

August 10, 2023

Dear Dean Rinehart,

As part of the ongoing Academic Transformation initiative, the Provost's Office has completed its [Board of Governors Rule 2.2](#) Program Review process for the identified program(s) in the College of Law.

Possible Recommendations

Under WVU Board of Governors Rule 2.2., there are four possible recommendations for programs, and they are defined as follows:

1. Continue at the current level of activity (i.e., no recommended changes for the program)
2. Continue at the current level of activity with specific action (i.e., the program will continue to exist, but there are recommended changes for the program, including reduction of faculty positions)
3. Development of a cooperative program (i.e., potentially merging one or more programs together to create a new program / curriculum)
4. Discontinue the program (i.e., program will no longer exist after a teach out is completed)

Preliminary Recommendations

After considering the data previously released, the information contained within your unit's Self-Study Review Form, and consulting with the unit's dean's office, the Provost's Office Preliminary Recommendation is as follows:

- JD Law: Continue at the Current Level of Activity with Specific Action
 - Reduce the number of faculty positions associated with the program.
 - By **January 31, 2024**, submit (in CIM) a meaningful revision of curriculum that eliminates inefficient and unnecessary program requirements and reduces the total number of course offerings in the college.
 - Submit evidence of the implementation of meaningful assessment of learning practices and evaluation of student success to improve FTT and UBP Bar pass rates relative to peers and in anticipation of "next gen" Bar by **May 31, 2024**.

Additionally, the College will adjust its workload policies, especially concerning faculty who are not research productive. A revised workload guidelines document is to be submitted to Associate Provost for Faculty Development and Culture Melissa Latimer by **October 31, 2023**. It will also increase external funding for student scholarships and work to increase enrollment of half-funded to full-paying students relative to peers. To increase its operational efficiency, the College will also review the range of its clinical operations and the staffing for each.

The key components that led to the Provost's Office Preliminary Recommendations include the following:

- The College of Law was placed under review due to enrollment declines, a decrease in student credit hours, a below median ratio of faculty-to-program majors, and expenses exceeding revenues annually for the years of analysis.
- The plan presented by the unit in its self-study to reduce cost was focused mainly on operational changes and not on ways to directly and permanently impact the structural deficit of the institution or the unit. The self-study had limited but meaningful engagement with the data and provided meaningful context. The actions taken by the unit in the recent past have increased average tuition paid by its students and improved the quality of the students they admit. These actions have not translated into better student success as measured by Bar passage rates.

Next Steps for Discontinuance or Development of Cooperative Program

For each program that has been recommended for **discontinuance**, the unit should submit an initial staffing plan for the teach-out process to Associate Provost for Academic Personnel Tracy Morris by **September 8, 2023**. If the Board of Governors approves this recommendation, the Provost's Office then requires that a full teach-out plan be submitted in CIM by **October 31, 2023**.

For programs that have been recommended for **development of a cooperative program**, and assuming approval by the Board of Governors, the department chair or school/division director should contact Associate Provost for Curriculum and Assessment Lou Slimak by **October 31, 2023**, to develop a timeline to accomplish the proposal of the new program as well as the discontinuation of the merged programs.

Faculty Reduction Recommendations

Through this process, the Provost's Office has determined that the number of faculty positions in the unit should be reduced from its current number to 24. If this recommendation is approved by the Board of Governors on September 15, the Provost's Office, in consultation with the dean's office and the chair (where applicable), will develop the Reduction in Force Plan. This plan will determine the specific faculty members in the unit who will be retained or subject to a reduction in force / non-renewals. Additionally, that process will include discussion of which faculty positions can be reduced as of May 9, 2024, and which positions may be offered an extension beyond May 9, 2024, for teach-out programming. Finally, please note that in many units, voluntary attrition by faculty members (i.e., leaving the University for another opportunity or retiring from the University after July 1, 2023, and by or before June 30, 2024) may be considered as part of the faculty positions that are counted for elimination. However, the individual voluntarily leaving the University must provide the University notification of their resignation or retirement by September 30, 2023, if it is to be considered as part of the reduction numbers.

Notifying Your Faculty and Staff

The chair or school/division director must notify the faculty and appropriate staff within this unit of the Provost Office's Preliminary Recommendations by forwarding this email and CCing Associate Provost for Curriculum and Assessment Lou Slimak (Louis.slimak@mail.wvu.edu) and the college dean. This notification should occur **within 24 hours of receiving this letter**.

Program Review Appeal Process

If a chair, school/division director, or faculty member opts to appeal any part of the Provost's Office Preliminary Recommendation, they must submit a [Notice of Intent to Appeal](#) by **August 18, 2023**.

Any chair, school/division director, or faculty member who files a Notice of Intent to Appeal will receive notification at least three business days in advance of when the Program Review Appeal Committee hearing for their program will be scheduled. Most hearings will occur between **August 21 – September 5, 2023**.

To ensure a broad-based representation, the Provost's Office will establish a Program Review Appeal Committee specific for each unit. Members will include the vice provost, an associate provost (undergraduate or graduate), the program review officer, a representative from the dean's office of the unit's home college, two representatives from dean's offices outside of the unit's home college, and the Faculty Senate chair or designee.

The chair, school/division director, or faculty member who filed the Notice of Intent to Appeal must submit the [Program Review Appeal Form](#), which contains any additional information or data they wish the Program Review Appeal Committee to consider, at least two business days in advance of the hearing. For units appealing the number of faculty to be reduced, it is strongly recommended that the unit present a staffing plan that demonstrates what number of faculty are needed to deliver the unit's curricular requirements, including the number and size of its section offerings.

During the appeal hearing, the unit's representative is given 30 minutes to present the substance of their appeal and 15 minutes to address questions from the Program Review Appeal Committee.

The Program Review Appeal Committee will then deliberate and vote to accept or change the Provost's Office Preliminary Recommendation. The program review officer tallies the votes, informs the Program Review Appeal Committee of the results, and communicates the results to the dean's office and chair or school/division director within three business days following the hearing.

If the appeal is denied, the original recommendation will be presented to the Board of Governors for a vote on September 15. If the appeal is granted, the Program Review Appeal Committee may provide a new recommendation to the dean and chair or school/division director. This new recommendation would also go to the Board of Governors for a vote. All decisions made by the Program Review Appeal Committee are final.

Additional Resources

Additional information on the process and timeline is available at:
<https://transformation.wvu.edu/resources>.

Sincerely,

WVU Office of the Provost