

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

FILED
Dec 30 10 06 AM '93
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: State College System Board of Directors TITLE NUMBER: 131

CITE AUTHORITY: WV Code 18B-7-6, 18B-7-7, 18B-7-8

RULE TYPE: PROCEDURAL X INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW _____

AMENDMENT TO AN EXISTING RULE: YES____, NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 18

TITLE OF RULE BEING ADOPTED: Productivity of Faculty and
Administrators and Employment of Adjunct Part-Time Faculty

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS January 29, 1994

Marie Carter
Marie Carter
Assistant to the Chancellor

4.20

**TITLE 131
PROCEDURAL RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS
SERIES 18**

**TITLE: FACULTY AND ADMINISTRATIVE PRODUCTIVITY
AND EMPLOYMENT OF ADJUNCT PART-TIME FACULTY**

SECTION 1. GENERAL

- 1.1 Scope - This rule establishes State College System policy in regard to faculty and administrative productivity and the employment of adjunct part-time faculty.
- 1.2 Authority - West Virginia Code 18B-7-6, 18B-7-7, 18B-7-8
- 1.3 Filing Date - December 30, 1993
- 1.4 Effective Date - January 29, 1994

SECTION 2. PRODUCTIVITY: FACULTY AND ADMINISTRATIVE

- 2.1 Administrators shall be at least 10 percent more productive than administrators at similar peer institutions as approved by the Board.
- 2.1.1 Administrators shall be defined as employees in senior-level positions that should be reported according to the CUPA (College and University Personnel Association) administrator survey guidelines.
- 2.1.2 Beginning with the 1994-95 fiscal year, in addition to their regular administrative duties, all campus administrators holding faculty rank shall teach at least one course during each eighteen-month employment period or conduct appropriate academic research. Teaching and/or research conducted by administrators shall be evaluated in accordance with institutional policy. Each president shall certify annually to the Chancellor institutional compliance with this provision.
- 2.1.3 Beginning with the 1994-95 fiscal year, appropriate measures of productivity will be compared with equivalent data for similar peer institutions as approved by the Board. Such measures shall include the number of administrators as a percent of total full-time employees

and the average administrator salary as compared to the appropriate peer average in addition to such other measures as may be prescribed by the Board.

- 2.2 Beginning with the 1994-95 fiscal year, the average number of student credit hours taught per faculty FTE at each institution shall be at least 10 percent greater than the average during the most recent year for which comparable data are available at similar peer institutions as approved by the Board. Where appropriate, the institutions shall develop means to relate credit hours to contact hours. The population of faculty will be consistent with those reported in the federal IPEDS (Integrated Postsecondary Education Data System) survey.

SECTION 3. EMPLOYMENT OF ADJUNCT PART-TIME FACULTY

- 3.1 Each institution in the State College System may employ adjunct part-time faculty members under the following conditions:
 - 3.1.1 Adjunct part-time faculty members should have appropriate academic qualifications and/or experience.
 - 3.1.2 Adjunct part-time faculty members should receive appropriate information concerning institutional policies, procedures, expectations, and support.
 - 3.1.3 Adjunct part-time faculty members should receive appropriate information about their duties and responsibilities and specific information about course content, syllabi, methodologies, and expected learning outcomes for students.
 - 3.1.4 Adjunct part-time faculty members should be evaluated on a regular basis through a process determined by each institution.
 - 3.1.5 Adjunct part-time faculty members should receive appropriate assistance from full-time faculty members and academic administrators, as well as opportunities to participate in professional development activities.
- 3.2 Each institution shall determine the appropriate balance between full-time and part-time faculty members based on the institution's mission, degree programs, availability of individuals qualified to serve as adjunct part-time faculty, and other relevant factors.

3.3 . The institutional policy on employment of adjunct part-time faculty shall be filed with the Chancellor. Institutional compliance with the policy will be part of the program review process.

State College and University Systems of West Virginia

Central Office

James W. Rowley, Interim Chancellor
State College System of West Virginia

Charles W. Manning, Chancellor
University System of West Virginia

Series 18

Changes from Version Filed with Secretary of State's Office 11/23/93

The language of sections 2.1, 2.1.3, and 2.2 referring to peer institutions in the Southern Regional Education Board (SREB) states has been modified to read: "similar peer institutions as approved by the Board." This change responds to comments from faculty and other constituents.

In response to concerns expressed about including some form of accountability for the provision that all campus administrators holding faculty rank must teach at least one course during each eighteen-month employment period or conduct appropriate academic research, the following sentence has been added to section 2.1.2: "Each president shall certify annually to the Chancellor institutional compliance with the provision.

The word "Use" was changed to "Employment" in the series title, in section 1.1, and in the title of section 3. This revision was made to provide better clarity.

In addition, the following modifications were made by the University System Board of Trustees at that Board's December 3, 1993, meeting, and it is felt that the language of this policy should be consistent for both systems:

Supported by faculty comments, the Board of Trustees added the sentence, "Teaching and/or research conducted by administrators shall be evaluated in accordance with institutional policy" to section 2.1.2.

The following sentence was added in section 2.2, primarily as a result of concerns raised by the West Virginia School of Osteopathic Medicine faculty: "Where appropriate, the institutions shall develop means to relate credit hours to contact hours."

Section 3.3 was added to ensure that, "The institutional policy on employment of adjunct part-time faculty shall be filed with the Chancellor. Institutional compliance with the policy will be part of the program review process."

Glenville State College

GLENVILLE, WEST VIRGINIA 26351-1292



SOCIAL SCIENCES DIVISION

TO: Dr. James Rowley, Interim Chancellor
West Virginia Board of Directors

FROM: Glenville State College Faculty Senate

DATE: December 17, 1993

RE: Faculty and Administrative Productivity
and Employment of Adjunct Part-Time Faculty

Following are the comments of Glenville State College Faculty Senate concerning "Title 131, Procedural Rule, State College System of West Virginia, Board of Directors, Series 18, Faculty and Administrative Productivity and Employment of Adjunct Part-Time Faculty":

1. In regards to Section 2.2, note that there is a lack of faculty salary comparisons with peer institutions, yet such a comparison does exist in Section 2.1.3 when referring to administrative productivity.
2. There is a concern over the lack of input from state college faculty senates in the development of Rule 131 in accord with West Virginia Code 18B-7-6, 18B-7-7, 18B-7-8 which stipulates "advice and assistance" of faculty senates.
3. The implementation of the comment process did not lend itself to a timely dissemination of materials. Ex. Glenville State College Faculty Senate was not aware of the comment deadline of December 23, 1993 of the above proposed policy until December 9, 1993. A review of the process by which such policies are disseminated to academic institutions is needed.

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SHEPHERD
COLLEGE

Dept. of Communications • School of the Arts and Humanities • Shepherdstown, West Virginia 25443 • 304/876/3101

TO: James W. Rowley

FROM: Sally L. Hresan, Faculty Senate President

DATE: November 30, 1993

RE: Review of Draft of Series 18

Thank you for affording me the opportunity to respond to Series 18, Productivity of Faculty and Administrators and Use of Adjunct Part-Time Faculty. As per your request, I will relate my comments to the three questions posed on your November 17 memo.

(1) Do peer institutions in the SREB region provide the appropriate comparison groups for measuring productivity? Answer: Until data is received on these groups, I cannot answer this question.

(2) What objective measure(s) should be used to determine cost effectiveness of faculty and administrators, if not as stated in the proposed Series 18? Answer: The Resource Allocation Model (RAM) should be used.

(3) What means of review and accountability, if any, should be included in the rules, especially in relation to the provisions that all campus administrators holding faculty rank must teach one course every eighteen months or perform on-going research? Answer: Teaching campus administrators should be evaluated by the same instrument during the same time periods as full-time campus faculty. These evaluations should be received by the administrator and by the person in the next highest position.



Southern West Virginia Community College

Dr. Harry J. Boyer
President

MEMORANDUM

To: Dr. James W. Rowley, Interim Chancellor
From: Frank Allara, Chairperson *F. Allara*
Faculty Senate
Date: November 30, 1993

Re: Review of Draft of Series 18, Productivity of Faculty and Administrators and Use of Adjunct Part-Time

After reading your memo of November 17, 1993, I felt that on behalf of the faculty at Southern West Virginia Community College I should respond. Our basic premise is that the faculty of this institution should be exempt from the proposed 10% increase outlined in the proposed policy.

First of all, we must question why faculty in West Virginia must have a 10% greater average FTE than other SREB institutions when our salaries are not 10% greater on the average. In order to be fair, a 10% productivity increase should be accompanied by the appropriate salary increase.

Secondly, the faculty at SWVCC already have FTE at least 26% greater than most of the faculty across the state. For this reason the faculty of this institution should be exempt from this policy until such time as the faculty at other institutions across the state meet our FTE averages.

The faculty at Southern West Virginia Community College ask that you, the board, and the legislature recognize the hard work that we are already doing. No faculty is more productive than the faculty of this institution.

cc: Dr. Harry Boyer, President
Faculty of SWVCC

Logan Campus
P.O. Box 2900
Logan, WV 25601
Phone: (304) 792-4300

Williamson Campus
Armory Drive
Williamson, WV 25661
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Boone Campus
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Madison, WV 25130
Phone: (304) 369-6840

Wyoming Campus
P.O. Box 638
Pineville, WV 24874
Phone: (304) 294-8346

WEST VIRGINIA STATE COLLEGE

Institute, West Virginia
25112



Faculty Senate

November 29, 1993

James W. Rowley
Interim Chancellor
State College System of West Virginia
1018 Kanawha Boulevard East
Charleston, West Virginia 25301

Dear Dr. Rowley:

The Executive Committee of the Faculty Senate received your memo on faculty and administrative productivity (Series 18). Unfortunately, there was not adequate time to bring the issue to the attention of the full faculty. Our position is, however, that all faculty should have an opportunity to respond. In the future would it be possible to match the need for information to the available time of the faculty? As we approach finals, claims on faculty time increase significantly.

A number of Series 18 concerns were expressed by the members of the Executive Committee. They are:

- (1) Data comparison: There may be inconsistencies in the way that data is reported within/without the state. Last year, for instance, when looking at program measures of productivity similar programs were placed in different categories which led to substantial differences in the number of "justified faculty". Across state and programs, comparisons may not start with the same categories and data collection procedures.
- (2) Peer Institutions: A competitive standard would demand that West Virginia institutions be compared directly with institutions in contiguous states, not with the SREB institutions. A more valid approach would be a discipline-by-discipline comparison of FTE regionally and nationally.
- (3) Administrators: There needs to be a consistent measure of productivity for faculty and administrators. FTE would seem to be such a measure. It is interesting to note that salary enters into an administrative definition of productivity, but is glaringly absent as a measure for faculty.

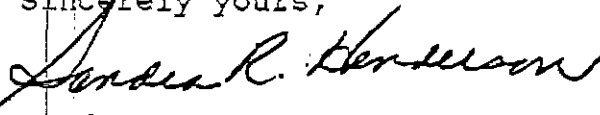
Dr. Rowley, November 29, 1993, page 2

(4) Misuse of Productivity Numbers: Members of the Executive Committee uniformly expressed a fear that there is a potential abuse of the policy that would lead to increasing faculty teaching loads to the detriment of teaching quality. Concern for quality, much more difficult to define, is notably absent from the document.

Dr. Rowley, we suggest that a greater time is needed to study faculty and administrative productivity. As a beginning point, we would like to see the SREB productivity measures and the actual productivity data.

We are pleased to respond to your memo and wish that our comments were more comprehensive.

Sincerely yours,



Sandra R. Henderson
Faculty Senate Chair

SRH/nb

c: Dr. Hazo Carter, Jr.



Community College Division
Campus Box 183
P.O. Box 1000
Institute, WV 25112-1000
Telephone: (304) 766-3118

TO: President Hazo Carter

FROM: George Bilicic, Dean *George Bilicic*
Community College Division

DATE: November 29, 1993

RE: Review of Draft of Series 18

In response to your request for suggestions regarding Series 18, I submit the following comments and recommendations directed to the questions Chancellor Rowley posed in his memo:

1. Do peer institutions in the SREB region provide the appropriate comparison groups for measuring productivity?

No. It is my understanding that in its statistics, the SREB does not include a category for four-year colleges that have two-year components. The closest like category is "four-year colleges," which are not comparable to four-year colleges with two-year components.

2. What objective measure(s) should be used to determine cost effectiveness of faculty and administrators, if not as stated in the proposed Series 18?

a. First, clear definitions of faculty and administrators need to be established. For instance, are program directors and departmental chairs faculty or are they administrators? Because they receive released time, they cannot be compared to faculty who teach only.

b. To increase productivity, all faculty except program directors and departmental chairs should be required to teach five courses (15 hours) with no more than three preparations each semester, especially in view of the fact that WVSC is not a research institution. Faculty who are involved in research should receive released time.

c. Also, to increase productivity, faculty and program directors or chairs in at-risk programs and courses (those with low FTE's or CHP's) should work toward increasing enrollment.

d. Finally, faculty's required office hours should be increased from 10 to a minimum of 15 clock hours a week.

President Carter
November 29, 1993
Page 2

3. What means of review and accountability, if any, should be included in the rules, especially in relation to the provisions that all campus administrators holding faculty rank must teach one course every eighteen months or perform on-going research?

a. All campus administrators, with or without academic rank, should teach one three-hour course every 18 months or perform research.

b. It is recommended that all administrators should hold faculty rank and be on tenure track in the faculty role--if tenure is not eliminated altogether.

For example, in the Community College Division, Dr. Lilly, who holds an Ed.D. in higher educational administration and English, an M.A. in English, and an M.A. in public educational administration, could maintain faculty commitment to either the education or the English department; Dr. Allen, who holds a Ph.D. in English, to the English department; and I, who have a D.Ed. in adult education and an M.A.+ in English, to either the education or the English department.

c. It is not clear how administrator productivity will be measured. Will it be measured by the number of persons and programs that report to the administrator.

With administrators teaching one course every 18 months and with faculty teaching 5 courses, instead of 4, we will decrease our reliance on and expense for adjunct faculty. In addition, from the savings, there should be an appropriate salary and fringe benefit increase for faculty and administrators.

If you have any questions or wish to discuss this further, please let me know.

c: Dr. Rowley
Dr. Lilly
Dr. Allen



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(Plus all the volunteer
help we can get)

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STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

TO: Marie Carter

AGENCY: Directors

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: January 28, 1994

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 18 TITLE: 131 Directors

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Marie Carter

TITLE OF PERSON SIGNING: Assistant to the Chancellor

DATE: 2/1/94

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.