frankly, immoral. Altering a contract so drastically after the fact is not only an insult to faculty and staff but will permanently damage the reputability of the administration of the university. The fact is that these changes will not only irreparably impact the relationship between existing faculty/staff and the administration, it will also harm hiring activities for the foreseeable future.</p>
177	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>First, I want to say that this is not the solution. Making these changes permanent will make it harder to recruit and retain great faculty in future. And the damage done to morale now will make it harder to retain the faculty we do have.</p> <p>We have had to "find money" to fix budget shortfalls long before COVID hit. Long-term fixes for the current problems have to start at the top, with changes in make up of the BOG, and with BOG responsibility for continually renewing contracts for those in senior administration, despite their inability to right the WVU ship for years. Until there is a new sense of responsibility and commitment from the BOG to the state's flagship university, the problems faced by WVU will only get worse.</p> <p>WVU BoG Faculty Rule 4.7 – Reduction in Force</p> <ul style="list-style-type: none"> <li>• Section 2.2. "Amendments to Section 2.2 clarify that faculty should be involved in the academic review process which could lead to a RIF plan for that program, as opposed to the formulation of a specific RIF plan, to ensure faculty input early in the process."</li> <li>• Response: Rather than limiting faculty involvement to only one stage (e.g., the program review or RIF planning), WVU should involve "appropriate" faculty members in both stages.</li> <li>• Section 3.1. "Amendments to Section 3.1 first eliminate the affirmative obligation to offer a first right of refusal to a RIF'd faculty member of another faculty position that becomes vacant that the RIF'd faculty for which the faculty member is qualified. The amendments replace with that language with the fact that RIF'd faculty members are encouraged to apply for any new or opened positions through the normal University hiring process. Next, the amendments to this Section eliminate any potentially implied obligation of the University to re-train faculty members to be qualified for other faculty positions."</li> <li>• Response: <ul style="list-style-type: none"> <li>• 3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</li> <li>• 3.1.3. This Rule change takes a Rule that specifies an "offer of first refusal" and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were RIF'd.</li> </ul> </li> <li>• Section 3.2. "Amendments to Section 3.2 first clarify the Dean's role and the Provost's Office role in the creation of the RIF plan (i.e., that the Dean's Office and Provost's Office will work together to create the RIF plan for a program). Amendments to this Section also clarify that a RIF determination is made based upon a holistic assessment of the three factors: performance, knowledge and qualifications, and seniority. Finally, these amendments clarify that seniority will be calculated by the length of service as defined by the rules established for the calculation of years of service outlined in WVU BOG Talent &amp; Culture Rule 3.7 – Annual Increment."</li> <li>• Response: <ul style="list-style-type: none"> <li>• 3.2.1. The restriction of performance evaluation to the annual evaluation limits a full accounting of the faculty member's broader accomplishments in Teaching, Research, and Service. Annual review criteria are often written solely to evaluate a year's work product, whereas one's overall performance as a WVU employee has a broader scope and should include more metrics of evaluation, such as long-term activities and projects, as well as productivity that exceeds normal annual metrics, such as numerous publications or products within an annual review period. Such high achievement is only ever marked as "Excellent," even when traditional metrics are exceeded.</li> </ul> </li> <li>• Section 3.3. "An amendment to Section 3.3 clarifies that all notifications will be communicated to Faculty through their WVU email account instead of regular mail."</li> <li>• Section 3.5. "An amendment to Section 3.5 is recommended as a clear reference to the legal requirements around Equal Opportunity and Affirmative</li> </ul>

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			<p>Action.”</p> <ul style="list-style-type: none"> <li>• Section 4.1. “An amendment to Section 4.1 is recommended to clarify the legal requirements around notice periods.”</li> <li>• Section 5.2. “An amendment to Section 5.2 eliminates the following language: “Generally, the value of the severance package should be equivalent to one year of the Faculty Member’s annual base pay.” Amendment replaces that language with: “The amount of severance that a Faculty Member may be offered will be determined based upon a schedule approved by the Board.” The current language is permission and does not require the payment of a year’s severance. It also does not require any faculty feedback in setting the schedule. Under the new language, the faculty would have the opportunity through the public comment period to review and provide feedback to the severance package plan before it is approved by the Board.”</li> <li>• Response: This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side’s detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contracts.</li> <li>• Section 5.2. “An amendment to Section 5.2 also removes the requirement that severance packages be paid in installments, which will allow the University more flexibility in designing and paying out severance packages.”</li> <li>• Section 5.3. “An amendment to Section 5.3 would ensure that any waiver in a severance agreement releases the University as well as current and former agents, employees, board members, servants, and representatives and to add a clarifying cross-reference.”</li> <li>• Response: The current rules already require that employees release all claims against the University, a substantial imposition on their rights. The BoG’s primary duty is “The control, supervision and management of the financial, business, and education policies and affairs of West Virginia University.” Given that the university’s interests are already protected in the current rules, the BoG has no business extending waivers to individual representatives, agents, etc. On the contrary: if individuals associated with the University are behaving in legally actionable ways, it is the financial, legal, and moral duty of the BoG to see that these bad actors face consequences for their actions. It is grossly inappropriate to ask faculty to relinquish such rights.</li> <li>• Section 6.2. “A new Section 6.2 provides the definition of an “Affiliate,” which was previously absent from the Rule.”</li> <li>• Section 6.9. “An amendment to Section 6.9 clarifies that Program Reduction may include reducing tenured, tenured-track, or certain faculty positions with multi-year contracts.”</li> <li>• Response: The implication of this change is that, by defining “Program Reduction” thus, the University is attempting to bypass personnel rules relating to declaring financial exigency to reduce and/or remake faculty positions.</li> </ul> <p>Proposed Severance Package Schedule.</p> <ul style="list-style-type: none"> <li>• All faculty should be treated equally in terms of severance. There should be no distinctions in terms of severance packages beyond those already stated (e.g., performance, qualifications, and seniority).</li> </ul> <ul style="list-style-type: none"> <li>• “Faculty Needed to Teach Out Beyond May 2024 – Retention Bonus.” This proposal is not a bonus; it is extended severance for extended work. Fulfilling one’s contractual obligations and receiving pay for that work is doing one’s job.</li> </ul> <ul style="list-style-type: none"> <li>• General comment on proposed Rules changes: Proposed BOG Faculty Rule 4.7 should go into effect for a temporary and limited amount of time rather than for an indefinite amount of time. The proposed rule effectively does away with promotion and tenure, as well as job stability, which will have a chilling effect on academic freedom, hiring, retention, research productivity, and teaching effectiveness. Therefore, the rule should be reversed once the budgetary conditions and demographic shifts that, ostensibly, necessitated it no longer obtain and/or once the administration makes better long-range budget plans that take into account demographic and economic projections. Without an expiration date, the proposed rule jeopardizes the excellence of West Virginia University. Keeping the rule in place indefinitely also risks perpetuating bad budget planning since RIFs could be implemented at any time to “correct” budget errors--with disastrous effects</li> </ul>

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178	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p><i>Due to the length of this comment, a hyperlink to it is provided below.</i></p> <p><a href="https://policies.wvu.edu/files/d/f1e5f86c-9191-4d95-9722-7bd197fda561/cmt-no-178-rif-rules-and-severance.pdf">https://policies.wvu.edu/files/d/f1e5f86c-9191-4d95-9722-7bd197fda561/cmt-no-178-rif-rules-and-severance.pdf</a></p>
179	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>
180	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BOG must understand that terminating a tenured faculty's job is not like terminating an office worker. In many cases this will mean the end of the faculty's career. As proof of the point, think of how many senior faculty (as opposed to pre-tenure faculty) did WVU hire in the past 10 years compared to the number of faculty hired overall. Probably a very small percentage. This is the same everywhere. A faculty often commits his career to an institution and expects a commitment back. Usually that takes the form of tenure and the confidence of continued employment. The least the university could do if they are forced to let go hard working tenured faculty is provide a severance package that reflects the reality of this line of work. The reality that it might take several years to find a new job. A few months salary as severance is barely good enough to pay moving fees. and even if the faculty is warned in October that they are let go, it is very unlikely that they can find a job in the months that follow the warning (i.e. universities interview in winter for a job starting the following fall). A year severance would start to be a more realistic compensation and might allow time to find a new job in line with the career they have built. I understand that every pennies count in these tough times but backstabbing faculty members that dedicated their careers to the university send a tragic signal to the whole community.</p>
181	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The reduction in severance pay from the recommended ONE YEAR to the proposed TWELVE WEEKS, regardless of years of service, is outrageously unfair, callous, disrespectful to our faculty and totally unacceptable.</p> <p>If the administration is intent on saving money, a more caring and respectful approach would be to consider twelve week pay a minimum baseline, and add to it one week of pay for every year of service. This would still be much lower than the currently recommended one year of pay package, but would show some respect to faculty who have been serving this university and its student body for many years.</p>
182	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The proposed change to Section 2.2 is unacceptable.</p> <p>Faculty should be not only consulted, but actively involved THROUGHOUT the process, both BEFORE an RIF plan is decided upon, WHILE such a plan is being drafted, and during a review period AFTER the program has been proposed.</p> <p>This involvement should include having faculty senate representatives as part of any drafting and review committees appointed by provosts or deans to plan, oversee and implement RIF measures, whether these measures are due to program reductions or due to a "financial exigency".</p>

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183	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	There is no way for faculty to secure a new position in that amount of time, leaving people in an extremely vulnerable fiscal position if terminated in this way. Families of faculty could be ruined, careers destroyed. This will severely impact recruiting quality faculty and is unfair to employees who put time and heart into the university.
184	6/21/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	This change is ridiculous, insulting, and completely in bad faith. It's a slap in the face of the very people who do the actual work of the University, despite being hampered by a huge administrative burden that hinders them at every step. I've already seen this turn away promising new faculty at successful departments at WVU. This is a short term solution that will only create long term problems, and possibly a tailspin.
185	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Fired qualified candidates are in equal standing with any other candidate should the position reopen? That is unreasonable, unresourceful, and unjust. The rules, and most of the changes, convey leadership's great power to remove people without restrictions, and with little severance certainty, but where are the rules (and general messaging) about what is to be maintained and strengthened here at WVU? Helping existing and outgoing employees to continue to love this place as an honorable, compassionate, and fair system can only HELP whatever happens next. These rules and their delivery fall short in serving that purpose.
186	6/21/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	At no circumstances, "unsatisfactory" faculty members should have preferences over those of excellent or good standing. As of now, the "unsatisfactory" tenure-track or even tenured faculty members have received their terminal annual contracts in May 2023, thereby having a year to find another job. (In fact, this was followed by a multi-stage P&T review process, with the evaluation letters available in a timely manner, so these faculty members have had 1.5 years at WVU ahead). In contrast, good/excellent faculty members may be notified about a RIF decision in October 2023, thereby being punished for their great job and appearing in a worse situation than their "unsatisfactory" colleagues. Obviously, this is completely unacceptable. Consequently, at least a one-year terminal contract should be granted to the victims of the RIF decision.
187	6/22/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	The reality is hidden/softened by the misleading statement that the victims of the RIF decision will be granted a 30-weeks "severance" package/timeline, while this is not the case at all. The proposition/request to teach-out from October 16, 2023 till May 10, 2024 will not be a "severance benefit", but the condition of the existing contract. Consequently, it should be clearly stated that nothing but 2-8 weeks (depending on seniority) is proposed. Of course, this is completely unacceptable as compared to the one year of annual base pay, which was expected when all faculty all faculty employed to date signed their contracts.
188	6/22/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	Regardless of the hardship we face, the way the crisis is being tried to be resolved is extremely worrisome! Just imagine a CEO/SFO of a bank who makes a public statement "please run to take out your deposits because we may go bankrupt soon!" Stupid? But this is how it looks like now. The panic (unless, say, paranoia) is being promoted as we receive an indirect but clear message "Run away while/if you can as everyone can be impacted but/and we have no idea yet or we do not want to detail) who, how many and how..." So what? Talented faculty members and even good students are already leaving us, or intend to leave - now or within the following months. I may understand that the idea is/was to make "a hard decision" on July-Oct about cutting, say, n% of "weakest faculty and staff" (though nobody told what this n% is), but I am afraid that n% of our best faculty and staff will leave by the time of this hard decision. And this is only an initiation of an "avalanche". Yes, the "avalanche" that accelerates downhill, and it will keep dramatically accelerating with more "urgent" bad news, more warnings and threats received, and more brilliant colleagues leaving WVU.
189	6/25/23	<a href="#">Proposed Faculty and Classified Staff Severance Package Schedule</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 5.2, Severance:</p> <p>This change is simply unacceptable. No faculty member would willingly accept a reduction in severance that is so drastic, going from one year of annual</p>

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			<p>base pay to a possible 2-8 weeks, depending on seniority. Such a reduction represents a huge financial hardship to any faculty member subject to a RIF. When all faculty employed to date signed their contracts, they did so with the expectation that the University would abide by its existing rules. This proposed change amounts to one side changing the rules of the game to the other side's detriment while play is underway. Basic rules of fairness require the University to maintain the commitment it began with us when we signed our contract.</p>
190	6/25/23	<a href="#">BOG Faculty Rule 4.7 – Reduction in Force</a>	<p>The BoG rules are intended to be clear, publicly available, and binding procedures for facing extreme events, and to change them so quickly in the face of this budget crisis further strains the trust faculty have in administration. The lack of dialogue, the absence of any space for faculty participation in responding to this crisis, and the speed with which it is being implemented all point to an intentional attempt to silence faculty voices. I hope the BOG and this administration will take this opportunity to listen to that faculty voice, and take immediate steps to allow faculty and staff to have real input in responding to this crisis.</p> <p>Section 3.1, Rehire/Right of First Refusal:</p> <p>3.1.2. This Rule change would eliminate aid for faculty undergoing the RIF process. Faculty in these circumstances should be assisted in acquiring the necessary skills to continue their careers.</p> <p>3.1.3. This Rule change takes a Rule that specifies an “offer of first refusal” and reduces that obligation to what amounts to an encouragement to apply. This change weakens the possibility of future employment for current WVU employees who were terminated as part of the RIF.</p> <p>Section 2.2, Limiting Participation:</p> <p>Ensuring faculty input early in the RIF planning process is necessary, however, faculty must be involved in both “the academic review process which could lead to a RIF plan,” and in the “formulation of a specific RIF plan” for programs.</p>