

Faculty Senate Minutes #517
John Jay College of Criminal Justice

Tuesday, December 8, 2020

1:40 PM

Zoom

Present (33): Chevy Alford, Andrea Balis, Mohamed Ben Zid, Ned Benton, Marta Bladek, Michael Brownstein, Marta Concheiro-Guisan, Lissette Delgado-Cruzata, Jonathan Epstein, Jessica Gordon-Nembhard, Heath Grant, Amy Green, John Gutierrez, Maki Haberfeld, Christopher Herrmann, Karen Kaplowitz, Erica King-Toler, Benjamin Lapidus, Joyce Lau, Anru Lee, Alexander Long, Maxwell Mak, Mickey Melendez, Catherine Mulder, Hyunhee Park, Jay Pastrana, Edward Paulino, Francis Sheehan, Marie Springer, Marta-Laura Suska, Lucia Velotti, Adam Wandt, Violet Yu

Absent (6): Elton Beckett, Chelsea Binns, Silvia Dapia, Joel Freiser, Veronica Johnson, Christian Parenti

Invited Guest: Student Council President Amber Rivero

Agenda

- 1. Report from the Chair**
- 2. Adoption of the Agenda**
- 3. Consideration of proposing a CR/NC Policy for the current semester**

President Ned Benton reviewed the recent events: the Faculty Senate on Friday, December 4, authorized the Executive Committee to:

- ◆ Draft a resolution, to be submitted to the College Council under new business at its Monday, December 7, meeting, authorizing administrators to extend academic deadlines and make all other academic rules as flexible as possible for our students during the pandemic; to circulate this resolution to the Senate for review and comment; and, if possible, to meet with the Student Council leadership to brief them on the thinking of the Senate and the resolution.
- ◆ President Benton and VP Kaplowitz met with SC President Amber Rivero and SC VP Andrew Berezhansky over the weekend.
- ◆ On the morning of Monday, December 7, the CUNY Executive Vice Chancellor and University Provost, Jose Luis Cruz, after months of refusing to create a CR/NC policy for the fall 2020 semester, despite demands from students, issued a memorandum to the college presidents stating that each college must choose one of three options listed below and that the option has to be adopted through the college's regular governance process and each college must inform VC Cruz of its decision by Friday, December 11. The memorandum gives colleges three options:

1. Allow the use of CR/NC grades for all Fall 2020 courses as in the Spring 2020 term.
 2. Allow the use of CR/NC grades for all Fall 2020 courses except those the college designates to be excluded.
 3. Do not allow the use of CR/NC grades in Fall 2020 but expand access to the college's existing flexible grading policies using the University's [P/NC grading framework](#).
- ◆ The Faculty Senate's December 4 resolution was presented to the College Council, under new business, on December 7, where it was approved without dissent
 - ◆ The College Council decided to hold an additional, emergency meeting on Wednesday, December 9, in light of the Chancellor's memorandum.
 - ◆ The Faculty Senate Executive Committee decided to call an additional, emergency meeting of the Senate for today, Tuesday, December 8, in light of the Chancellor's memorandum and the meeting tomorrow of the College Council and to invite SC President Amber Rivero.
 - ◆ President Benton and VP Kaplowitz then drafted a resolution for the Senate's action at today's meeting; the Executive Committee edited it and voted to approve it. [See text of Resolution at the end of these Minutes.]

Student Council President Amber Rivero was welcomed and she expressed her deep appreciation at having been invited. She said that many students are hoping to be able to choose a CR non-grade instead of a B or C to protect their GPA. She said she understands the possible negative consequences but that international and undocumented students, who are not eligible for financial aid, aren't worried about the CR implications for financial aid. She said students would like the flexibility of the CR/NC option and that many students will not opt for but they want it to be an option.

Senator Chevy Alford asked SC President Rivero how many students she is talking about and the answer was that 120 students at John Jay had provided testimonies asking for the policy to be reinstated and across CUNY 460 students submitted testimonies asking that the CR/NC policy be reinstated.

Senator Jessica Gordon-Nembhard asked SC President Rivero how she wants us to vote on this. She replied that the CR/NC would be ideal but she knows that there's no way to have the same policy as during the spring semester because we don't have safety net provided by the waivers CUNY obtained from various agencies. But students want a choice. She said she had had two INC grades but extensions permitted her to complete the work and she did well and didn't need to opt for the CR non-grade and she's glad she didn't use it. But this semester one of her professors hasn't given back a single graded assignment all semester and so she doesn't even know if she's passing and so she'd like the option of the CR/NC.

Senator Francis Sheehan noted that SC President Rivero had said students want the CR/NC policy "reinstated" and asked whether that is how students are talking. He explained that he's struggling with the fact that students think a CR/NC policy would have all the protections that

existed during the spring: he asked if that's how students are describing it to her. She said yes, it is.

SC President Rivero again thanked the Senate for inviting her and thanked the Senate for its support of John Jay students. She then left the meeting.

President Benton presented a draft resolution that he and VP Kaplowitz drafted yesterday after the College Council meeting and which the Executive Committee helped edit and approved. Because the resolution is from the Executive Committee it does not have to be

A senator asked for an explanation of college P/NC policy that VC Cruz gives as one of the three options. VP Kaplowitz explained that at John Jay the policy is that upon completion of 60 credits, a student with a grade point average of 2.0 and higher may take one course a semester under a Pass/Fail Option, for a total of four such courses. We could recommend and the College Council could vote to extend the P/NC to all students and to extend it to all courses this semester but there's a huge difference between CR/NC and P/NC. With P/NC students have to choose this option before their professors post grades and this means taking a gamble and perhaps missing out on a pass grade (by choosing NC before learning if they pass) or missing out on an A or A- grade (by choosing P before learning their grade). CR/NC is an option after their professors post the grades and so they know whether they received an A or an F, for example.

Senator Sheehan said that VC Cruz's letter seems to imply we can choose to do nothing: is that true? VP Kaplowitz said that according to AVP Matos, we can choose to do nothing.

Senator Maxwell Mak said our students are hurting and if we do nothing, it's a sign of our not caring. We're under a gun with an unnatural timeline.

Senator Lissette Delgado-Cruzata said students are tense; everyone will know this was the year of the pandemic and will, therefore, understand what it means if students have "CR" and "NC" notations on their transcripts. Students are at risk emotionally. What they're requesting of us is a CR/NC policy.

Senator Michael Brownstein reported he spoke with the Philosophy Department, which he represents. His department's concern, which he shares, is not being able to get information that students need to know about the possible negative impacts of choosing a CR/CR grade with reference to graduate and professional school admission, possible loss of financial aid, immigration status, possible loss of Veteran Administration GI benefits, transferability of courses to institutions outside CUNY, etc. It was made clear at yesterday's College Council meeting that the college simply does not have the resources to make the risks clear to students in a timely matter. He said as much as he wants to do what the students are requesting; he hasn't received the reassurances he needs that students will know the possible negative unintended consequences.

Senator Ben Lapidus noted that many students do very well and those who do not are usually the ones who don't show up. EAB is helpful but it is challenging to communicate with all our students. He said he could he could really understand having the CR/NC option for students who are not doing well, but that students getting an A- or B+ or B grade who choose a CR grade is very disturbing. Students clearly need better advisement about this option.

Senator Ben Zid said he doesn't see why CR/NC shouldn't be offered this semester since we are living through the same situation as last semester.

Senator Erica King-Toler said if we say no to creating the CR/NC option we will be seen as lacking compassion. But the faculty can accomplish a lot to mitigate that impression by talking more with students to explain is it not lack of compassion but rather setting a boundary.

Senator Jay Pastrana said the conversation is becoming paternalistic. He doesn't think Amber Rivero would advocate for anything hurtful to students. We'd simply be giving students an option. Of the three options, the second is dangerous, he said, because it continues to provide a blank check to administrators and other staff to decide which courses to exclude. Either we create the CR/NC grade or we don't.

Senator Francis Sheehan said that the best possibility would be if students were required to read about the possible negative consequences of choosing the CR/NC option and have to indicate that it is with informed consent that they are making that choice.

A motion was made to amend the resolution to add language required that students read about possible negative unintended consequences and indicate they are exercising informed consent in choosing the CR/NC option. A secret ballot vote was taken. The motion carried with a vote of 24 yes, 1 no, 2 abstentions.

Senator Sheehan also said that if we call this the CR/NC policy students will think it is the spring 2020 policy with the same protections. He proposed that the Senate and the College Council call this the Fall 2020 CR/NC Option. This amendment was adopted by unanimous vote.

A secret ballot vote was taken on the amended resolution. The motion carried with a vote of 21 yes, 5 no, 2 abstentions. [See the text of the resolution, below.]

A motion was made to transmit the amended Faculty Senate resolution to the College Council with language amended to make the resolution a resolution of the College Council. The motion carried with unanimous affirmative vote.

**Resolution on the CR/NC issue adopted by the Faculty Senate today, December 8, 2020,
for action on December 9 by the College Council**

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, CUNY did not extend the Credit/No Credit Policy for the Summer 2020 or Fall 2020 semesters, and

Whereas, on December 7, 2020 Vice Chancellor Cruz further communicated that colleges are to adopt one of the following three options:

1. Allow the use of CR/NC grades for all Fall 2020 courses as in the Spring 2020 term.
2. Allow the use of CR/NC grades for all Fall 2020 courses except those the college designates to be excluded.
3. Do not allow the use of CR/NC grades in Fall 2020 but expand access to the college's existing flexible grading policies using the University's P/NC grading framework.

Whereas, the communication by Vice Chancellor Cruz specified that in extending the Spring 2020 CR/NC Policy to the Fall 2020 term, the University is also extending to all colleges the provision in said policy stating that "students with Credit/No Credit grades will be able to transfer those courses across colleges within CUNY, per current CUNY policy." And as was administratively determined for Spring 2020, consistent with the intent of the University's COVID-19 CR/NC Policy, for students transferring to CUNY from outside the University, the University will honor and transfer in binary grades for all courses taken in Spring and Fall 2020 that would normally transfer, without negative impact on admission, transfer credit, or degree requirements. This provision must be honored even if colleges choose to expand access to their own flexible grading policies using the P/NC grading framework.

Whereas, the communication by Vice Chancellor Cruz further specified that in extending the Spring 2020 CR/NC Policy to the Fall 2020 term, it is also extending to all colleges the provisions of the Special COVID-19 Graduate Admissions Policy approved by the Board of Trustees on April 27, 2020, which seek to ensure that "in evaluating future candidates for admission into graduate programs, they will not disadvantage students who present P (pass) or CR (credit) grades in their transcripts for courses specifically taken during Spring 2020 and other terms which could be affected by the COVID-19 pandemic — regardless of whether their institutions imposed a flexible or similar grading policy for all students or gave them the choice to opt-in" and that to this end "all University graduate admissions committees shall adjust their selection processes to honor this commitment while keeping with the norms of their specific programs and corresponding disciplines." These provisions must be honored even if colleges choose to expand access to their own flexible grading policies using the P/NC grading framework.

Whereas, the Credit/No Credit policy enacted for the Spring 2020 semester was enacted 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 Senate 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 Senate recommends that the College Council, upon the recommendation of the Undergraduate Committee on Academic Standards and Curriculum and the Committee on Graduate Studies, to adopt option 2 to "allow the use of CR/NC grades for all Fall 2020 courses except those the college designates to be excluded." These courses will be identified, by the Undergraduate Committee on Academic Standards and Curriculum and the Committee on Graduate Studies upon the advice of departments and programs, as courses that are prerequisites to subsequent courses that require specific levels of competency and knowledge that are essential for academic success in the subsequent course.

Therefore, and furthermore, the Faculty Senate calls upon all faculty, staff, and student leaders to be robust and proactive advisors of students, informing them of the potential negative and unintended consequences of opting for a CR/NC grade, including the possible loss of TAP for the subsequent semester; the possible loss of PELL; the possible loss of Veterans benefits; the possible non-transferability of courses outside of CUNY; the possible negative effect on licensure; the possible negative effect on graduate and professional school admission; and the possible negative effect on competitiveness within the job market.

Therefore, and furthermore, considering all of the aforementioned possible negative consequences, the central administration in CUNY and John Jay College cannot foresee the full scope of all potential and future negative consequences that may result from the Fall 2020 proposed CR/NC policy, the Faculty Senate calls on the student body to proactively prepare by assessing their future academic and career goals, meeting with faculty and student advisors, and members of key student support service areas such as financial aid.

Therefore, and furthermore, the Senate calls on the John Jay administration to provide a structured informed consent protocol to be completed by students before electing a CR/NC grade.

Therefore, and furthermore, the Senate 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 allow students to resolve academic challenges without exposing students to harmful and unintended consequences of CR/NC grades.

The meeting was adjourned at 3 PM.

Minutes Provided by Karen Kaplowitz