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<th>Comment No.</th>
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<td>1</td>
<td>10/7/2022</td>
<td>Committee Composition</td>
<td>Excerpt from the report: “Each faculty evaluation committee shall normally consist of a minimum of five members, a majority of whom must hold tenure. This text allows faculty who are not tenured to also serve on college committees.” The above text from the report should also include language that requires that promoted, non-tenured faculty serve on P&amp;T committees. It’s unfair to Teaching faculty to be evaluated by faculty who have never experienced being in the Teaching track. In summary, if promotion guidelines are standardized across all faculty categories, which I support, non-tenured faculty need to be compensated at the same rate as tenure-track faculty. In my opinion, the university currently has an unofficial system of second-class faculty (i.e. Teaching faculty), who do not have the same benefits as tenure-track and tenured faculty, including tenure, pay, scholarship support, and opportunities for additional compensation through contract and grant-funded work to be considered part of his/her assignment. To then require Teaching Faculty’s performance to be measured using the same metrics/expectations as tenure-track faculty without reconciliation of some, if not all, of these disparities is unjust.</td>
<td>Departments and Colleges must have clear unit guidelines to assess teaching, research and service mission areas. All full-time faculty members at the rank of associate or full professor can serve on the University Promotion and Tenure Advisory Panel, regardless of their type of position. All full-time faculty members at the rank of associate or full professor can serve on a college faculty evaluation committees, regardless of their type of position. Faculty members at the rank of instructor and above can serve on department faculty evaluation committees. All faculty who serve on department and college committees also vote on each case, but the majority of voters for tenure cases must be tenured faculty members.</td>
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<td>2</td>
<td>10/7/2022</td>
<td>External Reviews</td>
<td>The external reviewer requirement for Teaching Assistant to Teaching Associate is a major issue. I recognize that one of the justifications of this is to be parallel to tenure track promotion lines so that there may exist the possibility in the far future of switching the track of an existing faculty. Additionally, I recognize another justification is to retain WVU’s position as a top-tier research faculty, despite declining tenure track faculty numbers. It is also been said to me and others, ‘well you don’t have to go up for promotion. It’s only an option.’ All of these justifications are simply inane. First, the requirement of external reviewers for Teaching Assistant Professor promotion to Teaching Associate Professor places an undue burden that is excessive in comparison to most other universities. In finding external reviewers, you are searching for those that are at least one promotion higher than yourself on the same ‘track’. This track system doesn’t exist at most other universities, so it is difficult to find reviewers, unless you ask</td>
<td>West Virginia University limits teaching-track to 15% by BOG Faculty Rule 4.2. Nontenure-track lines are created to meet institutional needs. Tenure-track lines must have two areas of significant contribution. BOG Faculty Rule 4.3 outlines the eligibility and sabbatical leaves for faculty members. Each faculty member is assigned a workload assignment that may include effort attributed to teaching, research, and/or service.</td>
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tenure track colleagues. Asking a tenure track faculty to evaluate a teaching track faculty member is like creating a jury full of folks that are not actually your 'peers'. They have different expectations and experiences of whose viewpoint of promotion would be unfair to teaching track faculty. However, if only internal reviewers are required for this promotion, we have existing teaching track professors that could assist fairly. It would also make sense to save an external reviewer for the full teaching professor promotion as it should be more rigorous than the first promotion. At this point, a mix of teaching and tenure-track external reviewers of peers to review one’s work is an appropriate level of challenge. The idea of paving the way for a possible change of track in the far future is a noble and excellent idea. I appreciate that WVU is thinking this way and support measures that would make this happen. However, that being said, this is a self-made issue by many universities in the United States, as a whole. In my experience, the reason most TAPs accept a non-tenure position at present is that tenure positions have become a rare offer in the past decades. As tenure track faculty retire, despite their funding being 'permanent' vs TAPs being 'temporary and dependent on enrollment', many universities are electing not to fill those tenure track lines. There are many reports on this nationally, however, I have also seen it firsthand at both WVU and the university I worked with before WVU. Instead of the tenure line being replaced by another tenure, it is transitioned to a TAP/similar position. The justification is usually "we don't have the budget to hire another tenure". This appears to be inaccurate to many of us in the field. It seems more like universities are actively trying to phase out the entire process of tenure, and replace the system with TAPS. Then, we TAPS, in order to climb the ranks, are made to do the same amount (or more) of work as tenure for less pay, less job stability, and no tenure track perks. To WVU's benefit, it does seem like we are trying to address pay equity, stability, and supplying tenure track perks (like sabbatical) to our teaching track lines. However, if the goal is also to retain our status as a top research institute without maintaining the proper number of tenure track lines by replacing tenure lines with TAPS that do research- I can't support that. We may do some research, but our primary responsibility is to our students and teaching them. Should this be part of WVU's goal in making these changes to P&T for TAPs, then the solution is clear. WVU and other institutions must stop replacing retiring tenure with non-tenure lines. If we use external

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External Reviews for Teaching-track faculty from assistant to associate rank makes a case for higher salaries, if performance warrants and the increase in salaries is financially feasible. Further, this is a basis for longer term contracts for librarian-track faculty.

Within the proposed P&T document, flexibility with external reviewers has been introduced for the promotion from assistant professor to associate professor in the non-tenure track. External evaluators are not required to be in the identical position.
reviewers for assistant to associate, then allow us the option to switch tracks at
the same exact time. If we say, yes, we want promotion and a track change then
by all means require external reviewers in this process for us. If we only desire
promotion and to stay focused on teaching not research, continue to allow this as
well. Simply saying “well, you don’t have to go through the promotion process” as
defense for these changes is absurd. Who, in their right mind, would not try for a
promotion with a pay upgrade for the work that they do? It may not be required
of us by the university, but by life and making ends meet, it absolutely is.

3 10/7/22 Promotion I would love to see a salary increase for new faculty hired as instructors when they
are awarded tenure. Faculty that are hired as assistant professors are awarded a
10% salary increase that accompanies the tenure award and promotion from
assistant to associate at year 6. However, faculty that are hired as instructors only
receive the 10% salary increase at year 9, three years after they are awarded
tenure. I understand that the salary increase accompanies the change in the
respective titles. However, why do those hired as an instructor have to wait 9
years to receive the promotion to associate when those hired as an assistant
achieve it in 6 years? If it is not feasible to change the gap in what year instructors
can be promoted to associate professors, would it be possible to split the salary
increase so that a 5% salary increase accompanies tenure and another 5%
accompanies promotion to associate? Thanks for your time and consideration

Every successful promotion requires a 10% minimum salary
increase per BOG Faculty Rule 4.4.

4 10/8/2022 Committee Composition First, I appreciate the efforts of all those involved in drafting and revising this
document. Overall, I think it is a very nice document. However, I do have one
strong concern. Given my experiences here at WVU, I am of the strong opinion
that Promotion and Tenure Committees be limited to tenured full professors.
Why? Because it is my experience here that at least one Dean tends to "stack"
committees with those who are still beholden to him, that is, those who still need
to move up in rank and/or be tenured. The Dean, or his subordinate(s), then

A primary driver behind the revision of the University Procedures
was to be equitable. Exclusionary proposed procedures will not
be approved.
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<td>5/10/2022</td>
<td>Modification of Duties</td>
<td>Typo on p. 1: &quot;Incorporating text explaining how to evaluate of Modification of Duties and/or Extension of the Tenure Clock utilization&quot;</td>
<td>Corrected on the Executive Summary.</td>
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<tr>
<td>6/10/2022</td>
<td>Typo</td>
<td>Add the word &quot;written&quot; before Performance Improvement Plan throughout doc where applicable, e.g., p. 4 II-A-1, line 8. I realize this is implied and is common sense, but specifying the plan be written removes any room for the plan being delivered verbally (like some Deans did with the compensation program).</td>
<td>&quot;Written&quot; was added for clarification.</td>
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<td>7/10/2022</td>
<td>Credentials</td>
<td>I am still advocating for the inclusion of direct and clear language that instructors hired with a master's degree plus significant experience are eligible to apply for promotion to assistant. I don't believe the p&amp;t committee service and voting statements are direct enough to not leave room for exclusionary interpretation in the future by different administrators. I'm sure there are many ways to word this and places in which such language could be inserted. One suggestion is to add on p. 4, II-A-1 a sentence that reads &quot;All ranks below professor, including instructor, assistant professor, and associate professor in all tracks shall be eligible to apply for promotion.&quot; Also, to further strengthen the language that there are four faculty levels, here are two suggestions: p. 17, 4. Replace the slash with a comma between Teaching Instructor and Teaching Assistant Professor. p. 18, 4. Replace the slash with a comma between Service Instructor and Service Assistant Professor.</td>
<td>All unit guidelines are approved by the Provost Office. The Provost will not approve exclusionary procedures. Edited the following text to read: “The unit guidelines may be more specific to expectations of individual disciplines, and they may be more rigorous than the University guidelines, but not exclusionary.”</td>
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<tr>
<td>8/10/2022</td>
<td>Diversity, Equity, and Inclusion</td>
<td>I note that at several points in this document, reference is made to &quot;diversity, equity, inclusion, and social justice work,&quot; despite the fact that this document never defines those terms. I acknowledge that the Division of Diversity, Equity, and Inclusion&quot; has a web page that defines these terms. However, at best, those definitions are far too general and open-ended to be useful in measuring faculty contributions in the areas of appointment, tenure, and annual evaluation. At worst, they are so malleable as to permit evaluators to define them however they wish in order to reward or punish faculty under consideration in ways that might be cruel, unfair, or discriminatory.</td>
<td>Diversity, Equity, and Inclusion expectations will be clearly outlined in offer letters, if applicable. DEI work will not be required of all faculty. “Mission” has been replaced with “work.”</td>
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advance unstated ideological goals while undermining due process. I also note that reference is made to the "diversity, equity, inclusion, and social justice mission" of the university, but such a mission is not identified within the university's mission statement as it appears on its website (https://www.wvu.edu/about-wvu/mission). This indicates a lack of transparency.

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| 10/10/2022 | External Reviews | Necessitating 4 external reviews (2 of which must be external to the university) for promotion/tenure is too onerous. It is not only difficult to ask additional labor from already-taxed colleagues from other institutions, to do so without compensation seems ethically questionable especially when considering the extractive nature of academia at present. It seems quite a lot to ask colleagues to evaluate a candidate's entire portfolio at their present rank, orient to University promotion/tenure requirements, and write an evaluative document—all without compensation. It also seems a rather unforgiving procedure that should any of the invited reviewers unforeseeably fail to send in their letter in a timely fashion and resulting in the normal minimum for number of reviews not being met, that the candidate for promotion/tenure be punished for failings that have nothing directly to do with a candidate's academic record or contributions. While I appreciate the rationale for using external reviewers (i.e. to gauge significant impact beyond the boundaries of the University), I would highly encourage the committee to consider more practical means of doing so namely through the reduction in number to 1-2 external reviewers or implementing an acceptable threshold for received letters (e.g. receipt of at least 50% the rate of sent invitations to individuals nominated by the candidate/committee). I would also like to see some standardizing document to help support external peers in the evaluation process. To introduce some uniformity in the process and reduce the need for external evaluator's to be well-versed in institution-specific promotion/tenure procedural documentation, the committee should consider creating or mandating that departments create a kind of worksheet for all outside evaluators (rather than just a general letter outlining broad characteristics/purposes of peer evaluations). I do appreciate the flexibility shown in the directing the qualifications for serving as an external reviewer. I would like to reiterate how disheartening, as a new faculty member, it is to learn that additional hurdles for promotion/tenure are presently being discussed with little thought to how this might contribute to faculty over-taxation and burnout that

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External Reviews for Teaching-track faculty from assistant to associate rank makes a case for higher salaries, if performance warrants and the increase in salaries is financially feasible. Further, this is a basis for longer term contracts for librarian-track faculty.

Within the proposed P&T document, flexibility with external reviewers has been introduced for the promotion from assistant professor to associate professor in the non-tenure track. External evaluators are not required to be in the identical position.
plagues the field of higher education. It is my experience from my previous institution that even identifying and hiring a SINGLE external evaluator for program review or assessment was challenging DESPITE such work being compensated and a standard practice. I can only imagine the challenges of doing so without remuneration, at the rate of four minimum reviewers, and at the micro-scale of individual faculty promotion/tenure.

In general, I think these are welcome and needed changes. But I have two specific comments: 1. Is there any discussion about who will do the narrative and peer evaluations? If it is to be colleagues, is this time going to be evaluated or expected in terms of department service? 2. The document is vague about the “higher expectations” for full professor. This is to be set by individual units, but perhaps some examples could help provide guidance to the units. How much higher expectations, and in which areas? Is there freedom to reach higher expectations in areas outside of research (e.g. teaching, service to the community) and achieve full professor?

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<td>10/12/2022</td>
<td>Narratives and Absolute Criteria</td>
<td>A narrative is the responsibility of the faculty member. Peer evaluators may come from within or outside of the unit. More specific language for requirements may be detailed in the college and/or school level promotion and tenure guidelines. Three examples of absolute criteria for the mission areas are the following: 1. Research – Obtain two (2) significant external grants (greater than $100,000 per grant) by the time of your critical year. In addition, funding to support two (2) PhD students. 2. Teaching – Lead the design of a new PhD program so that it is in effect and the first cohort is on campus. 3. Service – Lead the successful accreditation for the school including self-assessment report, site visits, etc.</td>
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I like the update and the emphasis on transparency and equity. I appreciate the flexibility that is written into the guidelines so we can set standards that better reflect the needs of the college and unit. Comment A11, to expand what is now required for documenting one’s teaching, may need to be tweaked a little for extension faculty with teaching as areas of significant contribution. We don't have syllabi per se. We have lesson plans, but most of those were created by content experts and not by the county agents who are delivering the lessons. We don't encourage our faculty to solicit student feedback because we don't find it very helpful. It is almost always glowing because people love their county agents. To say that the documentation must include those things as a minimum would simply be file clutter for us. We are looking for our faculty to document student learning outcomes in their files, which is listed in the next paragraph.

Functionally equivalent documentation will be outlined in your revised unit guidelines.
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<td>10/13/2022</td>
<td>Absolute Criteria</td>
<td>I love the changes in procedure that are specified for unsatisfactory ratings. Adding external reviews for teaching and service faculty does create equity in review, but it also adds burden to our peers nationally. What will a unit do if they have a faculty who does diversity work and documents this in their teaching file, but that unit does not have a clear policy or guideline in support of this work? I suppose this new version points towards the need for units to add these details to their guidelines. The community-engaged research language is a big win for our college (CAHS) - most of us do this work and it's great to see that recognized in the mother document. All these comments that say XX was added to &quot;align mission critical work with the rewards system&quot;... what does this mean? This comment does not add clarity for me. What reward system, promotion and tenure? Grant incentives? ? Promotion to professor must be higher. by how much? Units determine this? Satisfactory ratings will never be the baseline until all department chairs and committees more regularly apply these labels. Paid admin faculty are most likely to adopt this policy, but it will be difficult to enforce at the school or departmental committee level. Also, make sure you want this in here because it is going to exponentially increase challenges and grievances. The &quot;absolute criteria&quot; is a big change. I feel that the Provost should provide examples of the types of things where absolute criteria must be set. For example, an absolute level of SEI scores, # of peer teaching observations, # pubs, $$ grant funding, # grant proposals submitted to XX agency, etc. WOW the tables at the end - fantastic supplements here to the process. We had these in CPASS for years and they really helped faculty. I wish more time would have been spent in the town hall sessions letting folks know about this or distributing them to everyone.</td>
<td>More specific language for requirements may be detailed in the college and/or school level promotion and tenure guidelines. Three examples of absolute criteria for the mission areas are the following 4. Research – Obtain two (2) significant external grants (greater than $100,000 per grant) by the time of your critical year. In addition, funding to support two (2) PhD students. 5. Teaching – Lead the design of a new PhD program so that it is in effect and the first cohort is on campus. 6. Service – Lead the successful accreditation for the school including self-assessment report, site visits, etc.</td>
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<td>10/13/2022</td>
<td>Promotion Criteria</td>
<td>As some teaching assistant professors have been working toward promotion based on prior criteria, they may not have focused on some of the new criteria outlined under teaching. How will this change reflect on their going up for promotion in fall of 2023?</td>
<td>This will not impact a faculty member seeking promotion in fall 2023.</td>
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<tr>
<td>10/13/2022</td>
<td>Public and Community Engaged Research, Teaching and Service</td>
<td>I am emailing my feedback and comments to the Provost, and copying Melissa Latimer, and Chris Staples. Many thanks for this opportunity!</td>
<td>Acknowledged.</td>
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In section II.4, the proposed language on 'unsatisfactory' reviews and non-continuation is unclear as written and must be modified. It repeatedly references ratings 'at any level' and reviews 'at all levels', but the term 'levels' is not defined or explained anywhere in the document. The language earlier in section II.4 suggests that the relevant levels are faculty committees at the department, college, division, and university levels. But the language in the following part suggests that the department chair, dean's office, and provost's office may also be levels. This is absolutely crucial to clarify. If the levels here include the chair, dean, or provost, this section would give lone administrators acting against the recommendations of faculty committees the authority to unilaterally assign 'unsatisfactory' ratings to faculty and essentially fire them. That is a grave threat to academic freedom and shared governance. If, on the other hand, the relevant levels are limited to the committees at the department, college, division, and university levels, this could be interpreted as a more reasonable proposal (though I think the time-frames suggested here are too short for making personnel decisions of this type). Either way, we need to know what is being proposed here, which will involve clarifying what 'all levels' actually refers to. In section VII, the proposed changes state that not documenting your annual report properly will result in 'unacceptable' ratings. Given the changes in section II.4 that were just discussed, this would make a poorly documented annual report into a firing offense. That does not seem like a viable policy. The proposed changes here create new documentation and compliance burdens for faculty in several places, including the teaching documentation in section III.A, the 'performance improvement plans' in section II.4, and the workload plan in section VII. There are several other places where the burden might increase, but it’s not entirely clear to me from reading the old guidelines. I think our documentation and compliance burdens are already too high, and I think any proposal to introduce new burdens in this regard should be accompanied by both a cost-benefit analysis and a plan to reduce such burdens in some other area by a compensatory amount. I don’t see either of these in the current document. I may be stating the obvious here, but if these policies and other university policies are frequently updated (which they are), and only ever add compliance and documentation burdens, those burdens will grow in an uncontrollable manner. This is not sustainable, efficient, or wise.

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There is no unilateral firing authority. There is oversight at multiple levels.

“A Productivity Report without supporting documentation should receive a rating of “Unsatisfactory” on an annual review.”

For further clarification we have added, “Ratings of Unsatisfactory are reserved for cases in which the faculty member is not meeting the academic unit’s minimal standards for job performance. Ratings of Unsatisfactory follow (a) a period of performance decline for which the faculty member had received specific feedback in prior annual evaluations yet has not demonstrated improvement or (b) gross misconduct (e.g., job abandonment).”

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Regarding the "all faculty are externally reviewed in one area for any level of promotion or for tenure as outlined in the offer letter," many faculty members, particularly Teaching Assistant Professors, were hired under a different assumption of the review process when seeking promotion from Teaching Assistant to Teaching Associate Professor. Many of these Teaching Assistant Professors have been working under this assumption for many years. One could argue that changing this promotion requirement at this time, means that many of these Teaching Assistant Professors were hired under false pretenses. While I agree that making the process consistent across the various Colleges is essential for the University, those hired under other processes should be granted the opportunity to pursue promotion under the guidelines in which they were hired. For our students, should a graduation requirement be changed during their education, they are not automatically forced to adopt those changes. They have contracts with their catalog year that bind them to the graduation requirements of the year they started at WVU. Why should our contracts be any different? Personally, I left a tenured position to come to WVU. I did so with the comfort of understanding the promotion process. This change to the process brings added stress and concern. During my interview process, the TAPs I spoke with ensured me that the process of promotion from Teaching Assistant to Teaching Associate Professor was a very simply process, but, to their knowledge, no TAPs had pursued promotion to Full Teaching Professor due to the external review. While I am a newer higher, I was also provided the opportunity to go up for promotion at year three instead of year six, due to my teaching experience. I was ok with this, as I was assured a simple process of going from Teaching Assistant to Teaching Associate. With this change in process, I worry if I should have pushed more for starting at Teaching Associate and worry about my chances of being promoted. I worry primarily because other institutions may have different guidelines and goals than West Virginia University. I believe I am doing enough for promotion but I worry that those outside our institution will not see it that way. Additionally, while I am only in year two, other Teaching Assistant Professors have been working under the current guidelines for many years and have developed their service around the assumption of an internal review. To change this now adds stress to an already stressful job, particularly with the majority of their service time taking place during a pandemic. Now more than ever, we need a strong

If the proposed University Procedures are adopted, timelines will be addressed and established to ensure that a faculty nearing promotion is not negatively impacted. Faculty hired after the University Procedures are adopted would be reviewed under the new procedures.

Offer letters include the following language: “Your employment at West Virginia University is governed by the rules and procedures contained in these documents, as they are and as they may from time to time be changed.”

External reviews currently take place for every promotion from Instructor to Professor for Service-track faculty members. The proposed guidelines would remove the external review requirement from instructor to assistant professor for service-track faculty.

External Reviews for Teaching-track faculty from assistant to associate rank makes a case for higher salaries, if performance warrants and the increase in salaries is financially feasible. Further, this is a basis for longer term contracts for librarian-track faculty.

Within the proposed P&T document, flexibility with external evaluators has been introduced for the promotion from assistant professor to associate professor in the non-tenure track. External evaluators are not required to be in the identical position.
morale surrounding our faculty, and this change brings doubt into the minds of our lower ranking faculty, which is not needed at this time. With this, I ask the administration to consider applying these changes in promotion for Teaching Faculty to new hires and allow those hired previously to continue their promotion process under the guidelines in place at their time of hire. Thank you for your time and consideration.

17 10/14/22  Ratings
A Productivity Report without supporting documentation should receive a rating of “Unsatisfactory” on an annual review. I suggest considering alternative wording so that it includes without “Any” supporting documentation or the “minimal amount” of supporting documents as determined by units, etc-needs to be tweaked... Also “Should” receive a rating ... “May” receive. Something about the pairing of without documentation and should needs to be tweaked. In some units especially in Music we upload student success and achievement and should be properly recorded. Often it is not possible to gather documentation from their successes but important to include those listings. Thanks!

Language was modified. “If there is limited evidence of the faculty member’s results, a “Satisfactory” rating(s) may be appropriate. A Productivity Report without supporting documentation should receive a rating of “Unsatisfactory” on an annual review.”

18 10/14/2022  Credit and Typos
1. Allowing up to 3 years of credit towards promotion for non-tenure track faculty with previous experience: What about a faculty member that switches from teaching to service, service to teaching can they get promotion to transfer? This may also come into play if people revise their roles (associate professor revises workload to reflect more teaching or service - pg 21 XI).
2. Page 3 (1st full sentence) and page 14 (2nd full paragraph) - regarding fully promoted faculty members requesting evaluation - maybe we include The faculty member must inform the department chair or equivalent, in writing, 90 days in advance of the faculty member’s file closing. This will keep a paper trail. 3. Page 3 (2nd full paragraph) - what is the standard time interval?

Three (3) years of credit could be awarded, as determined by the dean, and must be outlined in the faculty member’s offer letter. “in writing” was added in both statements.

19 10/16/2022  Ratings and Continuation
1. The current draft essentially eliminates Tenure as it is generally understood. It is better to be clear and declare the new policy: Tenure is eliminated.
2. This new policy puts too much power in the hands of the Chair. It could be used as a weapon to get rid of troublesome faculty, unless strong safeguards are in place.
3. There should be a well understood and clear rubric that defines what constitutes "unsatisfactory". Presently, a faculty member will not be able to self-evaluate in the absence of this rubric. For example, in the teaching evaluation it

BOG Faculty Rule 4.2, Section #5 defines WVU’s definition of Tenure.
Section 5: Tenure
5.1 Tenure is designed to ensure academic freedom and to provide professional stability for the experienced Faculty Member. It is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community. Continuous self-evaluation, as well as
says that a faculty member can put his/her syllabus. How many points will be awarded for this action? Notwithstanding all the fuzzy statements in the teaching evaluation, the only thing that matters is the score you receive on the "three" questions on SEI - even if the sample size is small. This is a great disservice because the students will realize the importance of what they were taught only years later. Let's stop treating students as "customers"! They are not by any stretch of imagination. Of course this comment will be summarily dismissed as long as we are thinking that the University is a "business". It is not!
4. If a faculty member receives an "Unsatisfactory", the person, who gave that assessment should provide clear guidelines to receive a better rating in the following year. Furthermore the Evaluator should facilitate the faculty member's efforts to improve the rating.
5. There should be a well-defined process of appeal and the evaluation should not come into effect until that appeal process is finished. Without a process of appeal, it is simply unjust.
6. To make it fair, the Chairs and Deans must be evaluated by faculty and staff - every year - not once in 5 years. The "Two Strikes and Out" policy must apply to all the administrators - Why only to Faculty!
7. How are "middle-managers" (Associate Provosts, Associate Deans and Associate Chairs) are evaluated? There should be a policy in-place for this cadre also.
8. Finally, to take a holistic approach the policy that is being applied to faculty: "Two Strikes and Out" must apply to all. Otherwise it is patently discriminatory.

regular evaluation by peer and administrative personnel, is essential to the viability of the tenure system.
5.1.1 Tenure should never be permitted to mask irresponsibility, mediocrity, or deliberate refusal to meet academic requirements or professional duties and responsibilities.
Continued in Section 8: DISMISSAL FOR CAUSE.
8.1 Causes for Dismissal: The dismissal of a Faculty Member for cause shall be effected for one or more of the following:
8.1.1 Demonstrated incompetence or dishonesty in the performance of professional duties, including but not limited to academic misconduct;
8.1.2 Conduct which directly and substantially impairs the individual’s fulfillment of institutional responsibilities, including but not limited to violations of BOG Governance Rule 1.6;
8.1.3 Insubordination by refusal to abide by legitimate reasonable directions of administrators;
8.1.4 Disqualification per the Americans with Disabilities Act.;
8.1.5 Substantial and manifest neglect of duty; and
8.1.6 Failure to return at the end of a leave of absence.
The language was added to codify and make the process transparent. The following sentence was added to, "As noted in section II.B., each academic unit must specify the criteria by which ratings of Excellent, Good, Satisfactory, and Unsatisfactory are assigned. Ratings of Unsatisfactory are reserved for cases in which the faculty member is not meeting the academic unit’s minimal standards for job performance. Ratings of Unsatisfactory follow (a) a period of performance decline for which the faculty member had received specific feedback in prior annual evaluations yet has not demonstrated improvement or (b) gross misconduct (e.g., job abandonment)."
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replaced “must” recommend non-continuation with “may” recommend non-continuation. The following sentence was also removed: “In addition, if a faculty member receives ‘Unsatisfactory’ across two of the three mission areas in an annual review, at any level, that level of review must recommend non-continuation.” Below is the new text.

“If any faculty member receives an ‘Unsatisfactory’ rating(s) in any area at any level, the unit leader must notify the dean and develop a written performance improvement plan with the faculty member. The performance improvement plan must be developed within 30 days of the notification. The unit leader must work with the faculty member on their performance improvement plan and monitor their progress, although the faculty member is ultimately responsible for meeting the requirements of the performance improvement plan. If any faculty member in the following annual review receives a second ‘Unsatisfactory’ rating(s) in the same area at any level, that level of review may recommend non-continuation. Non-continuation may also be recommended if the faculty member receives an ‘Unsatisfactory’ in two out of three consecutive annual reviews in the same area at any level. A review at all levels, including one by the Provost, must occur if the performance improvement plan is not adhered to and/or if there is a recommendation for non-continuation.”

The practice for Review of Deans and Administrators can be found here and Department Chairs and Faculty in Other Leadership Positions: Protocols for Appointment, Assignment and Review can be found here.

Safeguards are currently in place allowing a faculty member to file a response to annual reviews as well as rebuttals to recommendations of promotion, tenure, and non-continuation.
Administrators can be dismissed at any time as they work “at the will and pleasure” of their supervisor.

This paragraph does away with the protection of tenure. It does not take into consideration that we are all humans and may have a difficult year. This would be enough to fire someone who has been a great faculty member but does not produce any research and gets bad student evaluations one year because, for example, they face a significant health issue or have a child in and out of the hospital. I find this paragraph highly problematic and it shows that the university does not care about our wellbeing. If any faculty member receives an “Unsatisfactory” in any area at any level, the unit leader must notify the dean and develop a performance improvement plan with the faculty member. The performance improvement plan must be developed within 30 days of the notification. The unit leader must work with the faculty member on their performance improvement plan and monitors their progress, although the faculty member is ultimately responsible for meeting the requirements of the performance improvement plan. If any faculty member in the following annual review receives a second “Unsatisfactory” in the same area at any level, that level of review must recommend non-continuation. Non-continuation must also be recommended if the faculty member receives an “Unsatisfactory” in two out of three consecutive annual reviews in the same area at any level. In addition, if a faculty member receives “Unsatisfactory” across two of the three mission areas in an annual review, at any level, that level of review must recommend non-continuation. A review at all levels, including one by the Provost, must occur if the performance.

In the case of a one “unsatisfactory” year a performance improvement plan is implemented, not termination of employment/appointment. If a significant personal circumstance occurs (birth of a child or health related issue) a Modification of Duties may be appropriate.

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| 22/10/2022 | Absolutes and   | I appreciate the work and consideration that went into these proposed changes. I approach this document as a pre-tenure faculty member in the College of Applied Human Sciences with a background in educational research, instruction, and assessment and, in particular, a specialization in learning. I also consider the document as a whole in combination with the highlighted changes. The following reflect areas of comment and potential concern from my perspective. A number of questions and concerns are based on Section III. A. Teaching: The evidence now required as part of the teaching portfolio appears to be a bit narrow and, perhaps, shallow. More concerningly, the addition of “at least one peer evaluation prior to the mid-tenure/promotion review” seems problematic, for varied reasons. First, this addition does not appear to align with the stated aims of expanding what counts and ensuring rigor. The evidence base supporting peer evaluation as an effective mechanism that leads to instructional improvement which in turn mediates improvement in student learning outcomes is quite lean. It is a practice often used and whose purpose is to improve learning for students, but whose function (and practice) is often quite muddled and inconsistently implemented. Perhaps most pressing, peer evaluation often fails to provide discriminable feedback about teaching performance (i.e., existing work has found that the majority of peer evaluations are positive, and it’s often treated as a one-and-
|            | Criteria        | developed within 30 days of the notification. The unit leader must work with the faculty member on their performance improvement plan and monitor their progress, although the faculty member is ultimately responsible for meeting the requirements of the performance improvement plan. If any faculty member in the following annual review receives a second ‘Unsatisfactory’ rating(s) in the same area at any level, that level of review may recommend non-continuation. Non-continuation may also be recommended if the faculty member receives an ‘Unsatisfactory’ in two out of three consecutive annual reviews in the same area at any level. A review at all levels, including one by the Provost, must occur if the performance improvement plan is not adhered to and/or if there is a recommendation for non-continuation.” |
|            |                 | More specific language for requirements may be detailed in the college and/or school level promotion and tenure guidelines. Proposed training and elucidation of best practices will occur in partnership with Teaching and Learning Commons and the Provost Office. Removed the 4.5 months language from the “Satisfactory” rating. Meeting and exceeding absolutes will replace “meeting and exceeding recently promoted peers.” Responses to annual reviews will be changed to within 10 working days of notification, rather than December 31 of that year. Chairperson is defined as a footnote on Page 3. |
Conversely, a requirement of one peer evaluation welcomes the same pitfalls noted in existing research in which a lot of evaluation is consolidated on one observation, session, or data point (e.g., Brent & Felder, 2004). Just as important, peer evaluation has also been found to be impacted by perceptions of bias, and is thus affected by factors similarly affecting SEIs (e.g., Ackerman et al., 2009). As such, I'm not sure that this addition addresses instructional quality (i.e., rigor) so much as it informs reflection-on-practice. It also invites pressing concerns regarding bias and unevenness of implementation. Next, expectations around the peer evaluation are not clearly stated. Peer evaluations vary widely – they may be direct or indirect, may involve observation, may involve examination of instructional materials, may be conducted by members inside or outside an academic unit, may be conducted once or in repeated, structured fashion, etc. It is not apparent what “kind” of peer evaluation is expected to be featured in a teaching portfolio. Overall, the addition of a peer evaluation does not read as being particularly grounded in and by the document, and the present expanded requirements seem unlikely to result in an improved (or expanded, or more rigorous) process for evaluating teaching. As another concern, the continued requirement of student feedback “of” (on?) instruction remains problematic given the many known factors biasing and unduly influencing students’ evaluations of instruction. (For transparency, I write these concerns as a faculty member who has thus far received mean instructor ratings exceeding 4.50 across undergraduate and graduate courses). SEIs and the like simply do not translate into an effective or fair means of evaluating instruction, and the addition of “Performance evaluations should be based on a holistic assessment of evidence provided in the file rather than over-reliance on student feedback of instruction” (p. 5) in my opinion does not do enough to address the many known issues with this method. More broadly, the language used throughout this subsection (e.g., disseminating knowledge; a dedication to improving methods of presenting material) does not appear to be particularly student centered in that it engenders notions of students as learners to receive rather than to actively (co)construct. Other language is a bit on the awkward side (e.g., prime requisites?). Finally, I also did not entirely understand the purpose or function of TEACHING APPENDICES #1. If this description is important enough to be valued, it seems like it should feature in the main document (likewise with Appendices 2 and 3). It contextualizes the...
important range of activities and forms which teaching may take at WVU but, at the same time, devotes a lot of language toward describing relatively obvious contextual factors (e.g., “Because no two teaching activities will ever be exactly the same, the metrics cannot be universally applied in prescribed ways. Evaluations should consider the range of factors that contribute to the demands of the teaching task.”). I think the core of this language is worth emphasizing more strongly in the main subsection. I was particularly struck by the following: “Rather than providing a list of examples that could be associated with each teaching activity, this document provides guiding principles to help faculty and evaluation committee members consider different examples and the types of information they convey. We have also included an appendix that lists a range of possible examples. Again, this list is not meant to be prescriptive, but to generate ideas amongst faculty.”. This text appears at least somewhat contradictory to the effort substantiating the course teaching table. To the contrary, I would contend that a more robust path forward would be to explicitly (if not prescriptively) list the range of forms, types, functions, and – importantly – evidences that apply to teaching at WVU and to require a range of evidences that address these varied teaching dimensions. For example, setting clear guidelines (teaching activities/dimensions and associated evidence types) and giving faculty discretion to produce, compile, and report on evidences that address a range of dimensions and outcomes of teaching – such as student learning, student experiences, and course design – seems truer to the aim of “expanding the definition of what counts” than simply adding a (potentially problematic) requirement of peer evaluation. Section VII. Faculty Evaluation File: It’s not entirely clear why the unit leader (e.g., Chair/Director) and Dean would share responsibility for Items 3 and 4. In Item 8, the requirement of a narrative for areas of significant contribution seems to be mentioned in passing. Perhaps this should be a separate item? IX. Annual Evaluations A number of concerns seem warranted based on the following (p. 15): “For some new faculty members, the time period under review will include research, teaching, and/or service efforts for 4.5 months (or less) of work instead of a full year. In such cases, the efforts and outcomes should be recalibrated for that shorter time period. If there is limited evidence of the faculty member’s results in their first review, a “Satisfactory” rating(s) may be appropriate. For the first review, material in the file such as reports by colleagues
on one’s teaching and information on one’s activities in research and service are useful to assess progress.” In short and roughly speaking, it hardly seems fair to assign a rating of “Satisfactory” for factors that are – relatively speaking – out of the new faculty member’s control. Such a rating can carry real negative weight. In some cases, limited evidence (e.g., in the realm of teaching, a lack of SEIs, a lack of complete pre-post data; in the realm of research, a preponderance of work in progress or revision) is difficult to avoid. The time-frame of first review also varies from unit to unit and faculty to faculty. Some leniency here via expressed flexibility around this initial review would go a long way to supporting new faculty. It’s also unclear what is meant by “results” in this paragraph. It is likewise unclear how “reports by colleagues on one’s teaching” reflects a reliable or meaningful mechanism for evaluating faculty. X. Criteria for Promotion or Tenure: “The term “significant contributions” are normally those that meet or exceed” is not grammatically correct. The following is unclear: “Candidates for tenure who are expected to make significant contributions in teaching, research, or service are expected to demonstrate at least reasonable contributions in the area(s) defined in their offer letter or subsequent memorandum of understanding.” In addition, the comment [A37] indicates that this description outlines when and how the absolute criteria are routinely reviewed and updated. I didn’t note the “how” in this description and would be interested in this guidance. More broadly, the macrostructure of this section seems unbalanced. For example, it seems strange for “Successful teaching is an expectation...” to come before “In order to be recommended for promotion, a faculty member must demonstrate significant contributions in the area(s) identified in the letter of appointment or modified in a subsequent memorandum of understanding.”. The latter text is also repeated in this section of the document. After expansion (i.e., comment [A38]), the emphasis seems disproportionately placed on service, particularly considering that service often reflects an area of reasonable contribution. If the impetus for this expansion is born out of concerns around inequities around how service is evaluated, this paragraph does not address those concerns. If the impetus is on bolstering programming, this is not evident either. Within this service paragraph, the emphasis on programs also feels disproportionate, as does the explication of a need for “extraordinary and extended service to the University, the profession, or on a national or international level”. I also don’t see much description (if any) of
significant contributions in Research, other than for faculty with a prefix of “Research” (significant contribution in research is described in the next section: External Evaluations). Overall, this section is quite hard to follow, with repeated text, varied sequencing, imbalanced emphasis, and a lack of clarity impeding meaning. XI. Changing Areas of Significant Contribution: It’s not clear why alternative pathways was changed to multiple pathways (as commented) when there are only two pathways delineated. While this is quite outside my expertise and any relevance to my current context, five years (p. 21) seems like a long time-frame. Perhaps this could be made more explicit, or a rationale provided? XIII. Evaluation Process: Regarding A. 6. (“Responses to annual reviews must be submitted by December 31 of the year...”), it might be better to implement a relative deadline (e.g., 4 months after receipt of review, or some other time-frame). Some units operate on a June-July schedule (submitting annual review materials in September with review letters usually coming in around November/early December), while others submit annual review materials in December/January). A hard-and-fast December 31 deadline seems to give one contingent much more time for response than another. There also appears to be a typo here in the first sentence. Minor feedback: It would probably be good to include Footnote 1 earlier in the document, as the use of “Chair/Chairperson” and “Department” occurs prior to that footnote reference. It might be best overall to use broader, more inclusive language at the outset given the use of different unit structures across WVU.

<p>| 23 | 10/18/2022 | Typos | Page 2, Section II. A. 1. The language at the end of the paragraph, “Negative annual evaluations might lead to...” and “A faculty member’s failure to fulfill a performance improvement plan could lead to...” doesn’t match with the language in the last paragraph in Section II.A.4. on page 3, which makes the performance improvement plan mandatory. Page 2, Section II.A.4. I think this heading is in the wrong place. The paragraph immediately under the heading applies to points 1 through 4 on this page -- the annual evaluation, the evaluation for promotion in rank, the evaluation of tenure-track faculty for tenure, and the evaluation of post-promotion...faculty. Page 3, Section II.A.4. last paragraph, 3rd sentence - typo “The unit leader must work with the faculty member on their performance improvement plan and monitor (no S) their progress...” Also, I suggest adding this text to the final The first references are prior to an “Unsatisfactory” rating, whereas the last paragraph is after the “Unsatisfactory” rating occurs. Corrected “monitors.” Corrected “are.” Corrected “heavy.” The text was corrected for the Items that a faculty member or the administrator are responsible for. |</p>
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<td>10/19/2022</td>
<td>Thank you for all the work you have done to make changes to the existing P&amp;T documents. I imagine it must have taken a huge amount of time and energy to accomplish. The document’s recognition of public-facing work, interdisciplinary work, and social justice work is very welcome, but there are some changes that seem onerous, more in keeping with what seems to me an over-reliance on bureaucracy at the expense of infrastructure. First, the demand that we have external reviews for non-t-t people going up for promotion is not viable. It's not in line with what our aspirational peer institutions do, and it is not, from a labor BOG Faculty Rule 4.2, Section #5 defines WVU’s definition of Tenure. Section 5: Tenure 5.1 Tenure is designed to ensure academic freedom and to provide professional stability for the experienced Faculty Member. It is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community. Continuous self-evaluation, as well as</td>
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<td>The faculty member is responsible for assuring completion of Items 3, 4 and 8. The Chairperson and in some cases the Dean has responsibility for Items 1, 2, 5, 6, and 7. Faculty Evaluation Committee (FEC).</td>
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perspective, likely to work. I get multiple requests every year to do external tenure and promotion reviews, so many that I would have to refuse any that came to me for a non tenure-track candidate. If the idea is that other non tenure-track faculty could produce those external reviews, that's an even worse option. Giving people who have the most demands on their time and the least institutional status extra work is actually pretty cruel; in the name of respecting their professional accomplishments it just ends up degrading their time and energy even more. Second, the language that two unsatisfactory reviews in annual reports “must” lead to non-continuation is excessively draconian. I understand that it can be hard to terminate people who consistently are not doing their jobs to the standards of their departmental peers, but this new mandate creates a culture of fear and anxiety around our performance. This isn’t Yale. This is WVU. We should have policies in line with our aspirational peers (not our actual peers). Creating more roadblocks and more anxiety does not make us appear more rigorous. It just makes us appear as though we do not fully understand professional norms and standards at R1 universities better than our own. Finally, while I appreciate that you have included a section broadening the documentation of teaching materials for tenure and promotion (it’s nice to get away from the obsession with customer satisfaction as a benchmark of good teaching), I think you should consider that in doing this you are adding to an already overloaded bureaucratic review structure. You are, that is, requiring more work from candidates, chairs, and reviewers when what you need is an infrastructure that alleviates the petty details that flourish here around every thought, deed, and desire. I’m not arguing that we shouldn’t have a teaching portfolio, but I am pointing out that you -- compared to your aspirational (and actual) R1 peers -- do not offer anything like the compensation for your ever increasing demands. I’m not just talking about money. No department has an adequate support staff in the humanities. No humanities department has a chair who gets the standard course release for admin work. You are pushing people to the breaking point, you are gutting your future leaders of any desire to take admin roles, and you are damaging your fantasy of being a real R1.

regular evaluation by peer and administrative personnel, is essential to the viability of the tenure system.

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External reviews currently take place for every promotion from Instructor to Professor for Service-track faculty members. The proposed guidelines would remove the external review requirement from instructor to assistant professor for service-track faculty.

External Reviews for Teaching-track faculty from assistant to associate rank makes a case for higher salaries, if performance
warrants and the increase in salaries is financially feasible. Further, this is a basis for longer term contracts for librarian-track faculty.

Within the proposed P&T document, flexibility with external reviewers has been introduced for the promotion from assistant professor to associate professor in the non-tenure track.

| 25 | 10/20/2022 | Typo p. 3, paragraph 4, line 4: “monitors” should be “monitor” | Corrected “monitors.” |
| 26 | 10/20/2022 | Continuation | Text was added to XIII. Evaluation Process, Section D, Number 2. |
| 27 | 10/21/2022 | Criteria | If the proposed University Procedures are adopted, the School of Medicine will be required to update and align their guidelines. The completion goal would be July 1, 2023. The SOM will determine the process and rating criteria for their guidelines. The SOM guidelines must be approved by the Provost Office. Additional comments discussed. |
in teaching, service and scholarship. The annual evaluation will focus on specific recommendations for improvement and professional development. The annual evaluation of a promotable faculty member will generally emphasize quantitative and qualitative expectations and progress toward the next appropriate rank.” Additionally, it is unclear when the next revisions to the Guidelines for Promotion and Tenure will be updated within the WVU School of Medicine. It is also unclear if there exists a policies and procedures committee within the WVU School of Medicine, wherein faculty can discuss concerns regarding the guidelines. If this exists, increased transparency of this meeting is advised. Moving forward, we request consideration of removal of the quantitative wRVU metric for promotion during the next revision of the WVU School of Medicine Guidelines for Faculty Appointment, Promotion and Tenure. Per review, West Virginia University School of Medicine Guidelines for Faculty Appointment, Promotion and Tenure was last updated in 2019, notably prior to the SARS-Cov2 pandemic. While the pandemic has certainly created disruptions for many faculty, the significant effects on patient care are doubly relevant to clinical track faculty physicians given clinic closures and elective surgery closures and the financial instability of patients able to seek medical services. Per guidelines, service for clinical track faculty is defined as below: Clinical service includes all professional activities directly and indirectly related to patient or client care. Significant contributions in clinical service should include evaluation of productivity such as WRVU (work relative value unit) targets for most specialties or other appropriate measures, and quality as defined by specific quality parameters for a given specialty. This is further delineated for clinical track faculty, for promotion both to associate professor and professor: Meeting or exceeding wrvu targets based on % effort allocation Meeting or exceeding clinical service quality indicators RVUs are the basic component of the Resource-Based Relative Value Scale (RBRVS), which is a methodology used by the Centers for Medicare & Medicaid Services (CMS) and private payers to determine physician payment. They were developed to standardize charges for services throughout different service areas, medical specialties, hospital systems, and payors. Essentially, when a physician sees a patient, performs a procedure, etc the physician will have a wRVU assigned to that activity. A physician cannot generate wRVUs if they are not seeing patients, e.g. family or medical leave or protected lactation time. Many physician services do not generate RVUs. For example, if a
physician spends time performing a service that does not have an associated CPT procedure code, the physician will not be compensated for that separate service. There are many examples of work that are not awarded wRVUs, including triaging patient concerns via an electronic message or other types of patient outreach. Most notably, teaching of learners, including resident physicians and medical students, do not generate wRVUs. Surveys of providers in practices using wRVUs report a perceived decrease in the quality of care, as well as time spent per patient for evaluation and management. Academic providers have also reported that the wRVU model fails to account for the time and effort required to care for patients with complex co-morbidities, which is very prevalent with the Appalachian patient population. There are several published concerns that wRVUs undervalue cognitive-based physician work, notably those performed in the clinic setting. Factors beyond a provider’s control may have a significant adverse effect on a provider’s generated wRVUs. For example, in emergency departments with large numbers of holding patients or with few patient visits during overnight hours, low patient volumes may have an adverse impact on providers’ ability to generate RVUs. Similarly, a surgeon whose surgical schedule is half-full will be unable to optimize RVU generation, most pertinent given the time of operating room closures/cancelling elective procedures in the pandemic. Specifically, several faculty members have concerns for the usage of the work relative value unit (wRVU) metric as quantitative criteria for promotion within the clinical track. Several logistical concerns have been raised. During the pandemic, delays in billing (how wRVUs will be generated) were common (months delayed during certain periods), affecting the wRVUs assigned to a healthcare provider. The actual amount of wRVUs awarded is currently determined by the hospital system but uses 2019 RVU compensation guidelines as published by Center for Medicare and Medicaid Services (CMS). The current compensation guidelines have been adjusted to attempt to value cognitive-based physician work, rather than procedural work. For example, a 99214 code (a common code for office-based visits) was awarded 1.5 wRVUs in 2019, versus 1.92 for 2021 guidelines. We would again emphasize these metrics were never designed for consideration of promotion and were created to attempt standardization of physician fees. Currently, there is no clear (or least easily found) policy that discusses if the wRVU target is adjusted for a faculty member that undergoes family or medical leave.
Several constituents in the WVU School of Medicine assume the wRVU target is not/will not be adjusted during any periods of leave. This dramatically affects faculty members who are required to take parental leave, both for childbearing and non-childbearing faculty, as well as any medical leave absence, most relevant given the risk of serious illness while working through the pandemic. Protected lactation time which requires “blocking” clinic slots for an ambulatory faculty member (e.g. a faculty physician who works mostly in the clinic setting) will also result in lower generated wRVUs. Gender disparities in promotion and tenure in academic medicine have been well documented and studied extensively; elimination of the quantitative wRVU metric for promotion would be in line with proposed solutions to address this inequity.3 Regarding continuation letters and moving the critical year: The statements in the bylaws which read “For promotion to associate professor in the non-tenure track there must be a minimum of three reviews on file with the promotion review being the fourth review” and “The School of Medicine is willing to recognize extraordinary contributions with credit toward tenure.” There are two applicable situations: credit up to 3 years of service at rank at another institution or requesting during the 4th year to have the critical year moved to the 5th year” contradict each other. There should be clearer language regarding if a faculty member can apply for promotion in their 4th year (to advance in their 5th year) or if they must wait until their 5th year to apply (to advance in their 6th year) based on the number of annual reviews received. For example, general policies entail: For promotion to associate professor in the non-tenure track there must be a minimum of three reviews on file with the promotion review being the fourth review. However, as promotion committees review faculty usually from Sept-October, whereas traditional clinical track faculty appointments start July, some faculty are unable to receive an annual review during the first year of appointment that can count toward promotion. This can create inequality in promotion in which some faculty are able to apply after three years at their current appointment, whereas others must wait for the fourth year to apply based on leadership interpretation of the guideline. In addition, there currently is not a quantitative or qualitative standard for what qualifies as “extraordinary”; this statement is subjective and is interpreted by leadership without clear guidelines. Further, regarding annual review letters, if there is no consistent university policy on waiving the quantitative wRVU requirement, a
clinical track faculty member is more likely to receive an “unsatisfactory” rating for the mere fact they were unable to see patients while undergoing medical leave. Essentially, the yearly wRVU target assigned to faculty is assuming the work a faculty should complete (based on national percentiles for private practice physicians) in one year’s time frame. It is difficult to meet this target should a faculty member take 8-12 weeks away from clinical duties. To meet the yearly wRVU target, a faculty member may attempt to compress one year’s clinical work in 8-10 month time frame, for fear they will receive an unsatisfactory review for clinical service, thereby potentially delaying subsequent promotion. Per the General Statement guidelines for the School of Medicine Appointment, Promotion and Tenure: Departmental committees and chairs are responsible for reviewing the University’s written guidelines for ‘unsatisfactory,’ ‘satisfactory,’ ‘good’ and ‘excellent’ contributions. They should consider how to apply these equitably when reviewing faculty performance. Further guidance from the University specifically on waiving the wRVU target metric during years where medical leave is will aid in ensuring equity across all departmental committees and departmental chairs, especially those in leadership who have not felt the challenges of undergoing medical leave during their respective careers. References: 1. https://medicine.wvu.edu/media/367112/final-school-of-medicine-guidelines-8-30-2019.pdf 2. Peter Luong, MS, Alexandria M Bojansky, RN BSN CCTC, Ankur Kalra, MD FACP FACC FSCAI, Academic Physician Compensation in the United States: Should providers’ work at academic medical Centres be judged by just one metric, the relative value unit (RVU)?, European Heart Journal, Volume 39, Issue 40, 21 October 2018, Pages 3633–3634, https://doi.org/10.1093/eurheartj/ehy640 3. Murphy M, Callander JK, Dohan D, Grandis JR. Women’s Experiences of Promotion and Tenure in Academic Medicine and Potential Implications for Gender Disparities in Career Advancement: A Qualitative Analysis. JAMA Netw Open. 2021 Sep 1;4(9):e2125843. doi: 10.1001/jamanetworkopen.2021.25843. PMID: 34542616; PMCID: PMC8453318.
drastic should not be vested in any one authority (i.e., termination following a unilateral "unsatisfactory" rating from the dean or provost, possibly over the objections of the department and college) where personal or political considerations may prevail. Also, no appeals process at this level seems to be specified.

Another issue, though much smaller, is the addition of peer evaluation as a requirement for the teaching portfolio. Requiring yet more time, yet more labor, and yet more paperwork to do properly, this seems to be the latest in a series of mandates that originate from the upper administration and devolve on the already overburdened rank-and-file faculty. At the very least, an observation letter should be a "may include" rather than "must include" item, which individual members may solicit if they feel their SEIs, course materials, and teaching narrative do not tell the full story. Thank you for your hard work on the document and for considering these comments.

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I appreciate the expansions to consider the importance of community-engaged work; as someone who does community-based research and utilizes service learning pedagogy, I am happy to see the university specifically noting the labor that goes into those sorts of projects, because many institutions do not and folks who engage those sorts of projects fail to receive the types of support they need. I am concerned about the lack of clarity about steps/checks between the initiation of an improvement plan after receiving an "Unsatisfactory" and then being terminated. Edited to ensure every faculty member receives a performance improvement plan when rated "Unsatisfactory." In addition, replaced “must” recommend non-continuation with “may” recommend non-continuation. The following sentence was also removed: “In addition, if a faculty member receives ‘Unsatisfactory’ across two of the three mission areas in an annual review, at any level, that level of review must recommend non-continuation.” Below is the new text.

“If any faculty member receives an ‘Unsatisfactory’ rating(s) in any area at any level, the unit leader must notify the dean and develop a written performance improvement plan with the faculty member. The performance improvement plan must be developed within 30 days of the notification. The unit leader must work with the faculty member on their performance improvement plan and monitor their progress, although the faculty member is ultimately responsible for meeting the requirements of the performance improvement plan. If any faculty member in the following annual review receives a second ‘Unsatisfactory’ rating(s) in the same area at any level, that level of review may recommend non-continuation. Non-continuation may also be recommended if the faculty member receives an ‘Unsatisfactory’ in two out of three consecutive annual reviews in the same area at any level. A review at all levels, including one by the Provost, must occur if the performance improvement plan is not adhered to and/or if there is a recommendation for non-continuation.”

The requirement of one (1) peer evaluation of one (1) class prior to a tenure or promotion decision is appropriate if teaching is an area of significant contribution.
recommended for non-continuation if a second rating is received (or two Unsatisfactories in one assignment). While I do think there should be language surrounding this, and a process in place, as it is laid out in this document, that process, I feel, focuses entirely on the department chair. That could be an issue if there are personnel issues between an employee and the chair. I would like to see a clearer process described, with opportunities for faculty to receive the sort of support they clearly need if they are receiving those ratings, or some sort of third party that can be brought in to help create the plan. I also am concerned about the external review for TAPs and SAPs—it is more labor for them when they are not paid at an equal level to research faculty. If the goal is to standardize the process so that their wages can go up, then I would feel differently—but that is not the outcome being communicated, and so I believe that this is an equity issue. Asking people to do more work, to do the same type of work as their peers who make more money than them, is not just.

Below is the new text.

“If any faculty member receives an ‘Unsatisfactory’ rating(s) in any area at any level, the unit leader must notify the dean and develop a written performance improvement plan with the faculty member. The performance improvement plan must be developed within 30 days of the notification. The unit leader must work with the faculty member on their performance improvement plan and monitor their progress, although the faculty member is ultimately responsible for meeting the requirements of the performance improvement plan. If any faculty member in the following annual review receives a second ‘Unsatisfactory’ rating(s) in the same area at any level, that level of review may recommend non-continuation. Non-continuation may also be recommended if the faculty member receives an ‘Unsatisfactory’ in two out of three consecutive annual reviews in the same area at any level. A review at all levels, including one by the Provost, must occur if the performance improvement plan is not adhered to and/or if there is a recommendation for non-continuation.”

External reviews currently take place for every promotion from Instructor to Professor for Service-track faculty members. The proposed guidelines would remove the external review requirement from instructor to assistant professor for service-track faculty.

External Reviews for Teaching-track faculty from assistant to associate rank makes a case for higher salaries, if performance warrants and the increase in salaries is financially feasible. Further, this is a basis for longer term contracts for librarian-track faculty.

Within the proposed P&T document, flexibility with external
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| Ratings and Continuation Code of Conduct | 1. Eliminate the language regarding the protocols for the “Unsatisfactory” designation on page 3, including the two-year window for improvement, and the recommendation of non-continuation. In my experience, faculty are fired for cause: such as when a faculty member is guilty of Title IX violations, or not teaching their classes. This section sets criteria for firing faculty (such as not documenting their work) that are at odds with academic conventions nationwide. This is a not-so-veiled attempt to undermine tenure, and it is abhorrent. A. This protocol will prevent faculty from taking risks in their research, teaching, and service—for faculty will avoid running the risk of an “Unsatisfactory,” and then the risk of meeting expectations in a one-year probationary period before losing one’s job. This will diminish the quality of faculty work in all areas—and contravenes one of WVU’s stated Mountaineer values: curiosity. B. This protocol will undermine University efforts to hire quality faculty, for faculty will not want to join a University that has protocols in place to fire tenured faculty with criteria that defy academic conventions and expectations. C. There is no recourse for the faculty member if they disagree with the designation(s) of “Unsatisfactory” at any time in this protocol—the protocol is simply punitive. D. This protocol provides no contingencies for unusual events. For instance: my husband had an aneurysm in March 2014, right in the middle of spring semester. If I had taken off the rest of spring semester to care for him (which I did not, but if I had done so), I would have received an “Unsatisfactory” in teaching that year, since I would not have fulfilled my teaching obligations to the University. There was no one qualified to teach my courses, and no time to arrange for family leave. Suppose the following year I had had another family crisis—that my father, mother, or child had taken ill and I needed to take family leave. I would not have been able to remedy the “Unsatisfactory” in teaching, and therefore, I would have been fired. Or suppose that I had applied for a research fellowship in 2014—not knowing my husband would have an aneurysm—and I received a year-long NEH or ACLS grant in 2015. I would have been fired for taking a research grant since I would not be able to fix the “Unsatisfactory” in teaching—or I would have to give up a research grant in ... |

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| Edited to ensure every faculty member receives a performance improvement plan when rated “Unsatisfactory.” In addition, replaced “must” recommend non-continuation with “may” recommend non-continuation. The following sentence was also removed: “In addition, if a faculty member receives ‘Unsatisfactory’ across two of the three mission areas in an annual review, at any level, that level of review must recommend non-continuation.” Below is the new text. “If any faculty member receives an ‘Unsatisfactory’ rating(s) in any area at any level, the unit leader must notify the dean and develop a written performance improvement plan with the faculty member. The performance improvement plan must be developed within 30 days of the notification. The unit leader must work with the faculty member on their performance improvement plan and monitor their progress, although the faculty member is ultimately responsible for meeting the requirements of the performance improvement plan. If any faculty member in the following annual review receives a second ‘Unsatisfactory’ rating(s) in the same area at any level, that level of review may recommend non-continuation. Non-continuation may also be recommended if the faculty member receives an ‘Unsatisfactory’ in two out of three consecutive annual reviews in the same area at any level. A review at all levels, including one by the Provost, must occur if the performance improvement plan is not adhered to and/or if there is a recommendation for non-continuation.” Processes currently exist with the University Procedures that outline the steps if a faculty member disagrees with a rating. |
order to address the “Unsatisfactory” in teaching in order to keep my job. One can envision many scenarios in which the protocols for the “Unsatisfactory” performance review will not work. E. Eliminate the language of this section. If there are so many WVU faculty who are “Unsatisfactory,” perhaps the University should rethink its hiring practices. If there are only a few faculty receiving the designation of “Unsatisfactory,” then perhaps those situations can be handled on a per case basis.

2. Add language regarding the mentoring of faculty. If the University is interested in maintaining its R1 status, and if the University is truly invested in faculty success as they claim to be, this document needs substantive language regarding mentoring of faculty towards tenure and promotion, and beyond. The comments on mentoring in this P and T document largely refer to faculty mentoring students; there are a few comments about mentoring junior faculty, but nothing substantive. The annual meetings on filling out Digital Measures and applying for promotion and tenure do not constitute mentorship. Faculty need individualized mentoring, preferably by department chairs. (Note: chairs do not necessarily use the annual review to mentor faculty. The “monitoring” of faculty—as in the projected administration of “Unsatisfactory” evaluations on page 3—is not mentoring faculty either). If the department chair is overworked—or if the faculty member is not comfortable with their chair—there should be someone else who mentors the faculty member. It took me sixteen years to be promoted to full professor largely due the absence of mentoring by a series of department chairs. Other colleagues in my department have been in the same situation—and some still are. For a University that claims to be invested in faculty success—and its status as an R1 institution—this should not be occurring.

3. Add language regarding administrative accountability. While faculty are subject to annual review pre- and post-tenure, chairs, deans, and other administrators are not: faculty are asked to assess our chairs and deans every three years (and some administrators every four or five years). This P and T document states what chairs, deans, etc. are supposed to do, but it does not state the consequences to administrators if they do not fulfill their duties in a timely fashion, fairly, or well. In the spirit of accountability (another Mountaineer value), there should be some language in this P and T document regarding the accountability of chairs, deans, the provost and the president for their actions in the annual review, tenure,

These steps remain in the proposed University Procedures. In addition, language was added to address unusual events that include a significant personal circumstance (Modification of Duties) or a leave of absence.

The proposed University Procedures include language about what the committees, chairpersons, and deans must do in providing feedback in annual reviews. The feedback may include mentorship steps. The college and/or department may add additional criteria regarding mentorship.

The practice for Review of Deans and Administrators can be found here.

All employees, which includes faculty, are covered by the Code of Conduct.
4. Change the language regarding the Code of Conduct. Rephrase “Faculty members must engage in behaviors consistent with the University Code of Conduct and University Values.” (p. 8) to “Faculty members, in their reasonable opinion, should engage in behaviors consistent with the University Code of Conduct and University Values.” It is not clear that the University Code of Conduct and University Values have any input from the faculty or the Faculty Senate. (There is nothing on the website that states concurrence from the Faculty Senate). This Code should be approved by the Faculty Senate, and any subsequent changes should be approved by the Faculty Senate as well. There are items within the University Code of Values that allow for considerable interpretation. One person’s “conduct that reflects adversely on the image of the University” is not another’s; one person’s “change for the greater good” is not another’s; one person’s definition of “the decisions that have been made in the best interest of the University” is not another’s. To insist that faculty must follow a Code of Conduct that can be interpreted so variably is unfair, and leaves faculty and the administration open to mutual misunderstanding, if not litigation.

My comments fall below the quotes from the document. “If any faculty member in the following annual review receives a second “Unsatisfactory” in the same area at any level, that level of review must recommend non-continuation. Non-continuation must also be recommended if the faculty member receives an “Unsatisfactory” in two out of three consecutive annual reviews in the same area at any level. In addition, if a faculty member receives “Unsatisfactory” across two of the three mission areas in an annual review, at any level, that level of review must recommend non-continuation.” These guidelines are too severe. Dismissing a faculty member for a single low productivity year, with unsatisfactory at a single level…. What about a terminal year? If a faculty member’s contract is not renewed, this person’s career will have been ended by WVU. Give the person a chance, if wanted, to find another job. I am concerned this could be turned into a witch hunt that eliminates a valuable colleague, of course not on the current administration’s watch. But, what about the next one? Or the one after that? There should be (more?) remedial work done with the employee. Tenure protects free speech. But, if one or more don’t agree with the speech/writing of a colleague, we could rate their work to be unsatisfactory in quality. This policy

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translates into the abolishment of tenure. What are we doing to ourselves? "Professors of all ranks face a heavy load of bureaucratic busywork while coping with heightened demands for productivity and publication. At most institutions, shared governance is a farce. Faculty members have little say about their own working conditions or the content of the education they provide." (Schrecker, 2022) Schrecker (2022, October). The 50-Year War on Higher Education. To understand the political battles, you need to understand how they began. The Chronicle of Higher Education. https://www.chronicle.com/article/the-50-year-war-on-higher-education e.g., "Faculty engaged in teaching that helps to enact the diversity, equity, inclusion, and/or social justice mission of the University, and/or who wish to receive credit for their work, must document their contributions in their Digital Measures file. There is a buzz about this." Some feel that this work is will be required of faculty. But, I do not read it that way (i.e., "...who wish to receive credit..."). Regardless, I worry that the WV legislature, BOG, etc. would not approve. It seems that social justice has become political. "Public and community-engaged service and practice are the use of University expertise to address specific issues identified by individuals, organizations, or communities." I don’t understand what this sentence is communicating.

| requirements of the performance improvement plan. If any faculty member in the following annual review receives a second ‘Unsatisfactory’ rating(s) in the same area at any level, that level of review may recommend non-continuation. Non-continuation may also be recommended if the faculty member receives an ‘Unsatisfactory’ in two out of three consecutive annual reviews in the same area at any level. A review at all levels, including one by the Provost, must occur if the performance improvement plan is not adhered to and/or if there is a recommendation for non-continuation.”

Introduced language to recognize and reward faculty for their community and public engaged work, diversity, equity, inclusion, and social justice work, as well as multi/trans/inter-disciplinary work. This work is not required, unless stated in their offer letter, MOU, etc.