

Guests: K. Beisecker, J. Ridinger, and K. Wehner

Recorder: S. Karlin

1. Martin Luther King, Jr. Day

- L. Woodard polled her peers in Virginia regarding their institution’s observation of MLK Day:
  - 7 universities are closed, except for essential personnel;
  - 2 universities are open and celebrate with commemorative events;
  - 3 universities did not respond.

- P. Hyer consulted members of the Commission on Equal Opportunity and Diversity regarding a possible university closing in observation of MLK Day. They expressed:
  - Support of the general concept.
  - Appreciation of the symbolic value in the university’s closing.
  - Slight concern about faculty, staff, and student participation in commemorative events if the university is closed.
  - Possible “pushback” from staff if the university is closed and they must take the day off. (Although MLK day is currently a staff holiday, many staff choose to work that day and take leave time earned at a later date.)

- M. West consulted D. Shelton’s executive staff. There was neither opposition nor support for the proposal. The group thought that there might be significant staff opposition to the proposal.

- **Action:** The following key groups will also be consulted:
  - Provost’s Council (P. Hyer)
  - S. Wilson’s Executive Staff Meeting (L. Woodard)
  - M. McCann, Director of Cooperative Extension Service (F. Keene on behalf of R. Ali)
  - Faculty Senate (K. Eriksson)
  - Staff Senate (K. Ayoub)
  - Commission on Staff Policies and Affairs (F. Keene)

- **Next steps:**
  - **Action:** F. Keene and P. Hyer will draft a resolution proposing observation of MLK Day with an authorized university closing. (See Attachment A.)
  - CAPFA members may vote on the resolution at the December 13 meeting.
  - The final resolution will be taken to the University Council in the spring semester.
2. **HE Restructuring and A/P Faculty Definition**

   - **Redefinition:**
     - A redefinition of A/P faculty may affect staff in pay bands 5, 6, and 7. (See Attachment B, prepared by K. Wehner.)
     - The CAPFA subcommittee proposes a redefinition of A/P faculty using three categories: senior administrators, managers and directors, and professional faculty. (See Attachment C, prepared by P. Hyer and Attachment D, prepared by K. Wehner.)
     - The definition and qualification criteria for the senior administrator category remains very similar to the current definition of administrative faculty. The reporting relationship remains no less than three below the president.
     - The managers and directors category is new.
     - The professional faculty definition includes several new vital university functions, i.e., information technology, human resources, budget, finance, public relations, development, architectural, and engineering functions.
     - **Action:** J. Ridinger and K. Wehner will condense Attachments C and D into a two-page handout for meetings with the Staff Senate and the Commission on Staff Policies and Affairs. They will share the draft document by e-mail with subcommittee members for their comment/revision.

   - **Rationale for redefinition:**
     - The redefinition allows the university to address long-standing inequities by permitting senior-level staff to move to A/P faculty appointments.
     - Recruitment and retention will be improved by an attractive compensation and benefits package, along with opportunities for career growth.
     - This may improve the “pipeline” so that diverse groups who are currently underrepresented can move into managerial positions.

   - **Repercussions:**
     - The number of A/P faculty would increase from 899 to 1,439 if all 540 staff in pay bands 5, 6, and 7 were eligible and chose to become A/P faculty.
     - The number of A/P faculty would then exceed the number of tenured and tenure-track faculty.
     - In years when the state funds A/P faculty salary increases at a rate lower than that for T/R faculty, there may be a greater cost to the university to equalize the salary increases.
     - A/P faculty in the senior administrator category would be subject to periodic administrative reviews, which are required for directors of major organization units. (See section 3.9 of the *Faculty Handbook*.)

   - **Implementation:**
     - Staff in pay bands 5, 6, and 7 whose position descriptions meet the redefinition and criteria for A/P positions will be offered a *one-time* opportunity to choose whether they wish to move into an A/P position, or wish to remain in a staff position.
     - The pro's and con's of such a choice must be made clear.
     - Per L. Woodard, it is not possible for staff who move into faculty positions to shift their Virginia Retirement System contributions over to the Optional Retirement Plan.
     - Only new hires into the A/P faculty positions will have the option of choosing between VRS and ORP.
     - Vacant staff positions that qualify as A/P faculty positions will be automatically moved into the A/P faculty status.
     - The opportunity to move to an A/P faculty position will be presented to affected staff before July 1.
• July 1 – September 30 is the window of opportunity for current staff to choose whether they wish to remain in a classified staff position or to move over to a university staff position.
• L. Woodard hopes to conclude the staff to A/P selection process before the July 1 process for staff selection begins.

• Next Steps:
  • Nov 20, 2007: review proposal with Commission on Staff Affairs and Staff Senate
  • Dec 15, 2007: review proposal with Steering Committee (which includes staff representatives) and EVP
  • January 2008: CAPFA subcommittee meets to determine the group (administrative, managerial, or professional) for each eligible staff employee.
  • January 2008: prepare communications describing what a move to AP faculty would mean in terms of compensation/performance management, benefits (including leave), and job security.
  • March 1, 2008: present proposal to Board of Visitors for review and approval
  • April 1, 2008: “Town Hall Meetings” with band 5-7 employees to communicate process and address questions; send out written communications
  • May 1, 2008: implement change

3. Update on Volunteers for Grievances and Reconciliation

• F. Keene received thoughtful responses from 24 A/P faculty who are willing to serve on either a grievance or reconciliation panel.
• Keene will share the responses with K. Eriksson.

4. Other Business

• At the December 13 CAPFA meeting, the following items will be discussed:
  • Payment to A/P faculty for teaching (B. Gittens)
  • Promotion from extension agent to senior extension agent (L. Gorr)
Attachment A

University Closure for Martin Luther King, Jr. Day
Commission on Administrative and Professional Faculty Affairs
CAPFA 20007-08A

Approved by CAPFA:  
First Reading by University Council:  
Second Reading by University Council:  
Approved by University Council:  
Approved by the President:  
Approved by Board of Visitors:  
Effective Date: January 2009

Whereas, the third Monday in January is recognized by both the Commonwealth of Virginia and the Federal Government as a holiday in honor of Martin Luther King, Jr.; and

Whereas, this holiday is of great significance to members of the university community, the state, and the nation; and

Whereas, many members of the university community dedicate their time on this day to celebrating the life and accomplishments of Dr. King, participating in a variety of informative programs on issues that greatly impact minority and majority populations at Virginia Tech; and

Whereas, 22 of 25 SCHEV peer institutions close completely in observance of the holiday; and

Whereas, most Virginia colleges and universities and state government agencies also close in observance of the holiday; and

Whereas, Virginia Tech has recognized Martin Luther King, Jr.’s birthday by canceling classes and providing a paid holiday for staff; however, offices are open, requiring many staff to defer the holiday and administrative and professional faculty and research faculty are expected to be at work; and

Whereas, complete closure to honor the birthday of Martin Luther King, Jr., conveys a powerful, positive symbolic message to both majority and minority members of the university and external community, and closure provides students, faculty, and staff an opportunity to participate in significant educational experiences,

Therefore let it be resolved that policy 4315 be amended to designate the third Monday in January as a holiday where the university is closed and holiday policies apply.
### Staff Distribution for Bands 5, 6, & 7

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<th>Role Title</th>
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<th>Managers</th>
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<td>10</td>
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<td>2</td>
<td>4</td>
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<td>169</td>
</tr>
<tr>
<td>Pub Rel &amp; Mkting Spec IV</td>
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<tr>
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<td>42</td>
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<tr>
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<td></td>
<td><strong>261</strong></td>
<td><strong>121</strong></td>
<td><strong>382</strong></td>
</tr>
</tbody>
</table>

Note: The above represents only those jobs with over 20 employees with the exception of the band 7 positions. The total number of employees in bands 5, 6 and 7 is 540.
Attachment C

Redefinition of the Administrative and Professional Faculty

Background

One aspect of the overall human resources restructuring initiative approved by the state includes redefining the administrative and professional faculty (see chapter 4.10 of the Restructured Higher Education Financial and Administrative Operations Act), with consequent changes in the status of individual employees. Virginia Tech currently has xxx administrative faculty members and xxx professional faculty members. Administrative faculty members are typically the senior administrative leadership of the university, the colleges, and major administrative units (vice presidents, deans, assistant and associates reporting to these, and directors of major units). Among the professional faculty are extension agents, coaches, librarians, student and academic affairs professionals of many types, development officers, and others. This proposal does not change the status of employees already categorized as "A/P faculty" who are subject to policies included in the Faculty Handbook and the compensation plan approved by the Board of Visitors.

The proposal, in brief, is as follows:

⋅ Positions currently classified in pay bands 5, 6, and 7 within the state system would become part of the Administrative and Professional Faculty structure. There are approximately 540 classified employees currently in bands 5 and above whose positions would be affected. Employees currently occupying those positions would be given an opportunity to move to A/P faculty status during a defined time period. The positions of those who choose to remain classified would be tagged and would be refilled as A/P positions whenever they became vacant.

⋅ The existing state definitions of "administrative" and "professional" faculty would be slightly modified to more accurately reflect the roles and credentials of these faculty members, and those who would be moving into the group from classified positions. The two existing categories would become three to allow better differentiation among this now much larger group. These groupings would be tentatively titled:
  ⋅ Senior Administrators
  ⋅ Managers and Directors
  ⋅ Professional Faculty

(Faculty benefits and policies remain the same regardless of the group.)

Rationale for the Proposed Change

There are two driving reasons for proposing the redefinition of A/P faculty and the transfer of more senior-level classified positions to A/P faculty status:

⋅ Equity issues: There have been issues raised for many years about the equity of appointments for individuals with very similar responsibilities, training, and experiences where some will be in classified positions and others will be A/P faculty. The pay scales for bands 5 and above completely overlap compensation for similarly qualified A/P faculty. Credentials for individuals in these senior-level classified positions are comparable. Restructuring allows the university to address these long-standing inequities by moving senior-level classified appointments, all of which are exempt positions, to A/P faculty appointments.

⋅ Recruitment difficulties: It has been difficult to recruit and retain senior-level classified appointments, particularly in the administrative areas (finance, budget, information technology, and others). Across-the-board raises, controls on opportunities for promotion and
reward for excellent performance, and mandatory participation in VRS rather than a portable retirement program make these positions less attractive for individuals with talent and more attractive options. Positions at band 5 and above are usually recruited on at least a regional, and usually a national basis, and the compensation and benefits package, along with opportunities for career growth need to be competitive to retain administrative talent at VT.

Proposed Redefinition of A/P Faculty

Current state definitions of administrative and professional faculty are available in Appendix A for comparison.

The proposed redefinition creates three categories of A/P faculty members as follows:

**Senior Administrators:** Senior administrators perform work related to the management of the educational and general activities of the institution at least 50% or more of their contractual time. Incumbents exercise discretion and independent judgment and generally direct the work of others. Senior administrators typically serve in executive-level leadership roles such as vice president, dean, and assistant or associate vice president or dean.

Qualification Criteria:
- Must have an advanced degree, or training and work experience at a level that equates to an advanced degree. (A master’s degree would be the typical minimum entry qualification. Many of these positions, particularly academic leadership roles, may require a terminal degree.)
- Must regularly exercise discretionary actions.
- The organization reporting relationship is normally not lower than three levels below the president or the next most senior position(s).

**Managers and Directors:** Managers and directors typically have responsibility for supervision of a significant number of staff and/or professional faculty, and budgetary responsibility for their unit or a substantive program. Incumbents exercise discretion and independent judgment and they must perform managerial or director functions at least 50% of their contractual appointment.

Qualification Criteria:
- Must have an advanced degree, or training and work experience at a level that equates to an advanced degree. (A master’s degree would be the typical entry qualification.)
- Must regularly exercise discretionary actions;
- Managers and directors typically report to a senior administrator and provide leadership and oversight for their unit or a significant program.

**Professional Faculty:** Professional faculty positions provide direct service to students, other university constituencies, or clients external to the university as part of the university’s missions of learning, discovery, or engagement. They may direct or provide support for academic, administrative, outreach, athletic, or other programs. Professional faculty may also provide administrative support for vital university functions such as information technology, human resources, budget or finance, public relations, development, and architectural or engineering functions. Incumbents must regularly exercise professional discretion and judgment, and are expected to take professional initiative in carrying out their primary roles and assignments.

Qualification Criteria:
- Must have an advanced degree, or training and work experience at a level that equates to an advanced degree. (Although a master’s degree would be the typical entry qualification,
this category also includes individuals with a bachelor’s degree and professional training or certifications critical to their fields. In some rare cases, individuals with substantial professional-level experience or expertise that equates to the minimum educational qualifications may be considered for appointment.)

- The work must be intellectual and varied in character, in contrast to positions that carry out more standardized or routine tasks and activities.
- Professional faculty includes, but is not limited to: extension agents, librarians, coaches, counselors, physicians and lawyers, engineers and architects, student or academic affairs professionals, development officers, and senior level specialists in public relations, information technology, accounting and finance.
Appendix A

Administrative and Professional Faculty: Current definitions from the Consolidated Salary Authorization for Faculty Positions in Institutions of Higher Education, Office of the Secretary of Education

**Administrative Faculty:** Administrative faculty require the performance of work related to the management of the educational and general activities of the institution, department or subdivision thereof. Incumbents in these positions exercise discretion and independent judgment and generally direct the work of others.

Qualification Criteria:
- Must have advanced degree; or training and work experience at a level that equates to an advanced degree.
- Must perform the duties and responsibilities associated with this category 50 percent or more of the contractual time.
- Must regularly exercise discretionary actions;
- The organization reporting relationship normally must not go lower than three levels below the President for institutions that are doctoral degree granting or have a student headcount enrollment of 10,000 or more, nor two levels below the President for institutions that are non-doctoral degree granting and have a student headcount enrollment less than 10,000. In the two teaching hospitals, the reporting relationship normally must not go lower than three levels below the Chief Executive Officer of the hospital.

**Professional Faculty:** Professional faculty require advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. This category is normally limited to librarians, counselors, coaches, lawyers, physicians, dentists, veterinarians and other professional positions serving education, research, athletic, medical, student affairs, and development functions or activities.

Qualification Criteria:
- Must have advanced degree; or training and work experience at a level that equates to an advanced degree.
- Must perform the duties and responsibilities associated with this category 50 percent or more of the contractual time.
- Must regularly exercise professional discretion and judgment;
- Work produced must be intellectual and varied in character and should not be standardized.

**Authority under Higher Education Restructuring regarding faculty definitions**

§ 2.2-2901. Appointments, promotions and tenure based upon merit and fitness.

E. The Board of Visitors of public institutions of higher education shall establish policies for the designation of administrative and professional faculty positions at institutions of higher education. Those designations shall be reserved for positions that require a high level of administrative independence, responsibility, and oversight within the organization or specialized expertise within a given field as defined by the Board of Visitors. The authority under this subsection to establish policies for the designation of administrative and professional faculty positions shall be granted only to those institutions that meet the conditions prescribed in subsection B of § 23-38.88.


10. To be allowed to establish policies for the designation of administrative and professional faculty positions at the institution pursuant to the conditions and provisions provided in subsection E of § 2.2-2901.
Attachment D

Implementation Plan for Transition of Staff to AP Faculty

Timeline

November 1, 2007 (CAPFA Meeting) – review our initial recommendation with the committee; discuss parameters, new definitions and timeline for implementation.

“Rules of Engagement”

- Looking at a population of ~540 employees who are currently in classified or university staff positions (see attached for detail)
- Employees will be required to be given the choice to remain as classified staff
- No change to salary for move from staff to AP
- The incumbents in bands 5 through 7 who choose to remain classified will be grandfathered – once they leave the position, new incumbents will be AP faculty
- There are currently 2 nonexempt employees in band 5. Due to the nature of their jobs they can not be moved to an exempt status and therefore would not be moved to AP Faculty
- Staff who choose to move to AP Faculty would be subject to all the policies applied to existing AP faculty
- Need to discuss who would be subject to 5 year review

Nov 20, 2007 – review proposal with Commission on Staff Affairs and Staff Senate.

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January 2008 – CAPFA subcommittee meets to determine the group (Administrative, Managerial or Professional) for each eligible staff employee.

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