

June 15, 2023

Open Letter in response to the Reduction in Force at WVU,

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.

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.

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.

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.

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.

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.

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:

**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.

**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.

**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.

**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.

**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.

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.

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