

**Final Retrenchment Plan for Intensive English Language Program**  
**President Stephen Percy**  
**June 14, 2021**

**I. Introduction**

The Intensive English Language Program (IELP) has a long and rich history at Portland State University. Since its inception in 1964, thousands of international students have studied within the program, some continuing on to earn their degrees from PSU. Owing to its success, many legacy students have come through IELP, as their parents did before. IELP was initially part of the Department of Applied Linguistics and moved its home to the School of Extended Studies in 1994. It returned to the Department of Applied Linguistics in 2005. In 2014, IELP became an independent academic unit under the leadership of the Vice Provost for International Affairs (a position that was eliminated in 2018), and most recently merged with the Office of International Affairs to create the new Office of Global Engagement and Innovation (OGEI).

IELP is different from many programs at PSU. It serves both students who enroll or intend to enroll in PSU as well as students who want to increase their language proficiency. At times in its history it has been a self-supporting program, but more recently it has been supported by general fund resources.

The IELP is experiencing - like many English Language Programs across the country - a period of significant shrinkage of student enrollment. Though the unit has decreased in size, the reduction is occurring at a rate that exceeds the ability of the program to reduce staffing sufficiently using traditional tools such as retirements or attrition. Following a comprehensive process prescribed by Article 22 of the AAUP Collective Bargaining Agreement (CBA), the president has determined that the conditions necessitate retrenchment of the program.

Program retrenchment is extremely difficult, especially for those directly impacted. Nonetheless, in this instance, it is needed. Multi-year financial deficits due to decreased IELP enrollments draw significant and critical resources away from other essential academic programs. As OAA faces ongoing budget challenges, it is not feasible to continue to support IELP at the level of its current subsidy. Article 22 of the CBA recognizes that, "A condition requiring reduction or elimination of a department may be declared if the President finds that institutional operations with a reduced budget, or failure to reallocate funds, would result in serious distortion of the academic or other essential programs and services of the university if retrenchment procedures were not implemented."

The president is making this determination after dialogue and communication with Faculty Senate and labor organizations, a comprehensive review of comments received throughout the Article 22 process, extensive analysis of the history of the program, and careful review of multi-year data.

Because IELP remains an important part of PSU, the **IELP is not being eliminated**. The retrenchment plan aligns the number of program faculty with current and projected enrollment. The significant resources realized through the retrenchment will reduce the reductions needed in other essential programs.

The Final IELP Retrenchment Plan is effective as of June 15, 2021.

## II. Elements of the Plan

The Final IELP Retrenchment Plan retains several elements of the Provisional Plan, but with revisions based on feedback received during the Article 22 process. The Final Plan includes the following key elements:

1. Support for the implementation of the merger developed by IELP and the Office of International Affairs (OIA) to create the Office of Global Engagement and Innovation (OGEI).
2. *Retention of sufficient instructional and support capacity to serve students who intend to enroll or who are currently enrolled at PSU.* The university values these students in our learning community and appreciates their very important contributions to diversity and multicultural understanding.
3. Retention of sufficient instructional and support capacity to serve currently existing students enrolled in IELP who do not intend to enroll as a PSU student.
4. Retention of limited level of instructional and support capacity (flex capacity) to accommodate potential post-pandemic growth (over current level) enrollment of students who intend to enroll at PSU.
5. Retrenchment of instructional capacity that exceeds what is required to meet the needs of students who are enrolled or intend to enroll at PSU and other students including the flex capacity. Aligning instructional capacity with enrollments will result in faculty reductions. *If actual enrollment of students in IELP who intend to enroll or who are enrolled at PSU exceeds the flex capacity, the university may hire back or increase the FTE for faculty who are laid off as the result of retrenchment in order to grow instructional and support capacity where needed.*
6. Investment in the development of a new hybrid funding model in consultation with IELP, OGEI, and OAA in which:
  - a. Education and General fund dollars will be used to provide instruction and support for students who intend to enroll or who enroll at PSU.

- b. Fees and other non-state revenue will be used to fund instruction and support for students who do not intend to enroll at PSU.
7. Recognition that the transition to the hybrid model outlined above will take time to plan and implement. For that reason, the campus will provide OGEI with one-time dollars as an investment to expand revenues and create the self-support model component of the hybrid model.

### **III. Summary of key feedback received through process**

Feedback from the university community significantly informed the Final Plan. The President received feedback through a wide variety of mechanisms. In response to the initial invocation of Article 22, the President's Office received 74 direct submissions of comments. After the initial 30-day comment period, the President's Office also received reports from the Faculty Senate summarizing feedback it received and from PSU-AAUP. IELP also presented to the Faculty Senate.

After the Provisional Plan was released, a second 30-day comment period ensued, during which the President's Office received 25 direct submissions commenting on the Provisional Plan. In addition, the President received a report from the Presiding Officer that compiled responses sent to the Faculty Senate. Reports were also submitted by PSU-AAUP and the IELP.

The President and Provost personally reviewed all of the comments and submitted reports. The President and/or Provost also communicated with the Faculty Senate, PSU-AAUP, and the IELP faculty as outlined in Article 22. In addition, the Provost and other senior leaders met directly with the IELP faculty after the period for comments was closed.

The feedback was varied, ranging from comments about the value of IELP and the IELP faculty to expressions of support for the retrenchment during a period of university-wide budget constraints. While many specific questions were raised, feedback generally clustered around several consistent themes:

- Concern that the plan would eliminate IELP
- Expectations that international student enrollments would bounce back under the Biden administration
- Possibilities for retaining IELP faculty in other roles at the university
- Use of federal relief funds to support IELP for an additional year
- Contributions that IELP makes to DEI goals

- Support for calibrating IELP resources to enrollments
- Questions about why Article 22 was chosen instead of Article 18

Responses to the key themes are offered below. A more thorough list of questions and responses is presented in Appendix A, attached to this report.

1. Concern about the elimination of IELP:

*There is not now - nor has there ever been - any intention of eliminating IELP.* The Article 22 process was invoked as a way of bringing IELP staffing in line with its enrollments.

2. Expectations that international student enrollments would bounce back under the Biden administration:

Significant declines in IELP enrollment began in AY15, prior to the last presidential administration. The declines continued throughout the tenure of President Trump. Since 2020, the pandemic dramatically exacerbated the enrollment decline. The recovery from the pandemic will likely result in some immediate improvements in enrollment. Indeed, international applications have increased since last fall's numbers, but enrollment is still projected to be far below pre-pandemic levels and well within the capacity of the instructional staffing proposed in the Final Plan. Possible changes in immigration policy and political climate with a new administration may also help over time to restore international confidence in U.S. universities. Recent applications, while improved, do not indicate that the recovery will result in enrollment increases sufficient to or at a pace to justify the current level of instructional staff. Any improvement is likely to take years. Should significant enrollment gains occur, this Final Plan allows for rehiring retrenched faculty.

3. Possibilities for retaining IELP faculty in other roles at the university:

IELP faculty bring important expertise to the university. Units that have funding for positions that are approved through the strategic hiring freeze process may consider hiring IELP faculty who face layoffs or are laid off. The following ongoing efforts may result in the identification of open positions.

- a. The new university partnership with the Nanjing University of Posts and Telecommunications (NJUPT) may provide a future employment opportunity for some IELP faculty. Position descriptions are in the process of being developed to meet the NJUPT partnership instructional needs. These positions will be funded by the revenues from the NJUPT partnership.

- b. The Provost has initiated an effort to identify other positions within the university for faculty that are laid off due to retrenchment. These efforts reflect the President's concern for these individuals and are consistent with the CBA, which provides that, before the effective date of layoff of any faculty on continuing appointment, the university makes a good faith effort to place that impacted member in another instructional or non-instructional position within the university.
4. Use of federal funds to support IELP:

The data demonstrates that IELP was significantly and uniquely impacted by the pandemic. Enrollment declined from 456 in 2019 to 122 in 2021, nearly 75%. For that reason, the pandemic effect on IELP is considered in the Final Plan in two ways. First, the instructional staff level proposed in the plan offers sufficient capacity to accommodate pre-pandemic enrollment, up to 500 students, a level IELP has not enrolled since 2017. Second, *the plan includes a "bridge to the future" that commits one-time resources from the university's federal pandemic relief to support the newly merged unit in developing its proposal for increasing self-supporting programs.*

5. Recognizing contributions that IELP makes to DEI goals:

The university values all international students and the contributions they make to broadening global understanding across our university. Support services for international students, such as immigration advising and life advising, Learning Center support, and other key student success programs *are not being decreased in this proposal.* The services available to international students in International Student Support Services remain and will continue to support this important population of students at PSU.

6. Support for reducing IELP resources to match enrollments:

A number of comments supported retrenchment to the degree that university general funds committed to IELP would be in proportion to the PSU-admitted enrollments.

7. Why did the University choose to use Article 22, instead of Article 18?

Article 22 recognizes that it may be necessary to adjust department and staff size and that the President may determine that a condition requiring departmental reductions exists. As noted in: Article 22, Section 2(b) A condition requiring reduction or elimination of a department may be declared if the President finds that institutional operations within a reduced budget, or failure to reallocate funds, would result in a serious distortion of the academic or other essential programs and services of the University if retrenchment procedures were not implemented. Further, Article 22 specifies that it does not apply in

“the modification of departments generated solely by changes in curricula or in the educational programs or missions of the University.”

In contrast, the language in Article 18 of the CBA addresses the employment of non-tenure track faculty and provides a process for termination of NTTF employees on continuous appointment. For example, in Article 18, section 2 the CBA states that an NTTF employee on continuous appointment may be terminated only under certain circumstances, including “[p]ursuant to Article 22 (Retrenchment)” or “[d]ue to a change in curricular needs or programmatic requirements made in accordance with applicable shared governance procedures.” Article 18 then continues to provide for a more confidential process for individual layoffs or terminations where they are necessary due to changes in curricular needs or programmatic requirements. Article 18, section 8 also specifies that nothing in Article 18 “shall be construed as superseding Article 22 (RETRENCHMENT).”

In this instance, the President concluded that the IELP’s financial condition warranted consideration of a departmental reduction. Because financial conditions were the primary driver of this conclusion, not changes in curricula or in the educational program or mission, the Article 22 retrenchment process is most applicable to the conditions presented. Additionally, because Article 18 says that it does not supersede Article 22, the contract does not mandate using Article 18 processes for termination where conditions for Article 22 apply. It’s also important that Article 22 requires a transparent process that engages representatives of the union, Faculty Senate, other members of the affected unit and the campus. Accordingly, based on the above contractual language and its alignment with the President’s desire for transparency and shared engagement, the President invoked Article 22.

The above responses address the broad themes presented in the feedback from the Faculty Senate, AAUP, IELP and the broader campus community. As previously noted, more detailed answers to additional specific questions can be found in Appendix A.

#### **IV. Justification for IELP Retrenchment**

After carefully considering the arguments and supporting documents for and against program retrenchment in IELP, and assessing the program based on the provisions in Article 22, Section 3(e), the president has deemed that conditions exist within the university and program that constitute a serious disruption of the academic or other essential programs or services of the university.

IELP is an important and valued program at the university. The staff and faculty deserve tremendous credit for the difficult actions already taken to respond to declining enrollments and

identify new opportunities for revenue. However, these approaches are insufficient to address the severity of the decline.

The university must address institution-wide budget shortfalls that are the product of multi-year enrollment declines. It is essential to reduce the deficit of IELP in order to preserve academic positions in programs experiencing stable or growing enrollment.

The decision to proceed with the retrenchment is based on the following factors:

1. Persistent and significant declines in enrollment over the last five years, with limited indications of significant rebound;
2. Persistent, significant and disproportionate budget deficits over the last five years;
3. Insufficient enrollment to support current levels of non-tenure track faculty.

Once the plan is fully implemented, annual savings gained from this action - estimated at \$972,000 - will help offset a total required reduction in the Academic Affairs general funds budget. For FY22 alone, the Academic Affairs operational budget includes a reduction of \$5,504,092 in general funds and a use of management reserve funding of \$11.1 million in order to balance the OAA budget. **The savings from the IELP retrenchment represents 17.6% of the total FY 2021-22 Academic Affairs general funds reduction, a reduction that is currently being borne by other Academic Affairs units. In subsequent fiscal years, while Academic Affairs will continue to have a 1.5% budget reduction annually in the next 2-3 years, the impact of this retrenchment action will assist with closing the budget gap and will reduce the size of reductions needed across other Academic Affairs units.** Importantly, the action realizes these savings *without reducing the number of students served by IELP* and preserves capacity within the program should enrollment increase in the coming academic years.

## **V. Final IELP Retrenchment Plan**

The Final IELP Retrenchment Plan (the plan) adheres to the elements set forth in Section I.

### Implementing the Merger and Protecting Core Functions (Element 1)

In 2020, the Faculty Senate approved the merger of IELP with OIA to create the Office of Global Engagement and Innovation. The merger seeks to support and maintain the four core functions of the IELP:

- Outreach and Admissions
- Operations
- Academics
- Student Services

As a component of the provisional plan, the merger creates a path for IELP to sustain these core functions in a manner that will not interrupt services to PSU students. The new unified office brings together multiple international services with the goal of supporting core functions and reducing administrative costs. Additional revenue or cost savings will not be immediately realized. In consideration of feedback from the community, the Final Plan provides additional time for the program to work towards achieving the objectives of the hybrid model.

Understanding Instruction and Support Service Needs (Elements 2, 3, 4)

The Provisional Plan examined the instructional and support needs of students by type of student - both those enrolled or intending to enroll in PSU and those not intending to enroll in PSU - to determine the number of faculty necessary to meet the needs of the students and fulfill federal requirements for the program. The Provisional Plan proposed reductions of nine (9) IELP full-time equivalent (FTE) instructor positions effective September 1, 2021. The determination that current instructional staffing levels exceed the needs of the program was not disputed in the feedback and comments. However, *in response to campus feedback*, the Final Plan alters the strategy and timing for faculty retrenchment.

1. Providing Instruction and Support Services to Meet the Needs of Students.

As the chart below demonstrates, retaining 12 NTTF faculty in IELP provides sufficient capacity to offer all federally-mandated courses necessary for international students to maintain visas. In addition, with an anticipated average section size of two to four students during the 2021-22 academic year, significant capacity remains to accommodate any growth in enrollment.

AY 2021/2022	Projected Enrollment		
	Fall	Winter	Spring
Enrollment (# of all students)	70	86	132
# of sections required to meet federal immigration requirements	30	30	30
# of NTTF	12	12	12
Average section size (Enrollment/Sections)	2.33	2.87	4.40
# of sections available to be taught (12 NTTF x Average of 3 Sections)	36	36	36
Estimated Instructional Capacity (36 sections x 15 students/section)	540	540	540

*Enrollment as determined by OIRP and IELP through the Strategic Enrollment Process: Includes both PSU-ESL and non-PSU-admitted students.*

*Sections: To maintain students' immigration status, federal immigration policy requires that sufficient instructional capacity to offer classes at all levels be available each term. The actual number of classes offered depends on specific enrollment, Estimated instructional capacity is calculated assuming a desired maximum class size of 15*

Enrollments in IELP have been declining over the past five years, with a more precipitous decline during the 2020-21 academic year. Information continues to be gathered about 2021-22 enrollments. The current IELP enrollment projection for fall term 2021 is 70 students. Projections for winter 2022 are 86 students and for spring term 132 students. To meet the expected visa requirements for these students, federal law requires sufficient instructional capacity to support 30 different classes each term. However, depending on registration, not all classes may be taught each term. Likewise, multiple sections of some classes may be necessary.

The IELP was successful in securing a ten-year accreditation by the Commission on English Language Program Accreditation (CEA) in 2018. For the program to maintain its accreditation, the program is required to show that the four core function areas of the IELP are maintained. Those four areas are: Outreach and Admissions; Operations; Academics and Students Services. This plan ensures that these four areas are maintained within the new structure, post retrenchment. In addition, the retrenchment of nine NTTF faculty does not impact the instruction of the PSU-ESL students. It is important to note that this plan maintains all current service levels to all international students.

## 2. Reducing the Instructional Staff (Element 5)

After careful consideration of the comments received, including those from the Faculty Senate, PSU-AAUP and the IELP, the retrenchment process has been substantially modified from the Provisional Plan. Over the course of two phases, IELP will be reduced by (9) full-time equivalent (FTE) non-tenure track faculty (NTTF) no later than the end of the fall quarter, *December 15, 2021*.

The goals of the phased process are to (1) provide IELP additional time to continue voluntary reductions or other reorganizations to align instructional staffing to enrollment; (2) allow the program to complete the merger with Office of International Affairs, including implementation of a bridge program, and further evaluate any alternative employment opportunities; (3) determine if changes in federal policies will result in immediate and significant increases in enrollment; and (4) offer additional time for the managers and affected faculty to identify additional internal or external options for continued full-time employment.

Seniority determination: The order of any layoffs due to retrenchment in IELP was negotiated between the university administration and PSU-AAUP. The Memorandum of Understanding (MOU), Attachment B, prescribes a procedure for layoffs based on seniority and provides a process for determining seniority.

Phase I:

- a. Affected faculty will be presented with one of two scenarios no later than June 25, 2021:

- i. SCENARIO 1: 1.0 FTE layoff effective no later than 5:00 PM, June 25, 2021.

Affected faculty may be subject to immediate layoff. PSU is committed to supporting employees laid off as a result of this retrenchment. Employees subject to this option will be covered through their regular insurance plan through September 30, 2021. Additionally, such employees *may* be eligible for enhanced unemployment benefits associated with state and federal Coronavirus relief measures. Employees are responsible for determining their eligibility.

Affected faculty members will be eligible for university-paid job placement assistance for up to three (3) months. Additional guidance for employees and supervisors, including eligibility for continuation of benefits under COBRA and retirement impacts, is on the Human Resources website, [Separating Employees](#). Additional details related to employee support are listed in section 3.

- ii. SCENARIO 2: 0.5 FTE layoff effective September 15, 2021; notice of 1.0 FTE layoff effective December 15, 2021.

Affected faculty may be subject to a layoff to 0.5 FTE for the fall quarter. Employees subject to this scenario will retain current benefits. Workload will be adjusted to reflect reduced FTE. Additional details related to employee support are listed in section 3.

Phase II:

- a. Identify opportunities for voluntary FTE reductions in conjunction with IELP and PSU-AAUP
  - i. Administration will work with IELP faculty members to identify opportunities for those who might be interested in voluntary retirement per the terms of the CBA;
  - ii. Administration will offer voluntary FTE reduction packages. Employees may seek a reduction of up to 0.5 FTE. The administration will be permissive in allowing IELP faculty members taking voluntary FTE

reductions to engage in outside employment. Details of these provisions may be subject to bargaining.

- b. Identify opportunities for alternate employment
  - i. The administration, per the terms of Article 22, has already contacted deans to identify any positions open or anticipated to be open for recruitment for which retrenched employees may be eligible to apply.
  - ii. Continue the implementation of the merger between IELP and OIA to create OGEI. The merger may result in additional savings or in the development of alternative employment opportunities for affected faculty.
  - iii. Two fixed term teaching positions are anticipated as a result of the engagement with NJUPT. Positions will be housed in Maseeh College of Engineering and Computer Science (MCECS). Retrenched faculty may be eligible to apply.
  - iv. See additional information in section 4, below.
- c. Achieve nine (9) FTE IELP faculty position reductions no later than December 15, 2021.
  - i. If necessary, faculty identified based on the terms in the MOU will be fully laid off on December 15, 2021. Laid off faculty will receive insurance coverage until December 31, 2021 and will receive up to three (3) months of university-paid job placement assistance. Additional guidance for employees and supervisors, including eligibility for continuation of benefits under COBRA and retirement impacts, is on the Human Resources website, [Separating Employees](#). Additional details related to employee support are listed in section 3.
  - ii. The number of affected faculty impacted by the phase II retrenchment will be based on voluntary faculty reductions, retirements and resignations as of December 3, 2021. The determination will be made by the Provost in coordination with OGEI leadership and will be announced no later than December 10, 2021. IELP is encouraged to provide regular updates on the status of program instructional staffing to the Executive Director of the Office of Global Engagement and Innovation and Office of Academic Affairs. The President or president's designee will meet with IELP representatives prior to the end of phase I.

### 3. Support for employees (Element 5, cont.)

PSU is committed to supporting the employees who will be laid off as a result of this retrenchment. The university has guidance on its website about specific steps for employees who are slated for lay off at the following link on the HR website at [Separating Employees](#).

On this page employees and their supervisors can find information about important steps to take to prepare for separating from employment, learn more about continuation of health and dental coverage under COBRA, and find easy access to resources that can help answer questions about retirement impacts and unemployment insurance benefits.

Employees who elect a separation date in June 2021 will be covered through their core benefits through September 30, 2021. Employees laid off in June 2021 may also be eligible for enhanced unemployment benefits associated with Coronavirus relief measures. Employees are responsible for determining their eligibility.

### 4. Employ retrenched IELP faculty in other parts of the university (Element 5, cont.)

IELP faculty contribute greatly to our campus community, and other areas of the university may have available opportunities to benefit from that passion, skill and insight. Many commenters noted the potential value that IELP faculty may have for other units on campus (UNST, Applied Linguistics, international partnerships such as the new NJUPT partnership, and the Writing Center, to name a few).

Based on the terms of the Collective Bargaining Agreement, the Office of Academic Affairs and/or Human Resources will work with IELP faculty affected by the retrenchment to explore whether impacted members may find suitable employment elsewhere at the university. Additionally, the university is providing job placement assistance at no cost to employees who are laid off.

To facilitate this effort, units with resources available to hire retrenched faculty may develop position descriptions that could be moved forward for approval through the Strategic Hiring Freeze Process. As stated above, there may be as many as two new fixed term positions developed to staff the new NJUPT partnership in China. These hires will be housed within MCECS.

As per Article 22, while on layoff, retrenched faculty will have the same access to posted positions as other PSU employees. In addition, based on an agreement of April 14, 2021 with the AAUP, retrenched faculty will have the opportunity to apply for internally posted academic professional positions during the 10 day internal posting period. Per the MOA, individuals who are offered and accept an Academic Professional (AP) position will remain on the NTTF recall list; however, any time spent in an AP

position will not be counted towards promotion in an NTTF position nor will it be credited toward PCAR, should individuals return to that or another NTTF position. In the event an NTTF is recalled to an NTTF position, they will be reinstated at the same rank and appointment they held at the time of layoff. Under Article 17, section 11(c), retrenched faculty who meet the minimum required qualifications for an open AP position and who applied within the required time period will be afforded a first round interview for the open position.

#### 5. Support for development of alternative funding sources (Elements 6 & 7)

In October 2020, the President presented a report on Strategies to Advance Innovation and Financial Sustainability to the Board of Trustees. The report notes the importance of diverse revenue streams to support the long-term sustainability of PSU. Expanding non-credit programming is one element of developing a robust long-term financial sustainability plan that can help the university achieve its mission of serving the community. IELP's stated interests in seeking opportunities to grow revenue align with the president's goals.

IELP has a history of serving students of multiple types: both those who are PSU-admitted and those who take courses to improve their English language ability. The creation of the Office of Global Engagement and Innovation presents a strong vision of enhancing programs for ESL-only students and developing self-supporting revenues for those programs.

Many of these programs would be short-term or summer programs offered to international students. In addition, IELP faculty are actively engaged in exploring how they may contribute to fulfilling the instructional needs of PSU.

#### 6. A Bridge to the Future.

The administration is prepared to provide bridge funds not to exceed \$300,000 to support OGEI's stated goal of developing a hybrid funding model that enhances the capacity for the merged unit to increase self-support programs. These funds come from the federal relief funds and will be for one-time use only. The Provost has requested a proposal for this investment.

The majority of temporary positions created from the bridge funding will be time-limited positions and will look at the expertise of IELP retrenched faculty.

## **VI. Conclusion**

Portland State University has little history with the retrenchment process as outlined in Article 22 of the Collective Bargaining Agreement. At this moment the university leadership is addressing years of declining enrollment and direction from the Board of Trustees about the need to address long-term financial stability and careful stewardship of current resources. These factors require the university to consider all available options.

Retrenchment is, unquestionably, a challenging and time consuming process. It is important to acknowledge that retrenchment is particularly difficult for the faculty and staff of the program at the center of the review. IELP employees have continued to serve students with distinction, despite anxiety and uncertainty as this process moved forward. We appreciate their continued commitment to PSU and our students.

The decision to lay off any members of our campus is never taken lightly. Article 22 was initiated because it offers a clear mechanism that promotes the open exchange of comments, ideas, and suggestions. The comments received throughout this process demonstrated the creativity and compassion that gives our campus such vitality. Campus feedback significantly informed the Final Plan, which seeks to balance the enrollment and financial challenges of IELP with the human impacts of retrenchment.

The President is deeply grateful for the engagement of the campus community. There will not be universality of agreement on any singular component of this plan or even the decision to enact Article 22. However, the process itself included a faithful adherence to the collective bargaining contract, designed to provide transparency, and to active engagement of the campus community. The process also reflected the deep commitment of the PSU community to the success of our students, the well-being of our faculty, and the future of our university.

## Appendix A - Additional Feedback and Questions

- Why would we decrease a program that contributes to PSU enrollments?
  - This plan ensures that there are sufficient faculty and staff to support the projected number of students who intend to enroll at PSU in the fall of 2021. The plan includes sufficient resources to sustain current enrollment and accommodate significant future growth.
  - The majority of PSU's degree-seeking international students are admitted directly to the university. These enrollments will not be impacted by the proposed plan.
  - Currently, core university funds are being used to cover the costs of instruction for students who are not enrolled in PSU degree programs.
- IELP is valued by international students
  - International students who complete their degrees at PSU and who have benefited from IELP classes continue to express their gratitude for the learning experiences they have there. There is no intention of eliminating the classes that these students seek. The proposed plan ensures that the core IELP classes and services for these students will continue to be offered.
- Will reductions in IELP staff risk the unit's ability to provide core services needed by international students?
  - Both the Provisional and Final Plans are intentionally designed to ensure that courses and services that support incoming and current PSU-ESL students will be maintained. .
- Shouldn't we wait to see if the merger yields more cost reductions before we lay off faculty?
  - It will take some time to realize benefits from the merger of administrative functions. Even once that is achieved, those savings are not projected to be sufficient to cover the IELP budget shortfall.
- Why doesn't IELP get financial credit for the students who go on to enroll at PSU?
  - PSU does not allocate funds to units this way. We don't, for example, "give credit" to UNST for every student who goes on to major in a College or School.
- Shouldn't we wait to see if enrollments come back after COVID-19?

- Carefully watching enrollments and do not see evidence of a near term return to pre-pandemic levels. Because the core functions of IELP are not being eliminated, there is a foundation upon which to build at such time as international enrollments may increase.
- Why is the University suggesting that layoffs be done in a seniority order?
  - The layoff process follows that outlined in the CBA.
- The Provisional Plan ignores all the feedback from the first round.
  - The Provisional Plan considered in detail the feedback from the first round. For example, the proposal to support a hybrid funding model for IELP came directly from feedback from the IELP faculty.
- Is IELP's role in partnership valued?
  - Yes. The hybrid funding model put forward by IELP recognizes the role that partnerships play in IELP's activities.
- Why would we eliminate revenue from non-degree seeking students?
  - Neither the Provisional Plan nor the Final Plan proposes eliminating non-degree seeking students from IELP courses. In fact, the Final Plan proposes supporting the IELP proposal for a hybrid funding model that enables both degree-seeking and non-degree-seeking students to enroll in IELP. Both the Provisional and Final Plans propose that non-degree-seeking student fees should fund their participation rather than relying on core university funds to do so. Non-credit, non-degree seeking students are an important revenue stream for IELP and OIA and will continue to be so, with the intention that these programs must be self-supporting and not using E&G funds. At a minimum these programs must generate enough revenue to break-even, at best they should generate excess revenue for the institution and the unit.

APPENDIX B: MOU AAUP

**Memorandum of Understanding between  
Portland State University (University)  
and the Portland State University Chapter  
of the American Association of University Professors (Association)  
June 14, 2021**

Subject: Clarification for Article 22 Section 5 regarding Departmental Reduction in the Intensive English Language Program (IELP) stemming from Article 22 Retrenchment

*Recitals*

On March 15, 2021, President Percy invoked Article 22 relating to IELP retrenchment and as provided for in section 4 of Article 22, a Provisional Plan for IELP Retrenchment was published on May 11, 2021

The President’s Provisional Plan calls for staffing reductions in IELP, proposing to lay off nine-non-tenure track IELP faculty to bring IELP instructional staffing into proportion with IELP enrollments.

Following the completion of comment and consultation procedures concerning the Provisional Plan as outlined more specifically in section 4 of Article 22, the President will announce a final plan of retrenchment to notify the affected department of the amounts and nature of reductions to be applied.

Through this Memorandum of Understanding the parties wish to clarify their understanding of how to effectuate layoffs, should layoffs remain a part of the President’s final plan of retrenchment, with respect to how to determine “length of continuous service” of impacted members and how to address cases of a tie where two or more bargaining unit members have the same length of service.

*Agreement*

1. Article 22, section 5(c) states that with respect to layoffs, they shall be made in inverse order to the “length of continuous service at the University” (with respect to each subsection identified for type of position in the bargaining unit). The parties agree that for purposes of staffing reductions that are included in the final plan for retrenchment in IELP, if any, this phrase means any benefited (greater than .5 FTE) position, and shall include time spent on any approved leaves, and any lapse of employment of 12 months or less.
2. Should members subject to layoff and recalled pursuant to Article 22 Section 5(c) have the same seniority date, then the order of seniority for that seniority date shall be determined by the sequence of numbers in their PSU ID number. Members will be laid off from the highest numbered PSU ID number to lowest numbered PSU ID number, and shall be recalled in reverse order from the lowest numbered PSU ID number to highest numbered PSU ID number.

MOU Article 22 Section 5  
Departmental Reduction IELP  
June 14, 2021  
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- 3. "A department," as referred to Article 22 Section 5, shall include the successor departments or programs to IELP.
- 4. The agreements reflected in this Memorandum of Understanding are not intended to be precedential and are specific only to the Article 22 retrenchment process for IELP.
- 5. This Memorandum of Understanding will become effective upon signature by both parties.

<b><u>For the University</u></b>	<b><u>For the Association</u></b>
DocuSigned by: <i>Shelly Chabon</i> B333FC565FA54C5...	DocuSigned by: <i>Theresa McCormick</i> 95A403D73648407...
_____ Shelly Chabon, Vice Provost for Academic Personnel	_____ Theresa McCormick, Vice President Collective Bargaining
June 14, 2021   12:01 PM PDT _____ Date	June 14, 2021   12:01 PM PDT _____ Date

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## **Faculty Senate Proposal IELP Transfer to OIA**

Date: April 15, 2020

Prepared by: IELP Task Force  
(Julie Haun, Brett Bolstad, Michele Miller, Errin Beck and Eowyn Ferey)

Submitted to: Faculty Senate Educational Policies Committee

IELP vote: Vote completed April 15, 2020  
28/31 approve, 0 abstain, 0 don't approve

### **Objectives**

The IELP and OIA share a focus of supporting international education at Portland State. There are natural synergies between the work of the two units that can be amplified by moving the IELP into OIA and forming a more intentional and collaborative joint unit in support of international education at PSU. This includes collaborating on outreach efforts to bring students to campus, delivering impactful educational programming and supporting student success efforts for students while they are here.

Specifically, there are three key objectives of the proposed move.

#### **Objective 1**

##### **Conduct more effective outreach that identifies partners and international programming opportunities for Portland State**

Both OIA and IELP must stay abreast of opportunities to provide programming for international learners. This includes, but is not limited to, seeking international partners (educational, government, industry and non-profit) who are interested in working with Portland State to provide educational training for their constituents. Currently, OIA and IELP conduct much of this outreach independently. By joining forces, OIA and IELP will be better positioned to identify and leverage international opportunities to bring students to campus.

#### **Objective 2**

##### **Create an international education and training hub on campus that increases PSU's capacity to design and deliver programming for international learners**

The demand for international education is changing. Global competition for international students has increased significantly. In addition, international learners are seeking a broader range of educational opportunities. This includes program options for degree, certificate and non-degree seeking students (both credit and non-credit). The IELP brings a wealth of expertise in providing student centered educational programming for both degree seeking and non-degree seeking students. Centering this

expertise in OIA, along with the expertise and experience of International Special Programs and the Portland Center, creates a powerful and potent resource for PSU to provide programming for a broad range of international learners either through programming delivered by OIA or in collaboration with the Schools and Colleges.

### **Objective 3**

#### **Increase capacity and innovation of student success efforts for degree seeking international undergraduate and graduate students**

The IELP and International Student and Scholar Services (ISSS) play complementary roles in supporting student success at Portland State. The IELP designed and delivers PSU's pathway programming for international students (undergraduate and graduate) who do not meet PSU's minimum English language proficiency requirements. This programming includes developing students' academic English communication skills, introducing them to American university norms and expectations while connecting students to PSU resources. ISSS monitors student compliance with federal immigration requirements and engages with international students to support their progress towards degree completion. Working within a single unit presents an opportunity for the IELP and ISSS to create innovative programming that offers comprehensive support for degree seeking students.

### **Current Status**

#### **IELP Programs**

##### **Academic English Program (credit)**

IELP's main program provides courses that help build oral and written communicative fluency in English. This program includes six – levels, beginning through advanced. Courses are available all four quarters and typically students enroll in two to four quarters. Full time students are enrolled in 18 credits per quarter. Levels 0 – 2 focus on general communicative skills. Levels 3 to 5 focus on university academic communication skills. Graduate written and oral communication skills courses are also available.

- Enrollment averages between 180 and 225 students per term (fall, winter and spring) and 140 in the summer.

Students enroll in IELP courses for a variety of reasons.

<b>% of total IELP enrollment</b>	<b>Admission Status</b>	<b>Goal</b>
34%	Admitted to PSU	<b>Undergraduate pathway student</b> – working on Academic English skills before transitioning to degree courses
1%	Admitted to PSU	<b>Graduate conditional admission</b> – working on academic English skills before transitioning to degree courses
20%	Admitted to the IELP	<b>Undergraduate Intent:</b> Apply to and earn an undergraduate degree from PSU or elsewhere
19%	Admitted to the IELP	<b>Graduate Intent:</b> Apply to and earn a graduate degree in the United States (at PSU or elsewhere)
18%	Admitted to the IELP	<b>Study Abroad:</b> Become more fluent in English, have a cultural experience and then return to their country
8%	Admitted to IELP or PSU	Enrolled part-time in IELP courses for a variety of reasons.

### Enrollment Breakdown by Country (top 10): Academic English Program

<i>Country</i>	AY 2018-2019	
	#	%
Saudi Arabia	141	31%
China	91	20%
Japan	84	18%
Kuwait	34	7%
South Korea	18	4%
Vietnam	18	4%
Oman	14	3%
Taiwan	14	3%
Thailand	6	1%
Brazil	4	1%
Other	32	7%
<b>Grand Total</b>	<b>456</b>	<b>100%</b>

### **Non-Credit Programs**

The IELP delivers several non-credit programs each year

#### **English Through Sustainability and Service Learning**

The IELP offers a non-credit program, English Through Sustainability and Service Learning. This 3 and 4 week program is offered winter and summer quarters.

- Enrollment for summer 2019 and winter 2020 combined was 113 students

### **Fulbright Pre-Academic Training**

This program, sponsored by the Department of State, provides academic training and acculturation for Fulbright scholars in the summer before they begin their degree coursework at universities across the country.

- Average enrollment is 35 scholars

### **PDPI – Brazilian English Teacher Training**

This program is sponsored by the Brazilian government (CAPES) and facilitated by the Institute for International Education (IIE). It provides professional development for Brazilian English teachers (K-12) and builds oral communication fluency.

- Average enrollment is 35 participants

### **Scholarly activity / grants**

Grants (1.2 million in funding 2015 to 2019)

- Fulbright Pre-Academic Training Program
  - Summer 2015 to present
- PDPI Brazilian K-12 English educators CAPES / Institute for International Education
  - Winter 2018; summer 2019 & 2020

### **Existing collaborations of significance at local, state, national and/or international level**

Partner universities who have sent students to participate in IELP programming (AY19 - AY20)

- Wayo Women's University, Japan
- Hosei University, Japan
- Asia University, Japan
- Nara Prefectural University, Japan
- Osaka Gakuin University, Japan
- Estacio University, Brazil
- Kangwon National University, South Korea
- Otsuma Women's University, Japan
- Ean University, Colombia
- Meisei University, Japan
- Baika Women's University, Japan

### **Size of staff (faculty, staff and student workers)**

21 NTTF

3 Academic Professionals

4 administrative staff  
2.5 classified staff  
20 student workers

**Number of faculty (tenured, NTTF, adjunct) with median salary for each**

21 NTTF (median salary \$61,978)  
4 adjunct faculty (median per credit wage \$1,062)

**Budget allocated to the unit**

FY20 budget - \$3,104,513

**Space allocation**

35 office spaces  
2 classrooms  
1 Learning Center space with a study room, computer lab and 3 small rooms for individual tutoring  
2 supply closets  
1 conference room  
1 resource room

**Specialized accreditation**

In 2019, the IELP was awarded a 10-year accreditation by the Commission on English Language Program Accreditation (CEA). CEA is the only ESL program accreditation recognized by the U.S. Department of Education and one of two recognized by the Department of Homeland Security.

**Existing connections and collaborations with current and new academic home (past and present)**

The IELP and OIA currently collaborate in the following ways:

- The IELP works with the Director of International Student and Scholar Services on compliance issues when designing or revising IELP programs
- The IELP and International Student Life collaborate on some joint student events.
- The IELP Placement Coordinator works with the Portland Center to place some Portland Center students into IELP classes.
- The IELP Director works with the Sponsored Student Program Administrator on identifying new sponsored partners (government & industry partners) and maintaining relationships with existing partners.
- The IELP advisors work with the Sponsored Student Program Administrator to provide required student reports to sponsoring agencies
- The IELP has collaborated with the Office of International Partnerships on responding to programming requests.

- The IELP has collaborated with International and Student Scholar Services to provide training for PSU frontline staff.
- The IELP and Institute of Asian Studies share a staff position
- The IELP Learning Center is available to Portland Center students and other international students.
- The IELP advising team works with ISSS on student crisis and CARE team cases

## Rationale for Reorganization

The primary reason for proposing the IELP transfer to OIA is to intentionally situate the IELP within the existing structure of PSU in a thoughtful and sustainable way that increases both the IELP and OIA's capacity to provide and support international education programming at PSU.

Over the past 15 years, the IELP has been located in a variety of campus units and reported to a range of campus administrators. These shifts reflect the effort, typical of most universities and colleges, to identify an academic home and reporting structure that will most effectively position their intensive English program (IEP) to be successful and support the university's international education goals. In a 2020 survey of 53 university IEP directors, 37% responded that their IEP was housed in the university's international or global affairs division, 44% were housed in a school/college, 9.5% were in extension units and 9.5% were in "other".

In 2005, the IELP was moved from the School of Extended Studies to CLAS (Department of Applied Linguistics). In 2014, the IELP moved out of CLAS and reported directly to the Vice Provost for International Affairs as an independent academic unit. The intention of this move was to *centralize the IELP to better support international activities across campus*. As a part of that move, the IELP was integrated into the revenue and cost attribute tool (RCAT) as a separate and independent academic unit. In 2018, the Vice Provost for International Affairs departed and the position was dissolved due to budget cuts. Since then, the reporting structure for the IELP has alternated between the Provost and the Executive Director of International Affairs. The IELP Director has been reporting to the Executive Director of International Affairs since September 2019.

OIA has been the central unit for facilitating international education at PSU for 25 years. OIA hosts special programs for international learners and scholars visiting the U.S. and facilitates programming for PSU students studying overseas. It is the home of Education Abroad, International Student and Scholar Services, Middle East Studies Center, Institute for Asian Studies, Confucius Institute, International Special Programs, Portland Center, International Partnerships and Fulbright at PSU. The OIA Executive Director reports directly to the Provost and is part of OAA's Executive Team and Academic Leadership Team. In this role, the Executive Director has the ability to work more closely with the Deans on their internationalization efforts and to identify synergies and opportunities for OIA collaboration with the Schools and Colleges.

Moving the IELP to OIA **brings our complementary functions together, pooling resources and expertise towards the common goal of supporting international education** at PSU. The IELP is an academic unit that also has a number of student service functions that are unique to IEPs and integral to IELP's operations. These include, but are not limited to, directly recruiting and admitting students directly into IELP classes, registering students in Banner, and providing advising for students with low language proficiency who are undergoing significant cultural adjustment and do not have U.S.-based support systems in place. In addition to its academic programming and service functions, the IELP also offers non-credit programming. OIA is a service unit that also has a small credit program (Portland Center) and non-credit programming. There are potential synergies and opportunities for innovation by bringing these two units together.

During AY2021, a transition team will be formed that will include representatives from IELP and OIA. This transition team will consider opportunities for new organizational structures and systems within OIA that can better support international programming at PSU, particularly for non-credit programming. Some IELP and OIA staff and administrative positions may be revised to support a broader range of outreach, recruitment and non-credit program administration activities.

Aligning the work of OIA and IELP within a single unit will also improve our ability to **proactively address the significant flux of international education globally**. The demand for international education is rapidly changing, and the United States is experiencing a significant shift in the number and type of international learners coming to the U.S. to study. How the international education field is addressing this shift is a current focus of many professional organizations that the IELP is actively involved in<sup>1</sup>. The IELP (and PSU) must be intentional in how we respond to this changing landscape to remain competitive and provide programming that meets the needs of future international learners. To successfully navigate this emerging environment, the IELP needs to be housed in a unit that has, at its core, an international mission that aligns with the work of the IELP.

In preparing this proposal, the IELP has taken several steps to inform and hear from faculty, staff and administrators. In fall 2019, a task force was formed that includes three faculty, the IELP Director and the Assistant Director of Student Services. The task force meets twice a month and has provided regular updates to the IELP. In January, Susan Jeffords and Ron Witzak joined an IELP faculty meeting for an hour long open dialogue about the proposed move to OIA. All members of the IELP were invited. The IELP had an opportunity to review and provide feedback on a first draft of the proposal (also submitted to the Educational Policies Committee). This will occur March 9 – 20.

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- UCIEP, the consortium of University and College Intensive English Programs
- NAFSA, the Association of International Educators
- EnglishUSA, the American Association of Intensive English Language Programs
- TESOL, the Association of Teachers of Speakers of Other Languages

## **Impacts**

Faculty and staffing levels associated with the IELP's academic English program will remain the same to ensure that coursework students are relying on is not disrupted and immigration requirements are met. The IELP will continue to operate in UCB Suite 400. OIA will continue to operate on the 6<sup>th</sup> floor of KMC. Four areas of anticipated impact are outlined below.

### **Impact 1**

#### **Better alignment of non-credit program administration (brings more learners to campus)**

There is increased international demand for short term (1 term or less) non-credit programming. Non-credit programming represents an opportunity to bring more international learners to campus for programming that highlights PSU and Portland. Both International Special Programs (a unit within OIA) and IELP offer non-credit programming. By operating within the same unit, we can pool expertise and people to facilitate the unique administrative logistics of this kind of programming. This increases capacity not only for programs run within OIA but also for Schools and Colleges seeking administrative support to run their own non-credit programs.

Combining administration of OIA and IELP non-credit programming will require adequate transition planning time to establish systems, processes and potentially redesigned positions to support this work.

### **Impact 2**

#### **Unified approach to outreach, recruitment and communication (brings more learners to campus)**

Current outreach and admissions positions within IELP will likely be redesigned to encompass the full range of OIA educational programming for international learners. We anticipate that a more unified approach to outreach and recruitment will make it easier for OIA and the IELP to create mutually beneficial pipelines that bring international learners to PSU. We anticipate that this improved capacity can also benefit PSU Schools and Colleges seeking to increase international learners in their programs.

We also anticipate that unified collaboration on outreach and recruitment among the IELP, ISP, Portland Center, Office of International Partnerships and International Student and Scholar Services will simplify and clarify communication for external partners.

### **Impact 3**

#### **Integrated monitoring and intervention for international degree seeking students from first term through graduation (undergraduate and graduate) to achieve greater student success and retention.**

The IELP will continue to oversee Pathway programming for international undergraduates who do not meet PSU's language proficiency requirement as well as to work with graduate programs and the Graduate School to offer conditional admission programming options for international graduate students. As part of the same unit, IELP and ISSS will be better positioned to establish integrated processes for outreach to international students that extends from pre-arrival communication through

to graduation. The IELP and ISSS will also collaborate on providing support for PSU faculty working with international and multilingual students.

#### **Impact 4**

##### **Improved approach to IELP integration into PSU budgeting process**

The IELP is currently an independent academic unit and is incorporated into PSU's budget model as a revenue generator; however, it has several revenue supporting functions that are not a traditional part of revenue generating units (See Rationale). Transferring to OIA provides an opportunity to establish a more appropriate alignment with the budget model that recognizes IELP's hybrid role of revenue generator and revenue supporter.

#### **Expectations**

1. The IELP will continue to serve as an academic unit that provides English language programming, academic preparation and other educational programming for international students at Portland State. Oversight of the IELP will be conducted by the IELP Director who will report to the Executive Director of the Office of International Affairs.
2. The IELP will develop and maintain department bylaws and P&T guidelines (including the process for review after achieving the highest NTTF rank). Governance and decision-making processes will adhere to these documents.
3. The IELP faculty promotional process will involve the departmental P&T committee, the IELP Director, as chair equivalent, and the Vice Provost for Academic Personnel as dean equivalent.
4. The IELP departmental bylaws approval process will include the IELP faculty, the IELP Director and *the Vice Provost for Academic Personnel*.
5. The IELP faculty and administrators, through shared governance structures, will continue to manage all aspects of IELP academic programming including, but not limited to, instruction, curriculum, assessment, advising, student engagement activities and placement processes. Unless otherwise determined by the University Curriculum Committee, the Educational Policies Committee, or the Faculty Senate, the IELP academic preparation courses will continue to be offered for academic credit, the IELP will retain the right to participate in the University Curriculum Committee's review procedure for its academic preparation curriculum, and the IELP will have a representative on the University Writing Committee.
6. A new and transparent course prefix will be established for IELP credit courses. This will include establishing a system for reviewing IELP course and curricular changes that includes the IELP Curriculum Committee, the IELP Director and a designated academic entity at the dean level. This will be managed through a separate proposal process.

7. The IELP will maintain academic oversight of the non-credit English Through Sustainability and Service Learning program. This will include oversight of curriculum, assessment, placement, instruction and partnerships with Portland community partners. The IELP will maintain a role in enrollment related outreach associated with the program.
8. The IELP faculty and staff will retain bargaining status of their respective unions, currently, AAUP, AFT and SEIU, and the collective bargaining agreements and applicable work rules of each respective union shall continue to apply.
9. IELP faculty, administrators and staff will continue to work with campus entities, such as University Studies, Advising, Schools and College and Student Life, to support educational programming and student success efforts.
10. The IELP will continue efforts to support domestic multilingual students.
11. OIA recognizes the importance of IELP maintaining nationally recognized program accreditation through the Commission on English Language Program Accreditation (CEA) and supports IELP's efforts to adhere to accreditation requirements as they pertain to faculty, academic programming, student services, administrative and fiscal management and other reporting requirements.
12. A transition team comprised of OIA and IELP representatives will provide recommendations for any changes (structural or otherwise) to enhance overall programming capacity.

## **Agreement**

Ron Witczak working on this.

## **Timing**

If approved, July 1 start, with up to a year of the transition team working on a smooth transition.

## **Budget**

IELP will maintain their budget and continue the IPEB process through FY21. The OIA and IELP transition team may explore new approaches to the operational logistics of delivering some non-credit programming and other services that can benefit the work of IELP and OIA. OAA, in consultation with OIA and the IELP, will determine any changes to how the IELP is incorporated into PSU's budget process.