

## Faculty Senate Minutes #347

Wednesday, October 7, 2009

3:20 PM

Room 630 T

**Present (41):** William Allen, Spiros Bakiras, Elton Beckett, Adam Berlin, Marvie Brooks, Elise Champeil, Demi Cheng, Shuki Cohen, Edward Davenport, Virginia Diaz, Edgardo Diaz Diaz, James DiGiovanna, Janice Dunham, Gail Garfield, Robert Garot, Jay Paul Gates, Katie Gentile, P. J. Gibson, Jessica Gordon Nembhard, Maki Haberfeld, Jay Hamilton, Richard Haw, Heather Holtman, Karen Kaplowitz, Richard Kempter, Tom Litwack, Vincent Maiorino, Nivedita Majumdar, Evan Mandery, Tracy Musacchio, Richard Perez, Nicholas Petraco, Rick Richardson, Raul Romero, Richard Schwester, Francis Sheehan, Robert Till, Cecile van de Voorde, Thalia Vrachopoulos, Valerie West, Joshua Wilson

**Absent (8):** Andrea Balis, Luis Barrios, Erica Burleigh, DeeDee Falkenbach, Beverly Frazier, Joshua Freilich, Peter Manuel, Shonna Trinch

### Agenda

1. Adoption of the agenda
2. Approval of Minutes #346 of the September 23, 2009, meeting
3. Announcements & Reports
4. Proposal to add the A+ grade to JJ's menu of final grades
5. CUNY Student Complaint Against Faculty in Academic Settings Policy and its implementation
6. Selection of two faculty members to serve on the appeals committee required by the CUNY Student Complaint Against Faculty in Academic Settings Policy
7. Review of the College's Strategic Retention Plan
8. New business

1. Adoption of the agenda. Approved.

2. Adoption of Minutes #346 of the September 23, 2009, meeting. Approved

3. Announcements & Reports. Noted.

**4. Proposal to add the A+ grade to JJ's menu of final grades: Senators Karen Kaplowitz & Francis Sheehan [Attachment A, B]**

President Karen Kaplowitz and Vice President Francis Sheehan made a motion that the Senate propose that the College adopt the A+ grade as one of the grades in the menu of grades that John Jay faculty may assign to their students. The A+ grade is an option provided by the CUNY Board of Trustees to each of the CUNY colleges. [Attachment A, B] The A+ grade at CUNY is defined as "exceptional" and carries a 4.0 numerical value. VP Sheehan explained that the A+ grade would be an official way for our faculty to recognize and validate truly exceptional academic work by our students.

They reported that the A+ grade has already been adopted at the following six (6) CUNY senior colleges: Brooklyn, City, Hunter, Lehman, Medgar Evers, and Queens.

At the previous meeting of the Senate when this issue was first introduced, Senators requested information about whether the A+ exists outside CUNY. President Kaplowitz said that she researched this question and the A+ grade has also been adopted at prestigious non-CUNY colleges including, but not limited to, the following: Barnard, Duke, Princeton, Stanford, Swarthmore, University of Pennsylvania, and University of Vermont.

President Kaplowitz said that to not adopt the A+ grade could put our students who do truly exceptional academic work at a disadvantage in relation to students at colleges that do have the A+ grade when applying for jobs, graduate school or law school, or whenever else their undergraduate transcript is required.

Several Senators expressed concern that the A+ grade could lead to even further grade inflation, that students who now receive the A grade might receive the A+ and that students who now receive a B+ or A- might henceforth receive an A grade. This concern was notwithstanding the fact that the A+ grade has the same numerical value as the A grade. The motion was amended to require monitoring by UCASC or the Standards Subcommittee of the prevalence and number of A+ grades -- and all grades awarded -- and that these data be made available annually. If there is grade inflation as a result of the new grade, the Senate would consider whether to recommend that the grade be rescinded from John Jay's menu of grades.

Senator Adam Berlin asked whether the A+ would be used to break a tie for honors and awards and recommended that it not be.

The Senate approved a motion to propose to the Academic Standards Subcommittee of the Undergraduate Curriculum and Academic Standards Committee that the College add to its menu of undergraduate grades the A+ grade, which is defined by the CUNY Board of Trustees as "Exceptional" and which carries the numerical value of 4.0 (the same numerical value as the grade of A). In making this proposal, the Senate voted to also recommend that if the A+ grade is adopted, the A+ grade should be given only to students whose work is truly exceptional and that this information be conveyed to faculty and students; that the Academic Standards

Subcommittee should monitor the prevalence and the number of A+ grades awarded and provide annual (at least) reports on this; and that if there is a tie for valedictorian or salutatorian or for other such academic honors the A+ grade should not be the criterion for breaking such a tie. The motion was adopted by a vote of 27 yes, 9 no, 2 abstentions.

**5. The CUNY Student Complaint Against Faculty in Academic Settings Policy and its implementation [Attachment C, D]**

President Kaplowitz reviewed this issue which had been first introduced at the previous Senate meeting. She noted that at the previous meeting, Senators requested to receive the actual policy so they can review it. She explained that, as required by the CUNY Student Complaint Against Faculty in Academic Settings Policy [Attachment C] when the Board of Trustees approved it in 2007, a review and analysis of the policy has been conducted [Attachment D]; this review requirement was in response to concerns by the University Faculty Senate which envisioned the possibility of serious problems arising from the implementation of the policy. This review was conducted by Vice Chancellor for Legal Affairs Frederick Schaffer.

She noted that John Jay is reported as already having had investigations into 12 student complaints against faculty and yet 13 of the campuses had no complaints investigated; one college had 3 complaint investigations, several had two, and three colleges had only one investigation each [Attachment D]. She said the difference between the record for John Jay and for the other colleges is troubling.

Senator Litwack Tom Litwack suggested we invite the Vice President for Student Development to discuss the implementation of this policy at John Jay. This was agreed to.

**6. Selection of two faculty to serve on the appeals committee required by the CUNY Student Complaint Against Faculty in Academic Settings Policy [Attachment C]**

The Student Complaint against Faculty Policy requires an appeals committee, if either the faculty member or the student complainant is dissatisfied with the report of the Fact Finder. This appeals committee comprises the chief academic affairs officer, who serves as chair of the appeals committee; the chief student affairs officer, two faculty members chosen annually by the faculty senate; and one student chosen annually by the student senate.

The Senate's Executive Committee proposed Professor Angela Crossman (Psychology) and Professor Daniel Pinello (Political Science). Both are willing to serve if elected. The Senate elected Professors Crossman and Pinello by unanimous vote.

**7. Review of the Strategic Retention Plan for John Jay developed by the consultants hired by the College [Attachment E]**

The Strategic Retention Plan developed by Keeling and Associates, consultants, was reviewed; it was agreed that today would be a preliminary discussion and that there will be future discussions when the Senators have had more time to read and think about the report's findings and recommendations.

Senator Nivedita Majumdar said that having read the document, she has serious reservations about the report because at every point it speaks about the needs of the students but never about the needs of the faculty members. She said she thinks faculty members are already overburdened in their attempts to meet the needs of students and she thinks this report could lead to problems for faculty.

Senator Tom Litwack said he thinks retention is not the primary issue for the College. Rather, he is concerned with the educational level of our students when they graduate. He thinks we should try to improve the latter before worrying about the former.

Several Senators said they think the retention plan is an impossibly ambitious and rushed plan. Senator Marvie Brooks agreed, adding that the retention report is asking for lots of things which demand support services which we do not have. Who is going to pay for all this, she asked.

**8. New business**

Several Senators raised the issue of the revised final exam schedule, which is designed to make up for the missed days when the College was closed because of the bedbug situation. Many problems with the revised schedule were identified.

Senator Jay Hamilton asked who developed this policy and whether there was consultation with faculty. President Kaplowitz said the Provost and the VP for Enrollment Management called a meeting of the chairs and of VP Francis Sheehan and herself to review the options and to make recommendations. But she said, there was very little time during the meeting to work out the implications of the decisions being made.

Senator Litwack pointed out that our students come to the college from all over the country and, indeed, from all over the world and many will face a hardship if the final exam date is changed, so he favors a method that allows us to keep the present final exam schedule.

He pointed out that the faculty of some courses are being offered the option of scheduling an extra class meeting on a weekend and he said he would prefer that all faculty members also

have that option. This was the sense of the meeting and so President Kaplowitz said she would immediately convey this recommendation to the administration.

The meeting was adjourned at 5 PM.

## ATTACHMENT A

### UNIFORM GRADING SYMBOLS: GLOSSARY AND GUIDELINES

- I. The following glossary of uniform grading symbols shall be employed according to the interpretation provided below. Grades are assigned based on the definitions contained herein. Individual units of the University need not employ all symbols but must adhere to the following interpretation for those employed and may not use any symbol that is not included in the glossary. Quality points are to be used to calculate the grade point average (GPA) or index. A dash "--" indicates that the grade does not carry a numerical value and is not to be included in the GPA. Plus ("+") and minus ("-") grades shall be interpreted as equivalent to "+0.3" and "-0.3", except as noted.

#### GLOSSARY

Grade	Explanation	Quality Points
A+	Exceptional	4.00
A	Excellent	4.00
A-		3.70
B+		3.30
B	Good	3.00
B-		2.70
C+		2.30
C	Satisfactory	2.00
C-		1.70
D+		1.30
D	Passing	1.00
D-		0.70
F	Failure/Unsuccessful Completion of Course	0.00
P	Pass	-
S	Satisfactory	-
U	Unsatisfactory	0.00
CR	Credit Earned	-
H	Honor (Hunter College School of Social Work only)	-
W	Withdrew	-
WA	Administrative Withdrawal non-punitive grade assigned to students who had registered for classes at the beginning of the term but did not provide proof of immunization by compliance date.	-

WF	Withdrew Failing	0.00
WN	Never Attended	0.00
WU	Withdrew Unofficially (Student attended at least one class session)	0.00
NC	No credit granted. (Restricted to regular and compensatory courses. This grade can also be used by colleges for other administrative actions such as disciplinary dismissals.)	-
R	Course must be repeated; minimum level of proficiency not attained. (Restricted to noncredit, remedial, and to developmental courses.)	-
INC	Term's work incomplete.	-
FIN	E from incomplete – to be used when the INC grade lapses to an F grade.	0.00
Z	No grade submitted by the instructor – a temporary grade which is assigned by the registrar pending receipt of the final grade from the instructor.	-
PEN	Grade pending.	
Y	Year or longer course of study must continue to completion.	-
SP	Satisfactory progress – restricted to thesis and research courses requiring more than one semester for completion.	
AUD	Auditor, Listener.	

The following symbols have been implemented as prefixes to grades in the student system to identify repeated courses including the application of the F grade repeat policy and Board approved variance, as well as to indicate a grade's impact on GPA and credit accumulation.

Prefix	Explanation
&	Repeated course which counts in the GPA but does not count in credits completed
*	Course does not count in the GPA and does not count in credits completed
#	Replacement grade, F grade policy, does not count in cumulative GPA
@	Repeat F grade policy, does not count in GPA, does count in credits completed



## ATTACHMENT B

Office of the University Registrar


1114 Avenue of the Americas @ 42<sup>nd</sup> Street  
New York, NY 10036  
Tel: 212.290.5715  
Fax: 212.290.5665  
www.cuny.edu

### **Policies & Procedures Uniform Grade Symbols: Glossary and Guidelines Effective Fall 2008**

MEMORANDUM

July 1, 2008

TO: The Presidents of the Colleges  
The Dean of the Sophie Davis School of Biomedical Education  
The Dean of the School of Journalism  
The Dean of the School of Professional Studies  
The Dean of The CUNY Law School  
The Provosts of the Colleges

FROM: Annamarie Bianco, University Registrar 

RE: CUNY Uniform Grade Symbols: Glossary and Guidelines

This memorandum is being issued to inform you that the Committee on Academic Policy and Program Review recommended, and the University Board of Trustees passed, a resolution that affects the CUNY Uniform Grade Symbols: Glossary and Guidelines. Attached to this memorandum is the CUNY Uniform Grade Symbols and Guidelines document, effective Fall 2008.

Notable revisions to the Uniform Grade Symbols and Guidelines include the establishment of a WN grade and the discontinuance of the ABS, FAB, and FPN grades.

The establishment of a WN grade will provide necessary information concerning attendance which is a requirement of Federal Title IV regulations for the disbursement of financial aid to students. The new WN grade will reduce Federal A-133 audit findings related to R2T4 (Return to Title IV) requirements for unofficial withdrawals. The WN grade is being introduced in order to clearly differentiate between two groups of students: students who attended at least one class and unofficially withdrew (they would receive a WU grade) and students who never attended any classes (these students would receive the new WN grade). The new WN grade will make it easier for faculty to grade appropriately and for colleges to perform the R2T4 calculations more quickly and with better accuracy. Additional implementation guidelines will be forthcoming.

Furthermore, with the implementation of CUNYFIRST it is necessary that only one lapse grade be assigned to students who do not complete required course work. Therefore, the INC (incomplete) and FIN (F grade when the INC lapses into a final F) grading symbols will replace ABS, FAB, and FPN which will be discontinued. The definition of 'PEN' (pending) is





revised so that its use will be restricted to pending grades that do not automatically lapse to an F (FPN) and for the implementation of the Board's Academic Integrity Policy whereby colleges must hold a student's grade in abeyance while pending the outcome of the college's academic review process.

For additional information, please see the policy documentation in the June 23, 2008 Board of Trustees minutes at [www.policy.cuny.edu](http://www.policy.cuny.edu). If you have any questions on the uniform grade glossary, please contact me at [Annmarie.Bianco@mail.cuny.edu](mailto:Annmarie.Bianco@mail.cuny.edu) or 212-290-5715.

Cc: Chancellor Matthew Goldstein  
Cabinet  
University Dean Robert Ptachik  
University Dean of Institutional Research and Assessment  
University Office of Student Financial Aid  
The Vice Presidents of the Colleges  
The College Registrars

Attachment: Uniform Grading Symbols: Glossary and Guidelines



**ATTACHMENT C**

October 1,  
2009

• GIVING TO CUNY COLLEGES • MACAULAY HONORS COLLEGE • ONLINE BACCALAUREATE • CUNY TV



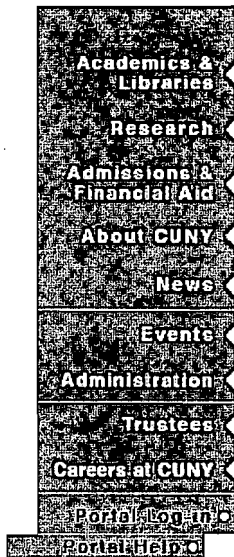
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APPLY TO CUNY CURRENT STUDENTS FACULTY & STAFF ALUMNI & GIVING



**C. THE CITY UNIVERSITY OF NEW YORK ♦♦♦ STUDENT COMPLAINT PROCEDURE:**

**RESOLVED,** That the procedures for handling student complaints about faculty conduct in formal academic settings be adopted, effective February 1, 2007.

**EXPLANATION:** Although the University and its Colleges have a variety of procedures for dealing with student related issues, those procedures generally have not covered student complaints about faculty conduct in the classroom or other formal academic settings. The University respects the academic freedom of the faculty and will not interfere with it as it relates to the content or style of teaching activities. At the same time, however, the University recognizes its responsibility to establish procedures for addressing student complaints about faculty conduct that is not protected by academic freedom and not addressed in other procedures. The proposed procedures will accomplish this goal.

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**PROCEDURES FOR HANDLING STUDENT COMPLAINTS ABOUT FACULTY CONDUCT IN ACADEMIC SETTINGS**

I. Introduction. The University and its Colleges have a variety of procedures for dealing with student-related issues, including grade appeals, academic integrity violations, student discipline, disclosure of student records, student elections, sexual harassment complaints, disability accommodations, and discrimination. One area not generally covered by other procedures concerns student complaints about faculty conduct in the classroom or other formal academic settings. The University respects the academic freedom of the faculty and will not interfere with it as it relates to the content or style of teaching activities. Indeed, academic freedom is and should be of paramount importance. At the same time the University recognizes its responsibility to provide students with a procedure for addressing complaints about faculty treatment of students that are not protected by academic freedom and are not covered by other procedures. Examples might include incompetent or inefficient service, neglect of duty, physical or mental incapacity and conduct unbecoming a member of the staff.

II. Determination of Appropriate Procedure. If students have any question about the applicable procedure to follow for a particular complaint, they should consult with the chief student affairs officer. In particular, the chief student affairs officer should advise a student if some other procedure is applicable to the type of complaint the student has.

III. Informal Resolution. Students are encouraged to attempt to resolve complaints informally with the faculty member or to seek the assistance of the

department chairperson or campus ombudsman to facilitate informal resolution.

IV. Formal Complaint. If the student does not pursue informal resolution, or if informal resolution is unsuccessful, the student may file a written complaint with the department chairperson or, if the chairperson is the subject of the complaint, with the academic dean or a senior faculty member designated by the college president. (This person will be referred to below as the **◆◆◆Fact Finder.◆◆◆**)

A. The complaint shall be filed within 30 calendar days of the alleged conduct unless there is good cause shown for delay, including but not limited to delay caused by an attempt at informal resolution. The complaint shall be as specific as possible in describing the conduct complained of.

B. The Fact Finder shall promptly send a copy to the faculty member about whom the complaint is made, along with a letter stating that the filing of the complaint does not imply that any wrongdoing has occurred and that a faculty member must not retaliate in any way against a student for having made a complaint. If either the student or the faculty member has reason to believe that the department chairperson may be biased or otherwise unable to deal with the complaint in a fair and objective manner, he or she may submit to the academic dean or the senior faculty member designated by the college president a written request stating the reasons for that belief; if the request appears to have merit, that person may, in his or her sole discretion, replace the department chairperson as the Fact Finder.

C. The Fact Finder shall meet with the complaining student and faculty member, either separately or together, to discuss the complaint and to try to resolve it. The Fact Finder may seek the assistance of the campus ombudsman or other appropriate person to facilitate informal resolution.

D. If resolution is not possible, and the Fact Finder concludes that the facts alleged by the student, taken as true and viewed in the light most favorable to the student, establish that the conduct complained of is clearly protected by academic freedom, he or she shall issue a written report dismissing the complaint and setting forth the reasons for dismissal and send a copy to the complaining student, the faculty member, the chief academic officer and the chief student affairs officer. Otherwise, the Fact Finder shall conduct an investigation. The Fact Finder shall separately interview the complaining student, the faculty member and other persons with relevant knowledge and information and shall also consult with the chief student affairs officer and, if appropriate, the college ombudsman. The Fact Finder shall not reveal the identity of the complaining student and the faculty member to others except to the extent necessary to conduct the investigation. If the Fact Finder believes it would be helpful, he or she may meet again with the student and faculty member after completing the investigation in an effort to resolve the matter. The complaining student and the faculty member shall have the right to have a representative (including a union representative, student government representative or attorney) present during the initial meeting, the interview and any post-investigation meeting.

E. At the end of the investigation, the Fact Finder shall issue a written report setting forth his or her findings and recommendations, with particular focus on whether the conduct in question is protected by academic freedom, and send a copy to the complaining student, the faculty member, the chief academic officer and the chief student affairs officer. In ordinary cases, it is expected that the investigation and written report should be completed within 30 calendar days of the date the complaint was filed.

V. Appeals Procedure. If either the student or the faculty member is not satisfied with the report of the Fact Finder, the student or faculty member may file a written appeal to the chief academic officer within 10 calendar days of receiving the report. The chief academic officer shall convene and serve as the chairperson of an Appeals Committee, which shall also include the chief student affairs officer, two faculty members elected annually by the faculty council or senate and one student elected annually by the student senate. The Appeals Committee shall review the findings and recommendations of the report, with particular focus on whether the conduct in question is protected by academic freedom. The Appeals Committee shall not conduct a new factual investigation or overturn any factual findings contained in the report unless they are clearly erroneous. If the Appeals Committee decides to reverse the Fact Finder in a case where there has not been an investigation because the Fact Finder erroneously found that the alleged conduct was protected by academic freedom, it may remand to the Fact Finder for further proceedings. The committee shall issue a written decision within 20 calendar days of receiving the appeal. A copy of the decision shall be sent to the student, the faculty member, the department chairperson and the president.

VI. Subsequent Action. Following the completion of these procedures, the appropriate college official shall decide the appropriate action, if any, to take. For example, the department chairperson may decide to place a report in the faculty member's personnel file or the president may bring disciplinary charges against the faculty member. Disciplinary charges may also be brought in extremely serious cases even though the college has not completed the entire investigative process described above; in that case, the bringing of disciplinary charges shall automatically suspend that process. Any action taken by a college must comply with the bylaws of the University and the collective bargaining agreement between the University and the Professional Staff Congress.

VII. Campus Implementation. Each campus shall implement these procedures and shall distribute them widely to administrators, faculty members and students and post them on the college website.

VIII. Board Review. During the spring 2009 semester, the Chancellery shall conduct a review of the experience of the colleges with these procedures, including consultation with administrators, faculty and students, and shall report the results of that review to the Board of Trustees, along with any recommended changes.

**ATTACHMENT D**

June 1, 2009

**MEMORANDUM**

To: Committee on Academic Policy, Programs & Research  
Committee on Student Affairs & Special Programs

From: Frederick P. Schaffer

Re: Student Complaint Procedure Review

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Under the student complaint procedure adopted by the Board, effective February 2007, the Chancellery was charged with the responsibility during the spring 2009 semester of reviewing CUNY colleges' experiences with the procedure. That review was to include consultation with administrators, faculty and students, and the result of the review with recommended changes was to be reported to the Board. Toward that end, I have compiled statistics on use of the procedure, reviewed the cases brought under the procedure, consulted with various constituencies around the University, and reviewed suggestions for revising the procedure. The results of this review are discussed below.

**Use of the Procedure**

**Statistics**

At many colleges, complaints resolved informally under the procedure were not tabulated. Therefore, it is difficult to state with confidence how often the procedure was used. One college, in fact, commented that the very existence of the procedure had resulted in the informal resolution of many complaints, perhaps because of a desire to avoid full-blown investigations.

With that caveat, however, I was able to review a total of 28 cases from ten colleges. One college accounted for 12 of the reported cases. The remaining colleges reported that they had no formal complaints processed under the procedure, and therefore they submitted no fact-finding reports.

Of the 28 complaints, only one resulted in the bringing of disciplinary charges against a professor. One complaint was relevant to a nonreappointment decision, and another provided the impetus for a substitute professor's decision to decline a reappointment. (A summary of the complaints, broken down by college, subject matter of the complaint, and resolution, is annexed). Three of the complaints were dismissed because they involved complaints about the content of classroom instruction that were protected by academic freedom. Five of the complaints were resolved informally, and therefore no determination was made on the merits of the complaint. Seven of the complaints were dismissed in their entirety or almost in their entirety as factually unfounded. At the college that received 12 complaints, half of the investigations have not yet been completed several months after the students' complaints were filed.

The subject matter of the complaints most often involved alleged pejorative comments about students, poor teaching performance, and professors' absence from class or early dismissal of class. Many, but not all, of the complaints also involved complaints of inequitable grading. Very few of the complaints concerned the teaching of controversial subject matter, and in those cases, the fact-finder determined that the professors' comments were protected by academic freedom.

### Analysis

It appears that, by and large, the student complaint procedure has fulfilled its intended purposes. It has provided students with a formal vehicle for addressing concerns about faculty members' conduct not addressed by other procedures, although in some instances those

complaints have been combined with grade appeal complaints. It has not resulted in a floodgate of unfounded complaints against faculty members, nor has it served as a means for ideologically-motivated students to bring complaints against professors based on their political views – both of which were concerns expressed by faculty members prior to the policy's adoption.

The policy seems to have been underused at a number of campuses, which may be the result of the lack of publicity about its existence. Over time, we should expect more cases. A survey of college websites revealed that several colleges had not posted the policy as expected, and steps have been taken to correct that oversight.

By far the largest problem identified has been reluctance by department chairpersons to investigate cases against faculty members in their departments. At one college, several cases have been reassigned to a chairperson in a different department, and in several other cases, the chairpersons have not been expeditious about completing their investigations. That delay has compromised the policy's intent to provide a speedy resolution to perceived issues about faculty conduct in academic settings.

### **Proposed Revisions**

Thus far, suggestions for revisions have been solicited from student affairs and academic officers. In addition, faculty members have submitted some suggested revisions. I would suggest that we revise the policy to make it more effective as follows:

#### **Investigations by department chairpersons**

The majority of comments we received expressed concerns with the policy's assignment of investigations to the complained-of faculty member's chairperson. In many cases, chairpersons have been reluctant to investigate, perhaps either because they were friends with the faculty member or because they did not want to take on the additional work of investigation. Alternatively, certain chairpersons might have been reluctant to investigate because they had an

unfavorable opinion of the faculty member or student (possibly unbeknownst to the professor or student) and did not want to approach an investigation with preconceptions.

The policy allows a faculty member or student to ask for the chairperson to recuse him or herself for good cause, but it does not currently allow the chairperson to initiate a recusal request. I recommend that the policy allow chairpersons to initiate requests for recusal for good cause, including bias or other good reasons. If the policy requires a good reason for such recusal, there will be little risk of chairpersons' routinely asking for recusal merely to avoid work. The determination on a chairperson's request would be made by the appropriate academic dean, who is currently charged with the responsibility to determine the merits of a faculty member's or student's request for a chairperson's recusal. If the recusal request is granted, a different departmental chairperson would be chosen to investigate, or, if no one is available, the dean would conduct the investigation.

In addition, there have been circumstances in which a chairperson has begun an investigation and not completed it. The policy should build in flexibility to re-assign an investigation in particular cases as necessary.

There were other thought-provoking suggestions for changing the fact-finder, but these suggestions were not supported by the colleges' chief academic officers. One proposal was to use a department chairperson other than the chairperson from the complained-of faculty member's department to investigate, drawn from a pool of chairpersons at each college. The chief academic officers felt that it would be preferable to keep the complaint process within a department in order to facilitate the informal resolution of complaints. They also were skeptical that enough chairpersons would be interested in serving as a member of such a pool.

Another suggestion was to assign deans rather than chairpersons to investigate in all cases. I do not recommend this change, because, as discussed above, absent special



circumstances it makes more sense to keep the process within a particular faculty member's department, where complaints are more likely to be resolved informally.

**Allowing administrators to investigate when faculty members are not available**

Since complaints often come at the end of the semester after grades are in, faculty members are often on leave, particular during the summer. The policy should provide for fact-finding by deans if neither the department chairperson nor another chairperson is available to investigate.

**Allowing only students directly affected to file complaints**

At one college, a complaint was brought by a group of students not in a professor's class about comments he had made in class. (His comments apparently had been tape-recorded by a student in the class, so arguably a student in the group was a student in his class). Based on that incident, however, a suggestion was made that a student not in a professor's class (or other academic setting) should not have standing to bring a complaint about a professor's conduct in that class. While this is probably not a common problem, it does seem reasonable to amend the policy to make this standing requirement clear.

**Further defining good cause for untimely filing**

Under the current policy, complaints should be filed within 30 days unless good cause is shown. An attempt to work out complaints informally constitutes good cause, but no other examples of good cause are stated. One problem is that students wait to file because they don't want the complaint to influence their grades in a class. It should be made clear that waiting for this reason does not constitute good cause, but it should be re-emphasized that professors may not retaliate against students for filing a complaint.

### Substituting the word fact-finding for investigation

A department chairperson at one college, who has conducted several investigations and performed those responsibilities impeccably, was invited by the University Faculty Senate to discuss the policy and to opine on suggestions for improving it. He made a number of excellent suggestions, including the suggestion to substitute the word "fact-finding" for "investigation." I favor this change as it might lessen faculty anxiety about the policy.

### Allowing the chairperson to provide interim relief pending the results of the fact-finding

The same department chairperson suggested that a chairperson should be granted the authority to provide interim relief pending the results of any fact-finding. The chairperson probably already could do so, but it is a good idea to acknowledge that option explicitly in the policy.

### Other Proposals

There were a few other revisions to the policy received during the review process that I do not recommend be made, for the reasons discussed below.

#### Allowing cross-complaints against students

Based on an incident at one college, faculty members have proposed that the policy state that faculty members may file cross-complaints against students. Complaining about a student is already an option, since a faculty member may complain about a student to the student affairs office, which may result in Article 15 discipline of the student. Adding the potential for cross-complaints to the student complaint procedure, which is designed to give students a forum, is unnecessary and might deter students from exercising their rights.

#### Formalizing the process

There were also a number of suggestions made that I believe would make the policy a little too formal. These included: developing specific forms for each step in the process;

explicitly stating that the chairperson should decide if a complaint is covered by another procedure; barring other kinds of fact-finding and settlement during an investigation; outlining specific procedures in multiple complainant cases; providing for the faculty member to provide his/her side of the story in writing; specifying the standard of proof; and placing the burden on the appellant to present new evidence on appeal. While these suggestions potentially would help the chairperson by providing more guidance on how to conduct an investigation, I do not recommend their adoption because they would make the process too similar to a judicial proceeding.

**Defining subject matter not covered by academic freedom**

It also was suggested that the policy provide more guidance on academic freedom, perhaps by listing things not covered by academic freedom, and the default would be that everything else would be considered protected by academic freedom. It would be hard to devise such a list. Further, in my review, I did not find that many complaints touched on matters protected by academic freedom, and when they did, chairpersons did not have a problem making that determination. Therefore, this change is not necessary.

## Student Complaints

<u>College</u>	<u>Nature of Complaint</u>	<u>Resolution</u>
NYCityTech	Complaint about grade and cancellation of classes	Referral to grade appeal committee, complaint about cancellations not upheld, but faculty member advised about proper use of Blackboard
NYCityTech	Complaint about grades and comments	Complaint dismissed
CUNY Law School	Dissatisfaction with teaching methods	Dismissed/academic freedom exclusion
CUNY Law School	Dissatisfaction with teaching methods	Resolved informally/explained academic freedom exclusion to students
Medgar Evers College	Complaint about unprofessional behavior	Resolved informally
Medgar Evers College	Complaint about unprofessional behavior	Resolved informally
BMCC	Complaint about unfair practices by faculty member, including cancelling classes, reviewing material not in textbook, and complaint about lack of available tutors (12 students)	Complaint dismissed, except for tutors.
John Jay	Complaint about professor making ethnic slur	Investigation inconclusive
John Jay	Complaint about grade and rude comments by professor	Investigation not completed
John Jay	Complaints about touching/grabbing student's arm	No resolution; professor filed complaint against student

## Student Complaints

<u>College</u>	<u>Nature of Complaint</u>	<u>Resolution</u>
John Jay	Complaint of racism	Complaint dismissed, class instruction protected by academic freedom
John Jay	Complaint about poor teaching	Resolved informally
John Jay	Complaint of inequities in teaching and grading	Investigation not completed
John Jay	Complaint about poor teaching	Resolved informally
John Jay	Complaint about ethnic slurs, leaving class early, not showing up for class	Complaint mainly upheld, disciplinary charges pending against professor (note: same professor as JJ complaint #1)
John Jay	Complaint about offensive remarks about Whites and Chinese government, poor teaching	Investigation not completed
John Jay	Complaint about pejorative comments to students in class	Complaint initially dismissed, but sent back to fact-finder by the Provost to interview complaining student
John Jay	Complaint about professor's comments	Investigation not completed
John Jay	Complaint that professor told 25% of students to drop the class after the first assignment	Investigation not completed
CSI	Complaint about professor's comments, class hours, alcohol in the classroom, and professor's absence from class	Complaint dismissed, except sustained complaint that professor should be present for whole class during weight room session
CSI	Complaint about same professor, different student –	Complaint dismissed

## Student Complaints

<u>College</u>	<u>Nature of Complaint</u>	<u>Resolution</u>
	grade and sexist remarks	
Bronx Community College	Complaint about comments about Muslims	Resolved informally; professor clarified remarks
Baruch College	Complaint about grade and tone	Grade to be reviewed for fairness
City College	Complaint about verbal abuse and threat of physical abuse	Complaint dismissed
City College	3 complaints from the same student, different profs. Stress and mental abuse complaints	Complaint dismissed
QCC	Complaint about verbal abuse and unfair grade	Complaint dismissed.
QCC	Complaint about political bias of professor and connected verbal abuse of student	Complaint about political bias in the classroom dismissed as protected by academic freedom, complaint about verbal abuse of student upheld, further action against professor recommended, professor not reappointed
QCC	Complaint about organization and presentation of class material, second complaint that professor promised a good grade in return for the student's praising the professor's class	Investigation not completed, but professor declined a spring reappointment as a substitute assistant professor

**KEELING & ASSOCIATES, LLC**

John Jay College  
of Criminal Justice

**Strategic Retention Plan**

June 8, 2009

**Introduction**

Improving retention requires an institution-wide commitment that student learning, engagement, and success are central to the achievement of the University's mission. A strategic retention plan is an institution-wide affirmation of the priority of student learning, engagement, and success incorporating core goals and objectives and linked to benchmarking and transparent accountability.

The goals defined in the tables that follow derive from the final report of findings and recommendations regarding retention at the John Jay College of Criminal Justice (John Jay) prepared by Keeling & Associates, LLC (K&A) and submitted on April 22, 2009. Each table explicates one or more closely related goals; the goals are identified in the first column. The second column defines objectives and activities pertinent to each of the goals; the third and fourth columns display the recommended timing and presumptive accountability for each objective or activity. Notes in the first column of each table link goals to the recommendations in the K&A report.

**Student Retention: Goals**

**Goal 1: Strategic Planning**

Strategic planning offers the occasion for institution-wide affirmation of mission, priority setting, commitment to rigorous benchmarking, and transparent assignment of responsibility for the accomplishment of institutional objectives.

Goal Strategic Planning	Objectives & Activities	Timing	Accountability
<p><b>Goal 1:</b> <i>complete a rigorous, consensus-based institutional strategic planning process to clearly define the vision and priorities of the University.</i></p> <p>[From Recommendation 1]</p>	<p>Create a new institutional strategic plan, integrating academic and retention strategies, for the period 2010-2015.</p> <ul style="list-style-type: none"> <li>▶ Assign the College's Budget and Planning Committee to lead the strategic planning process.</li> <li>▶ Design the planning process to build community while fostering institutional change for learning.</li> <li>▶ Establish and monitor achievement of timelines to ensure completion of plan on schedule.</li> <li>▶ Clearly define relative priorities of teaching/ learning and research/scholarship for the planning period.</li> <li>▶ Emphasize redistribution/reallocation of existing resources to support student learning.</li> <li>▶ Address changes in policy and practice required to support greater engagement of faculty with undergraduate education, student learning, and student success.</li> <li>▶ Using a common format, develop specific implementation plans through which each Division defines the processes and activities through which it will implement the goals and objectives of the institutional strategic plan; include specific timelines, priorities, and defined accountability in each implementation plan.</li> </ul>	<p>ASAP; complete by 12/09</p>	<p>President</p>



**Goal 2: Assessment**

Assessment, understood as a vibrant and organic form of teaching and learning, rather than as "accountability," is a powerful variable in student success. Appropriate and timely feedback to students within a context of demanding yet caring instruction and support increases the effectiveness and quality of student learning and ultimately strengthens student motivation, satisfaction and retention.

Goal 2 Assessment	Objectives & Activities	Timing	Accountability
<p><b>Goal 2:</b> <i>Develop and implement a rigorous system for assessment of student learning applied to all classroom and out-of-classroom learning experiences.</i></p> <p>[From Recommendation 8]</p>	<p>Complete the recruiting and hiring of the Associate Provost for Assessment and Planning to support the process of developing the College's strategic plan (including implementation plans), outcomes-based decision-making, and creation of a culture of assessment and evidence.</p>	<p>ASAP</p>	<p>Provost</p>
	<p>Assess the preparedness and competency of members of the faculty and professional staff to assess student learning.</p>	<p>Winter-Spring 2010</p>	<p>Associate Provost for Assessment and Planning</p>
	<p>Develop and launch a professional and faculty development curriculum designed to increase the capacity of faculty and professional staff to assess student learning.</p>	<p>Spring-Sum-Fall 2010</p>	<p>Associate Provost for Assessment and Planning</p>
	<p>Require the establishment of desired learning outcomes for every intentional educational experience the College offers.</p>	<p>Spring 2010</p>	<p>Associate Provost for Assessment and Planning</p>
	<p>Continue to administer and disseminate results of the National Survey of Student Engagement (NSSE) on a semiannual basis.</p>	<p>Spring 2010, 2012, and 2014</p>	<p>Associate Provost for Assessment and Planning</p>

Goal 2 Assessment	Objectives & Activities	Timing	Accountability
<p><b>Goal 2:</b> <i>Develop and implement a rigorous system for assessment of student learning applied to all classroom and out-of-classroom learning experiences.</i></p> <p>[From Recommendation 8]</p>	<p>Create and administer a survey of student satisfaction, particularly regarding admissions experiences and personal and academic support services from matriculation through the first two years.</p>	<p>Fall 2010</p>	<p>Associate Provost for Assessment and Planning</p>
	<p>Inform decision making about the redistribution of resources with clear, sound assessment data that demonstrate the outcomes, value, and worth of various programs and activities.</p> <ul style="list-style-type: none"> <li>▶ Use a decision matrix approach -- ranking programs (both academic and student development or support services) on the intersecting axes of mission-centeredness and greatest good for the greatest number.</li> <li>▶ Rate programs on the basis of outcomes data, not impressions or history.</li> <li>▶ Use the development and implementation of the decision matrix to support the creation of a culture of evidence in the institution.</li> </ul>	<p>Fall 2010</p>	<p>Provost; Associate Provost for Assessment and Planning</p>
	<p>Continue to advance, support, and diversify the assessment of learning in all intentional educational experiences offered by the College.</p>	<p>Fall 2010</p>	<p>Associate Provost for Assessment and Planning</p>
	<p>Develop and launch consistent methods for assessing and documenting students' learning in multiple domains, such as e-Portfolios.</p>	<p>Fall 2011 - Spring 2012</p>	<p>Provost; Associate Provost for Assessment and Planning</p>
	<p>Use assessment results to strengthen all intentional educational experiences.</p>	<p>Spring 2011</p>	<p>Faculty and Student Dev Staff</p>

**Goals 3-6: Student Success**

Personal and academic support for students, including the full range of programs and services from appropriate admissions and recruiting literature to orientation programs during the summer prior to first fall term, first-year experience courses or seminars, mentoring, tutoring, academic and learning skills services, academic advising, career counseling, personal counseling, and health services are essential components of efforts to support student learning, engagement, success, and retention.

Goals 3-6 Student Success	Objectives & Activities	Timing	Accountability
<p><b>Goal 3:</b> <i>Increase resources for student academic and personal support services</i> [From Recommendations 9 and 13]</p>	Continue to increase resources (funding and positions) for student academic and personal support services	Ongoing; begins ASAP	Cabinet
	Increase the number of positions for professional academic advisors from 3 to 15 over the planning period.	Add avg 3 positions per year	Provost
	Establish a credit-bearing and required first semester/first year transition to college course designed to enhance students' academic, study, and cognitive skills and strengthen their engagement with the College and its programs.	Fall 2010	Dean of Undergrad Studies
	Strengthen the resources and programs of the Office of the Dean of Undergraduate Studies.	Fall 2010	Provost
	Create a Student Orientation Office in the portfolio of the Vice President for Student Development	Fall 2010	Vice President for Student Dev

Goals 3 & 6 Student Success	Objectives & Activities	Timing	Accountability
<p><b>Goal 3:</b> <i>Increase resources for student academic and personal support services</i></p> <p>[From Recommendations 9 and 13]</p>	Recruit and hire a director for Student Orientation	Winter 2011	Vice President for Student Dev
	Develop a summer orientation experience through which to facilitate students' adjustment to college, prepare them for college-level academic expectations, and link them to academic and personal support services.	Sum 2011	Vice President for Student Dev; Director, Orientation
	Expand peer mentoring and peer tutoring programs in all academic departments and in general education.	Fall 2011	Dean of Undergrad Studies
	Develop and implement learning communities of students focused on academic disciplines or topics of common interest.	Fall 2011	Provost; Dean, Undergrad Studies; Vice President for Student Dev
<p><b>Goal 4:</b> <i>create and implement reliable, sturdy systems of academic monitoring and support designed to facilitate the early recognition of students with emerging academic limitations or problems</i></p> <p>[From Recommendation 10]</p>	Change the service and practice models of academic and student services to emphasize early recognition of and intervention with students who have academic or personal/social/family/financial problems that are interfering with their achievement and progress	Fall 2009	Provost; Dean, Undergrad Studies; Vice President for Student Dev
	Prepare/train faculty members to intervene when students exhibit evidence of personal problems or constraints in academic performance	Spring 2010	Provost

Goals & Student Success	Objectives & Activities	Timing	Accountability
	<p>Provide priority access to available advisors for students who are self- or faculty-identified as having academic distress.</p>	<p>ASAP</p>	<p>Director, Advising Center</p>
	<p>Institute College-wide policies supporting a) ongoing formative evaluation of student learning in classes, b) criteria for notification by faculty members to advisors or counselors that students are "in trouble," and c) systems that make it easy for faculty members to make easy referrals of troubled students to advisors or sources of personal counseling and assistance.</p>	<p>Spring 2010</p>	<p>Provost, Vice President for Student Dev</p>
	<p>Provide "second best" or alternative programs for students who are unable to succeed in their originally chosen program of study, especially forensic sciences.</p> <ul style="list-style-type: none"> <li>▶ Students should be able to shift their academic program to an alternative tangential program without losing the value and time invested in courses already taken and passed.</li> </ul>	<p>Fall 2011</p>	<p>Provost, Vice President for Enrollment Mgmt, and Vice President for Student Dev</p>
<p><b>Goal 5:</b> <i>Provide assistance to students who are facing complex life circumstances or challenges</i></p> <p>[From Recommendation 12]</p>	<p>Facilitate students' access to all sources of financial aid for which they are eligible.</p>	<p>ASAP</p>	<p>Vice President for Enrollment Mgmt</p>

Goals & Student Success	Objectives & Activities	Timing	Accountability
<p><b>Goal 6:</b> <i>Deploy student-centered class, program, and service scheduling</i></p> <p>[From Recommendation 12]</p>	<p>Adjust service hours of student academic and personal support programs and services to better match students' convenience and improve access.</p>	<p>ASAP</p>	<p>Vice Presidents for Student Dev &amp; Enrollment Mgmt</p>
	<p>Continue initiative to make academic scheduling more student-centered, including graduate students.</p>	<p>ASAP</p>	<p>Provost, Vice President for Enrollment Mgmt, and Registrar</p>

**Goal 7: Community Development**

Retention in part is linked directly to how strongly students feel connected to the institution. Appropriate gathering places for study and socializing, empathic and helpful policies and procedures for student events and activities, and academic and social events that bring students together help build student attachment to the institution ("my home away from work or home").

Goal Community Development	Objectives & Activities	Timing	Accountability
<p><b>Goal 7: Adjust policies, programs, and practices to support the creation of a greater sense of community at John Jay.</b>  [From Recommendation 15]</p>	<p>Review and revise the policies and programs of the Office of Student Activities as needed to improve students' engagement with programs and the campus.</p>	<p>ASAP</p>	<p>Vice President for Student Dev</p>
	<p>Review campus-event security requirements for student groups.</p>	<p>ASAP</p>	<p>Vice President for Student Dev</p>
	<p>Develop and improve communal gathering areas on campus - especially with the addition of the new building.</p>	<p>2010-2011</p>	<p>Vice President for Admin; Vice President for Student Dev</p>
	<p>Use the social networking tools of online communities to enhance students' sense of connectedness and community at John Jay</p>	<p>2010-2011</p>	<p>Vice President for Student Dev</p>

**Goals 8-9: Admissions Standards**

The College's admissions process and the development and communication of clear standards provide powerful first messages to potential students and their families.

Goals & Admissions Factors	Objectives & Activities	Timing	Accountability
<p><b>Goal 8:</b> <i>Raise standards sufficiently to avoid admission of students whose academic portfolios are so weak that they will almost certainly fail in college.</i></p> <p>[From Recommendation 11]</p> <p><b>Goal 9:</b> <i>Employ more aggressive and extensive student recruitment, especially of the most able students</i></p>	<p>Incrementally raise minimum admissions standards for first time in college undergraduates during the planning period.</p>	<p>2010-2015</p>	<p>Vice President for Enrollment Mgmt</p>
	<p>Convey the facts, and the significance, of higher academic standards to prospective students, parents, high school guidance staff, and high school teachers.</p>	<p>ASAP</p>	<p>Vice President for Marketing and Dev.</p>
	<p>Create and implement special programs and learning opportunities that will distinguish and enhance undergraduate education at John Jay.</p> <ul style="list-style-type: none"> <li>▶ Honors Program</li> <li>▶ Undergraduate research</li> <li>▶ Internships</li> <li>▶ Community-based learning, including service opportunities</li> <li>▶ International education</li> </ul>	<p>2010-2011</p>	<p>Provost, Vice President for Student Dev, Vice President for Marketing and Dev, Dean of Undergrad Studies</p>
	<p>Intensify and expand student recruitment efforts for the most able students by emphasizing opportunities for these special programs and earning opportunities.</p>	<p>2010-2011</p>	<p>Vice President for Enrollment Mgmt</p>



**Goal 10: Increase Faculty Engagement with Students and Student Learning**

The single most powerful factor in retention is how well and often students engage with faculty in and out of the classroom. Students consistently report in national studies that faculty members are perceived as the most important and most respected people on campus. Faculty feedback to students in class, for example, can be candid, even harsh, but if it is constructive and perceived as caring, students acknowledge its usefulness and a sign that the institution cares about helping them become successful.

Goal 10 Faculty Engagement	Objectives & Activities	Timing	Accountability
<p><b>Goal 10:</b> Increase faculty engagement and responsibility for supporting student learning, retention, and success.</p>	<p>Appoint cross-institutional task force or working group on faculty rewards and responsibilities; charge with making recommendations for articulating promotion and tenure criteria to support faculty engagement with students and student learning</p>	<p>Start fall 2009</p>	<p>Provost</p>
	<p>Provide faculty development programs and resources on learning and the support of student success</p>	<p>Start fall 2009</p>	<p>Provost</p>
	<p>Use the conclusions of the recently completed review of general education to reinforce the reorientation of faculty priorities toward teaching, assessment, and student success.</p>	<p>Fall 2009</p>	<p>Provost</p>
	<p>Strengthen, enlarge, and expand resources for the Center for the Advancement of Teaching and engage larger numbers of faculty with its programs.</p>	<p>2010</p>	<p>Provost</p>

