

September 14, 2023

VIA ELECTRONIC MAIL

Board of Governors Chair Taunja Willis-Miller, Esq.  
President E. Gordon Gee  
Office of the President  
West Virginia University  
1500 University Avenue  
Stewart Hall  
Morgantown, West Virginia 26506–6201

Dear Chair Willis-Miller and President Gee:

Members of the faculty at West Virginia University and elsewhere have urged the American Association of University Professors to take an official interest in WVU’s “Academic Transformation” process, which involves the proposed elimination of academic programs and termination of faculty appointments. It appears from the university’s website that the primary motivation for the process is financial: “Due to the current challenges, combined with those of 2019, the University is projecting a \$45-million-dollar structural budget deficit for Fiscal Year 2024. And as we face the demographic cliff over the next five years, that deficit could grow to around \$75 million based on conservative enrollment and inflation projections.”<sup>1</sup>

According to press accounts, on September 6 the University Faculty Assembly voted overwhelmingly (747 to 79) in favor of a resolution calling for an “immediate freeze” to the process. Our understanding is that the board of governors will nonetheless vote on September 15 on final recommendations regarding reducing and eliminating academic programs.

\* \* \* \*

The interest of our Association in WVU’s academic transformation process is based on its longstanding commitment to fundamental tenets of academic freedom, tenure, and due process, as enunciated in the enclosed 1940 *Statement of Principles on Academic Freedom and Tenure*, jointly formulated by the AAUP and the American Association of Colleges and Universities and endorsed by more than 250 disciplinary societies and higher-education organizations. We are pleased to note that BOG Faculty Rule 4.1, Academic Freedom; Academic and Professional Responsibility, quotes nearly verbatim from the “Academic Freedom” section of the 1940 *Statement of Principles*.

Procedural standards derived from the 1940 *Statement* are set forth in the Association’s *Recommended Institutional Regulations on Academic Freedom and Tenure* (also enclosed). Under these standards, the process for terminating tenured appointments for financial reasons, as set out in Regulation 4c, Financial Exigency, requires that the “termination of an appointment

---

<sup>1</sup> <https://transformation.wvu.edu/about>

Chair Taunja Willis-Miller  
President E. Gordon Gee  
September 13, 2023  
Page 2 of 2

with continuous tenure . . . may occur under extraordinary circumstances because of a demonstrably bona fide financial exigency.” Regulation 4c defines that condition as “a severe financial crisis that fundamentally compromises the academic integrity of the institution as a whole and that cannot be alleviated by less drastic means” than terminating tenured appointments. By requiring academic due process and extensive faculty involvement in key decision-making, Regulation 4c safeguards both tenure and academic freedom during a financial crisis.

Regrettably, BOG Faculty Rule 7.4, Reduction in Force, which makes it possible for WVU’s transformation process to culminate in the elimination of tenured appointments, appears to lack both the meaningful faculty involvement and the academic due-process protections called for under Regulation 4c.

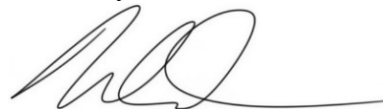
\* \* \* \*

If the Board of Governors’ vote on September 15 should lead ultimately to the termination of faculty appointments, we would strongly urge the administration to adhere to the AAUP-recommended standards set forth in Regulation 4c(3)-(7). We must reiterate that tenure is inseparable from the due-process protections, such as those set forth in Regulation 4c, that define it. Absent such protections, tenure, and by extension academic freedom, cannot be said to exist at West Virginia University.

Please be advised that the AAUP would view with grave concern any terminations of tenured faculty appointments for financial reasons that are effected in a manner inconsistent with the aforementioned standards.

We look forward to your timely response.

Sincerely,



Michael DeCesare  
Senior Program Officer  
Department of Academic Freedom, Tenure, and Governance

Enclosures by electronic mail

cc: Ms. Maryanne Reed, Provost and Vice President for Academic Affairs  
Professor Frankie Tack, President, Faculty Senate  
Professor Kimberly Kelly, President, West Virginia University AAUP Chapter