

Report of the Faculty Consultative Group [FCG] of the OSU Faculty Senate, December 2019.

In early May, 2019, the Faculty Senate Executive Committee voted to bring to the Senate floor a request from Professor Wendy Hein, Senator for Off-Campus Extension, to constitute the FCG in order to discuss what she identified as a violation of OSU policy taking place in the 4-H Youth Development Program, part of the OSU Extension Service. (Senator Hein's formal request is linked.) On May 9, the Faculty Senate voted to constitute the FCG in order to consider the implications to faculty of what seemed to be a reorganization of the 4-H program as it related to Oregon State University.

By way of background explaining the establishment and role of the Faculty Consultative Group in our review of this matter, we provide excerpts from relevant policy documents in Appendix A.

The FCG met three times (May 17, 2019, July 3, 2019, and November 19, 2019) in connection with the 4-H reorganization and its personnel implications. In addition, the FCG and its members received several email and telephone communications from affected faculty. Faculty Senate President Mina Carson attended a small group session on May 23, 2019, with President Ray, during which many 4-H and Extension faculty and staff members, both self-identified and anonymous, telephoned in to discuss their concerns with 4-H administration and in particular the recent communications from 4-H administrators about faculty reassignments throughout Oregon.

NOTE: With the exception of Professor Wendy Hein, whose motion to convene the FCG is on record, it does not seem useful or appropriate to identify by name any of the witnesses, informants, or actors in the events we examined. We want to recognize and thank Professor Hein and the many others who alerted us to actions and policy changes that they perceived as threats to the health and effectiveness of their unit(s) at Oregon State University and throughout the state.

Our first task was to consider whether the FCG had a legitimate role in taking up this inquiry into 4-H personnel actions. We determined that according to the document cited above, the 4-H reorganization indeed involved "actions that result[ed] in reduction or elimination of a tenured or tenure-track faculty member's position," and that therefore we were justified in acceding to Senator Hein's request for our involvement. Likewise, we confirmed that the 4-H Program meets the definition of "Program" in the Institutional Policy and Procedures for Program Reorganization or Elimination (Program Reorganization Policy). The alleged abrupt and arbitrary reassignment of faculty including the threat of position elimination, in order to address an ongoing budget crisis

seemed to us *ipso facto* to constitute a unit reorganization. This scrutiny of role and responsibility was specific to the FCG formation and tasks, independent of the Faculty Senate's response to the concerns of 4-H faculty, as FS *always* has a responsibility to respond appropriately to any faculty concern or distress formally brought to us.

Our second task was to untangle the competing narratives we heard from faculty and administrators involved in *setting* and *responding to* 4-H policies since mid-2018. This task was more challenging. However, by overlaying written and oral accounts from personnel who would most likely *not* have been able to consult with each other to construct an identical story, we determined that in the spring of 2019, approximately ten faculty members, four with tenure and six occupying other ranks, were told in phone calls by a team of OSU Extension administrators "to make a choice to either resign or submit a preference for relocation" by the end of the month [quote from Senator Hein]. Several informants and witnesses suggested to us that the calls had been scripted, in effect, to carry out a policy directive determined by a 4-H "360 review" committee consisting of several 4-H regional directors as well as other personnel. In addition, recipients of these calls were directed not to discuss these notifications with colleagues.

Following the testimony of several of our informants, members of the FCG became concerned that OSU administrators involved with our legal office, our HR office, and/or our labor relations office had been consulted before or in the process of these telephone notifications. We reached out to these offices and were assured that they had not played a role in developing or implementing these personnel actions.

We determined that, whether scripted or not, the telephone calls requiring tenured and tenure track professors to accept an as-yet-unseen position description change or to relinquish their OSU positions without adhering to the procedures and timeline specified in the Program Reorganization Policy were in direct violation of that policy as well as normal OSU and Oregon state personnel policy. Some of the calls involving professional faculty seemed likewise to violate personnel policy regarding a timely notification of job change or elimination.

Soon after the FCG was convened and began its investigation, we were relieved to learn that these particular personnel actions had been "walked back," and that no faculty member would lose her or his position as a result of the post-360 review directives. There remain a *number of 4-H personnel issues and changes that lie beyond the scope of this report*, and we recognize that not all of our colleagues are content with the direction of the ongoing 4-H reorganization.

Our main finding is that Oregon State University faculty were given directives that constituted illegitimate personnel actions in violation of the Program Reorganization Policy. Our main recommendation is that procedures be put into place, particularly in Extension, to ensure that similar actions never take place again.

We have several secondary findings.

- *First, the cost of these personnel actions to unit morale and individual job satisfaction has been immense, and we deplore those outcomes. Oregon 4-H programs have been held in high regard nationally, and Oregon 4-H personnel pride themselves on their professionalism and service that goes above and beyond what is required by their positions. (In fact, several of the state-level professionals involved in this recent episode have been stretched *beyond* their full-time duties by filling county positions that have remained vacant because of budget shortfalls.)*
- Second, we understand that Oregon 4-H is funded through highly complex and politicized channels, and that OSU administrators are driven in part by state-level budget decisions beyond their control. This FCG is not mandated to make recommendations about the future of Oregon's 4-H programs except to remark that we too hold those programs in high regard and hope that as 4-H is reorganized, *dedicated and professional 4-H personnel be partnered into core decision-making regarding organization and administration of 4-H programs.*

We are heartened by the swift attention that this matter received, and the Administration's efforts to follow established policy and support changes in Extension that will benefit 4-H. We hope that the enormous dedication of 4-H faculty and staff to OSU and the State of Oregon will be recognized and fully considered as budget negotiations and reorganization moves forward.

Appendix A.

“Standing Rules [of the Faculty Consultative Group]:

“On May 5, 1988 the OSU Faculty Senate approved a policy document titled *Institutional Procedures Providing for Faculty Input During Program or Departmental Reduction or Elimination and/or Exigency* which was revised by the Faculty Senate in November 2004 and retitled as *Institutional Policy and Procedures for Program Reorganization or Elimination*. The policy establishes the Faculty Consultative Group (FCG) which becomes active during times of budget stress within the University.

“The FCG is comprised of the Faculty Senate Executive Committee (EC) along with the chairs of the Curriculum Council, Graduate Council, Faculty Status Committee and the Budgets and Fiscal Planning Committee. The Faculty Senate President chairs the FCG and the President-elect serves as vice-chair.

“The FCG consults with the University President, the Provost and Executive Vice President and other administrators. The FCG is charged with representing faculty interests to the University administration and to ensure that the 'Institutional Policy and Procedures for Program Reorganization or Elimination' (2005) are appropriately applied.”

'Institutional Policy and Procedures for Program Reorganization or Elimination'

“PRINCIPLES: Reorganization and elimination of programs will be determined through shared governance. Shared governance recognizes the necessity of faculty input and knowledge in academic decision making. The faculty's involvement is provided for in the Oregon Administrative Rules, OAR 580-021-0315 (Appendix B), and affirmed in the Faculty Senate Bylaws. This document describes OSU's process for faculty consultation required by these rules.

“Primary responsibility for ensuring appropriate consultation with the faculty rests with the Faculty Consultative Group (FCG), a standing committee of the Faculty Senate, and the Provost. Responsibility for final decisions, after appropriate consultation with the faculty, rests with the President.

“As the initial step, the FCG and the University administrators will endeavor to reach consensus on the participants in the deliberations, the process to be followed, and the timing of the decisions. The review process will include consideration of applicable factors including, but not limited to:

1. detailed definition of the program(s) involved;
2. the scope of the review, that is, the list of potential impacts that will be considered;

3. criteria used for selection of programs for review and evaluation;
4. procedures for review including involvement of affected faculty members;
5. measures to be taken to find suitable alternative responsibilities at the University for tenured (and, to the degree possible, tenure-track) faculty members who are displaced by a program reorganization or elimination, and a commitment to notice provisions in Oregon Administrative Rules, OAR 580-021-0315;
6. timing for implementation of any decisions;
7. format and timing for communicating the results of the review, including the public announcements and release of reports.

“If the University administrators and the FCG cannot reach a consensus on these points, the FCG will formally note its opposition and may decide not to participate in evaluation of the proposed reorganization or elimination. In the case that the FCG decides not to participate, the Provost will assume responsibility for ensuring appropriate consultation with the faculty as required by the OAR.

“The review process will be initiated sufficiently early that meaningful input is possible.”
