

**Faculty Senate Minutes #516
John Jay College of Criminal Justice**

Friday, December 4, 2020

1:00 PM

Zoom

Present (29): Chevy Alford, Andrea Balis, Elton Beckett, Ned Benton, Marta Concheiro-Guisan, Lissette Delgado-Cruzata, Jonathan Epstein, Joel Freiser, Jessica Gordon-Nembhard, Amy Green, John Gutierrez, Christopher Herrmann, Veronica Johnson, Karen Kaplowitz, Erica King-Toler, Joyce Lau, Anru Lee, Alexander Long, Maxwell Mak, Mickey Melendez, Catherine Mulder, Hyunhee Park, Jay Pastrana, Edward Paulino, Francis Sheehan, Marie Springer, Lucia Velotti, Adam Wandt, Violet Yu

Absent (10): Mohamed Ben Zid, Chelsea Binns, Marta Bladek, Michael Brownstein, Silvia Dapia, Heath Grant, Maki Haberfeld, Benjamin Lapidus, Christian Parenti, Marta-Laura Suska

Guest: Professor Maria Kiriakova

Invited Guests: Associate Provost Dara Byrne, Professor James Cauthen, Assistant VP Daniel Matos, Associate Provost Allison Pease, Director Kate Szur

Agenda

- 1. Adoption of the agenda**
- 2. Adoption of Minutes #515 of the November 16, 2020, meeting**
- 3. Election of John Jay delegates to the University Faculty Senate**
- 4. Selection of faculty members for the College Committee on Inclusion & Diversity**
- 5. Middle States Reaccreditation: Associate Provost Pease & Professor Cauthen**
- 6. Agenda of the December 7 College Council meeting**
 - a. Resolution from the Faculty Senate on confidential electronic voting for faculty:**
 - b. Unhousing the Gender Studies Program from ISD**
 - c. CR/NC Grading Policy**

1. Adoption of the Agenda. Approved.

2. Adoption of Minutes #515 of the November 16, 2020, Faculty Senate meeting. Adopted.

3. Election of John Jay delegates to the University Faculty Senate

The Senate elected Professors James De Lorenzi (History) and Catherine Mulder (Economics) to 3-year terms as delegates representing full-time faculty on the University Faculty Senate and elected Professor Glenn Corbett (SFEM) as an alternate delegate of the full-time faculty. They

join Professors Ned Benton, Heath Grant, Karen Kaplowitz, Patricia Tovar, and Adjunct Professor Kimora.

4. Selection of faculty members for the College Committee on Inclusion & Diversity

President Mason has asked the Faculty Senate to recommend faculty members to serve on the College Committee on Diversity & Inclusion and to do so as soon as possible; she already has the names of the student and HEO members and can't proceed until she receives names of faculty. The Senate agreed to the following procedure, given that intersession is about to begin: nominations will be open now for nominations from senators and an email will go out to the entire faculty inviting nominations and self-nominations and the faculty will be chosen by the Senate Executive Committee in consultation with the Faculty Senate Committee on Racial Justice & Inclusion. Nominated were Lissette Delgado-Cruzata and John Gutierrez, both of whom accepted nomination.

5. Middle States Reaccreditation: Invited Guests: Associate Provost Allison Pease & Prof. James Cauthen

The three co-chairs of our Middle States (MS) reaccreditation process are Associate Provost Allison Pease, Professor James Cauthen, and Professor and Senator Ned Benton. They briefed the Senate about the seven Middle States standards that a college must pass to be reaccredited. The timeline for John Jay is as follows: during the Spring of 2021, the steering committee and the working groups will be formed; they will submit a design for a self-study of the college in the Fall of 2021; the working groups will draft chapters of the college's self-study based on the MS standards during the Spring of 2022 and will share it with the college community at that time; the self-study will be finalized and submitted to the Middle States Commission. During the Spring 2023 semester, an evaluation team comprising administrators from other colleges will spend four days at John Jay, having read our self-study, to meet with members of the John Jay community.

It was reported that during the past five years, both CCNY and York colleges were put on monitoring status, which really hampers their ability to act; colleges placed on monitoring status must check with MS before they may do many, many things.

The Senate was asked to think about who would be the right people to be recruited to serve on the working groups, which will comprise faculty, students, and administrators; to think about what kinds of evidence should be developed for the self-study; and to think about what our college's weaknesses are and how we can mitigate those weaknesses now. Associate Provost Pease explained that this is the point of the self-study, to discover our weaknesses and mitigate them. AP Pease said she is certain that assessment of student learning will be determined to be our weakness.

Professor Cauthen urged everyone to volunteer to a member of a working group, saying a variety of perspectives and voices are needed. He said the working group members will receive

lots of support from the steering committee and that the MS standards have specific criteria. He added that the first time he was on a MS working group he had no idea what a self-study is.

VP Kaplowitz said 10 years ago, at the time of our last MS reaccreditation, she was the president of the Senate and, therefore, was one of the three MS co-chairs then (and in previous iterations of the process she had been on working groups). She called the MS process fun and interesting.

AP Pease took the opportunity to report that she and AP Dara Byrne had met the previous day with the Faculty Senate's Committee on Racial Justice & Inclusion. AP Pease said there is tension at the college between race and criminal justice because we are a MSI and a HIS in terms of whom we educate and our mission is criminal justice education and yet those we educate are targets of the law enforcement community. She said we have to be proactive in defining what "educating for justice" means and we need to explicitly name racism in our curriculum. She said it seems most of the faculty agree; many faculty members attend open call meetings about this; 40 faculty members are actively working to revise their courses. This is a slow and long process. Many of us white faculty are educating ourselves. She reported that AP Byrne said yesterday that we have a majority of white faculty, we have tremendous good will, we have a willingness to incorporate a criticism of our discipline's history in our teaching, we have an effort to include POF authors, and yet white faculty fear getting it wrong. She said she and AP Byrne are doing this work in hoping to lead a process that's the faculty's process. She said we need to get a shared agreement on paper — no more than 5 pages — as to what we're doing to reduce the tension between race and criminal justice.

Senator Jessica Gordon-Nembhard, chair of the Senate's Committee on Racial Justice & Inclusion said that it was a really excellent meeting: lots of ideas were generated and it was clear they can work closely with Allison and Dara.

Senator Elton Beckett said that our students and former students are going into law enforcement and we have to start thinking about how they can be responsible employees on the job, but they haven't been given the tools to make changes from within the system. Senator Erica King-Toler said not only are we sending our students to those systems but we need to make inroads into those systems. We train students in justice but then they go into the NYPD, for example, and their experience is totally different from what they learned in our courses; furthermore, we have to partner with these agencies to change them.

7. Agenda of the December 7 meeting of the College Council

a. Resolution from the Faculty Senate on confidential electronic voting for faculty:

The Faculty Senate Resolution on confidential electronic voting was circulated by our Executive Committee to the Council of Chairs and we received no objections from them.

b. Unhousing the Gender Studies Program from ISD:

The Provost planned to unilaterally move a program from one department to another department; Senate leaders insisted that this go through governance and it is. The College Council will be voting on this proposal to move the Gender Studies Program out of the Department of Interdisciplinary Studies so that it may be a free-standing program as other interdisciplinary programs are.

Senator Amy Green, a member of ISD, said her department has absolutely no objection to unhousing the program but the College Council document is full of errors. The Chair of ISD has submitted corrections three times to no avail. Some of the errors are of language, some of it is history. Senator Jessica Gordon-Nembhard said she is a new member of the Gender Studies Advisory Committee and apologized on behalf of the committee that there hasn't been response to corrections, noting that she never saw the corrections that had been sent. She added that the committee had asked that the proposal be sent to the College Council rather than be treated as a provostial action. She asked that the corrections be sent to her.

c. CR/NC Grading Policy

The Student Council has issued a Resolution calling on the Faculty Senate and the College Council to establish and advocate for the reinstatement of the CR/NC Grading Policy that was in effect for the Spring 2020 semester. The problem is that the CUNY Chancellor is refusing to permit the colleges to adopt a CR/NC policy. The Senate Executive Committee wants the Senate to be responsive to the students' demands, as the demands are a call for help as the students struggle academically and emotionally. Accordingly, we invited Associate Provost for Retention & Dean of Undergraduate Studies Dara Byrne and Assistant Vice President and Registrar Daniel Matos to today's meeting to advise us and help us think this through.

AP Byrne said our students are struggling, they are suffering, and they are worried about their grades and about what's fair. A large portion of our students pay for John Jay from financial aid. When CUNY established the CR/NC policy last semester, CUNY obtained waivers from the federal and state governments so that students would not be penalized for not receiving letter grades (if they opted for the CR/NC option). Because colleges across the country adopted flexible grading policies, this was a nationwide response to the pandemic and thus future employers and law schools and graduate schools would understand why some students would not have letter grades. But that is not the situation now. No university system is giving students the option of pass/fail or CR/NC grades this semester.

AP Byrne said that to her, the only window for us to look at is our existing policies and ways to make them a little more elastic for this semester. For example: last year we passed a Freshman Forgiveness Policy but it only applies to some entering freshmen, but for Covid reasons we might make all freshmen eligible; resolution of the INC grade mandates that the deadline for resolving the INC is 21 days after the next semester begins, but we could temporarily change that so that students have until the end of this semester and we might want to extend this extension to the following semester; we could decide to not dismiss students on academic probation; we could put a recovery process plan in place. She said she would shake the money

tree so we could do more robust intensive work for students under academic review. These are alternatives to a CR/NC policy.

She said we don't have the advisement infrastructure to advise our students. Indeed, last semester we had students with final grades of B and B+ and A- who took the NC option. Even when we reached out to them, she said, students chose NC because they wanted to conserve their GPA. They chose the short-term solution.

AP Byrne cited what she called really awesome work by English and Math and Chemistry faculty who during the past few semesters piloted tutorials, extra recitations, and workshop structures for students who have been solidly attempting to succeed but need more seasoning before fully baked. These students were steadily showing up for class but needed more time and so they attended non-credit workshops in January to get to an acceptable level. If you give credit to students who receive a D in their first chemistry class (1,000 students got a D), it will lead to disaster in their second chemistry class. The workshop model is a pre-forgiveness approach: we held the grade, gave the student the chance to work on modules and attend January workshops, and the D or F grades turned into C's and B's instead. That's how John Jay moved from the bottom at CUNY to the top in terms of our graduation rate and our retention rate.

AP Byrne said that administrators need to be empowered to make changes to our existing policies to make those policies more flexible; Kate Szur needs cover to reach out to students offering them more flexible options.

AVP Daniel Matos explained that it's too late to propose new policies to CUNY for this semester because any new policies would have to go through not only the College Council but the CUNY Board of Trustees and we've already passed the deadline for BoT policies for this semester. As for the students' demand for the equivalent of last semester's CR/NC policy, this is not possible. Noting that the FAQ for that CR/NC Policy was a 25-page document, he said this was because CUNY had obtained arrangements with many third-party entities: the Department of State, the Department of Education, the Veterans Administration, Customs, Immigration, Middle States, etc. The VA agreed to pay students on the G.I. Bill even if they had non-letter grades; the Department of Education said it would not hold letter grades against students; Middle States said it would not hold this against our accreditation status; those in charge of PELL and TAP agreed not to penalize students opting for non-letter grades. It wasn't just CUNY, it wasn't just SUNY, it wasn't just NYS, it was the federal government and the entire higher education community that agreed to hold students and colleges harmless. Since then, more than 90,000 CUNY students registered for summer classes and did not have the CR/NC option and there was no demand for it. But now there is.

The second issue, AVP Matos said, is an internal one: can you have a policy at John Jay that is in conflict with every other grading policy we have. We have pass/fail; no extra work for better grades unless the opportunity is given to all students at the same time; policies about progress and support. Can we have a policy that contradicts these policies?

VP Kaplowitz said at the UFS two nights ago that no other university system in the country is offering anything like CR/NC this semester and, therefore, our students would be at a terrible disadvantage competing with other students when applying for graduate school and professional schools.

AVP Matos said one reason CUNY is reluctant to institute CR/NC again is that the results were mixed: if you require students in science to have a C to get into the next course, we won't know if the student is prepared to take the second course if the grade given was NC. There's great fear that the CR grade will kick the can further down the road with regard to probation and dismissal as a result of deficiencies in foundational courses. He said he doesn't see any feasible way for John Jay to pass a flexible grading policy that covers every course, every student, at every level as did last semester's policy.

President Benton said we have lots of information to support our saying "NO" at the College Council on Monday. But we want to be able to say "YES" to something. One possibility is to have the College Council urge the college academic and student service leaders to apply discretion with regard to academic standards, deadlines, etc.

Senator Francis Sheehan said this a very, very tough semester; the hardships students are experiencing are horrific; students called him from hospitals because of emotional issues. He praised the decision to extend the course withdrawal date to the last day of classes because it provided a lot of relief to students.

AVP Daniel said John Jay was responsible for a lot of the language of the policies developed during the pandemic. It is now permanent policy that the date of withdrawal will always be the last day of classes. What keeps him up at night is the law of unintended consequences because of policies that may be passed 9 days before the end of the semester in response to the pandemic such as loss of VA benefits, Visa problems; loss of scholarships; loss of PELL and TAP funds, etc.

Senator Sheehan said the faculty always took the position that the last date of withdrawal should be the 10th or 12th week of class because the student evaluation of faculty takes place after the withdrawal deadline so students who did no work all semester would not be able to submit negative evaluations and then drop their classes. AVP Matos said the registrar's office can provide DoIT administrators with a list of all students who withdraw.

VP Kaplowitz made a motion that the Senate Executive Committee draft a College Council resolution authorizing administrators to make existing policies more flexible and, furthermore, that the XC then circulate the draft resolution to Dara Byrne and Daniel Matos for their feedback and to the Faculty Senate, for review and comment. The motion was seconded by Senator Jonathan Epstein.

Senator Chevy Alford said she would never want the CR/NC grade established this semester based on what Daniel Matos said. Senator Jessica Gordon-Nembhard agreed, adding that at the same time she doesn't want us to disrespect the students or seem to not support them. Senator Elton Beckett suggested that the Executive Committee meet with Amber Rivero and her executive staff in order to let them know the Senate's thinking and what we plan to present to the College Council. He added that if he were a student at this time he'd want the CR/NC option but he wouldn't understand that choosing a CR grade would render him less competitive for graduate school.

The motion was approved by a unanimous affirmative vote. [See below for the text of the Resolution]

The meeting was adjourned at 3:40 pm.

Provided by
Karen Kaplowitz

Resolution on Academic Policies during the COVID-19 Pandemic

Approved by unanimous vote of the Faculty Senate on December 4, 2020, for submission to the College Council for its action on December 7, 2020

Whereas, The Student Council of John Jay College of Criminal Justice adopted a resolution on November 12, 2020, that clearly and forcefully articulates the very serious challenges and risks for student academic success that have been created by the transition to fully online and distance learning modalities necessitated by the COVID-19 pandemic, and

Whereas, The Student Council resolution calls for the extension of the *Flexible Grading Policy* (aka the Credit/No Credit Policy), enacted by CUNY for the Spring 2020 semester, and

Whereas, The Credit/No Credit policy was enacted solely for the Spring 2020 semester in the context of waivers enacted at the federal and state level that protected students from the potentially negative consequences of the policy for financial aid, for Veterans' benefits eligibility, for transferability of courses, and for graduate and professional program admission, waivers that are no longer in effect,

Therefore, The College Council calls on John Jay academic and administrative leaders and college faculty to

- respond with empathy and concern for John Jay's undergraduate and graduate students facing challenges that may impair their academic success,
- apply discretion in registration and academic standing reviews where it is within the discretion of college officials to defer the implementation of deadline and academic standing decisions;
- extend, when possible, the deadlines of policies designed to help students who are challenged in their academic work
- promote access to programs and services that enable students to successfully complete classes with additional support.

Therefore, and furthermore, the College Council calls on the Faculty Senate, the Student Council, college administrators, and John Jay academic policy committees to continue to study and propose ways to implement for the Spring 2021 Semester, and beyond, local policies and procedures that replicate, to the extent possible, the benefits of the Credit/No Credit Policy without exposing students to harmful and unintended consequences.