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Fwd: Spring 2020 Law School Grading Policy

1 message

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Wed, Mar 25, 2020 at 7:39 PM

From: Dean Ruger <deanruger@law.upenn.edu>
Date: March 25, 2020 at 3:20:04 PM EDT
Subject: Spring 2020 Law School Grading Policy

Dear Students,

I write to report on the Penn Law faculty's unanimous vote today to implement a revised grading scale for this semester, and to provide some context about that decision and its implications. Earlier this afternoon the faculty voted unanimously to implement a **mandatory Credit/Fail grading system for the Spring 2020 semester**. This grading system applies to all Law School students and all full-semester Spring classes.

My colleagues and I know this is an issue that many of you care deeply about and we appreciate everyone who participated in this discussion through emails and the CSR survey. This was a difficult choice among many imperfect options, and we recognize that it will offer great relief to some and will be disappointing to others. However, this consensus decision reflects our uncertain and rapidly changing environment and the need to protect those disproportionately impacted by the current global pandemic. I summarize the deliberative process and the faculty's reasoning below, and I welcome your participation in a more interactive discussion with me and other colleagues about both our grading change and how the Law School has adjusted to our new learning circumstances more broadly, in a virtual session on Friday at 9:30 a.m. Details on how you can participate will circulate tomorrow.

Spring 2020 Grading Policy

By today's unanimous faculty vote, the Law School adopted a system of mandatory Credit/Fail for spring semester 2020 courses. An appropriate notation will be made on all transcripts explaining the grading policy for this semester and differentiating Spring 2020 from other semesters. Grades this semester will not factor into Latin honors at graduation.

The Law School's policy for Spring 2020 courses that are outside of the normal full-semester format is as follows: (1) in full-year courses for which sufficient work was completed before March 16 to permit a full and fair evaluation and to satisfy the ordinary expectations in a course with the number of credits awarded in the fall term, faculty have discretion to assign a grade for the fall semester using the ordinary grading system. The spring semester for such courses will be subject to the mandatory CR/F system; (2) partial-semester courses for which all work, including final paper or exam, was completed by March 16 will be graded under the ordinary system, and the transcript entry for such courses will clearly indicate that the course is not a full-semester course.

Process

This decision was made through our established governance procedures for school-wide curricular policies, although on an accelerated time frame and remotely. The initial discussion and deliberation took place within our faculty Educational Programs Committee, supplemented by additional student representatives as well as key senior staff including colleagues from the Registrar's, Student Affairs, and Career Planning & Professionalism offices. That committee's recommendation and reasoning were presented for discussion and vote by the faculty at today's meeting. Over the past week, we solicited, received, and considered extensive input from a large number of students, faculty, and staff. We also consulted with employers and reviewed our peer law schools' choices. All told, over 480 students participated in a survey conducted by CSR that the committee and full faculty considered, and almost 200 students contributed individual comments, all of which were part of the materials the EPC and faculty considered in making this decision.

Reasoning

The EPC, and the broader faculty, senior staff, and student representatives, considered a range of options ranging from adherence to our current letter grade system, to any number of variable grading regimes such as “optional” Credit/Fail, or systems that had several evaluative segments such as “Honors” and/or “High Pass” or “Low Pass” in addition to the basic binary Credit or Fail. The voluminous student and faculty input the EPC received included proponents of, and thoughtful rationales for, the mandatory Credit/Fail option as well as all of these other alternatives.

Our faculty reached this decision after considering a range of options ranging from adherence to our current letter-grade system, an “optional” Credit/Fail system, an “Honors/Credit/Fail” system, and a system that includes a “Low Pass” option, in addition to the mandatory Credit/Fail system. The voluminous student and faculty input the EPC received included proponents of, and thoughtful rationales for, the mandatory Credit/Fail option as well as all of these other alternatives.

The unanimous choice by the EPC and the faculty to adopt a mandatory Credit/Fail system was driven by a recognition that we are in the midst of an extraordinary and still evolving situation, with profound disruption for many or most of our students, rendering application of our “normal” grading scale and curve inappropriate.

Some on the EPC, and many comments that the Committee received, suggested that the above concerns could be recognized by a grading scale that departed from our normal letter grades but had a few more choices than pure CR/F, such as an Honors/Credit/Fail system. The Committee discussed variations on such slightly more nuanced systems at length, but ultimately decided that any system that added lines of differentiation would essentially adopt what one student characterized as “grades by another name,” and thus not address some of the student stress and grading fairness described above.

The EPC also discussed an optional system whereby each student could choose to be graded as usual by letter grades, or opt-in to a Credit/Fail system. This is the system the University of Pennsylvania adopted for all undergraduates. After extensive discussion, the EPC and the faculty did not favor this optional regime. Requiring a student to choose before receiving a grade would increase stress in an already stressful situation, and a system that permits post-exam choice would make students rightly concerned that opting against a letter grade would signal that they fared poorly. Many employers with whom we spoke confirmed this objection, reporting that under an optional system, they might draw a negative inference from a student’s decision to exercise a Credit/Fail option when a graded choice was available.

In sum, the EPC and the faculty recognized that there are substantial drawbacks to the pure Credit/Fail system that was adopted. But the sense after much deliberation was that any other system would generate even greater problems.

Employment Implications

My colleagues and I are deeply mindful of the fact that we are a professional school, with a responsibility to do as much as we can to launch you successfully into your careers. To this end, a key concern throughout this process was not just the extraordinary circumstances we face right now, but also how the choices we make on grading now will impact future career opportunities.

We have engaged in conversations with a variety of employers and they uniformly understand that traditional grading is not appropriate in light of the current circumstances. We also received clear feedback that in an optional grading system, where students could choose credit versus grades, employers would draw negative inferences from a student’s choice to take a credit instead of a grade (no matter when that choice was made).

With only one semester of 1L grades, employers will need to look to other ways to assess students and their qualifications. To that end, employers are considering and discussing with us the possibility of moving on-campus interviewing programs to January. Moving forward, we will look for ways to engage you in this important conversation. The CP&P team is here to support you as we navigate these uncertain times. You will hear more from them about how best to take advantage of the resources available to you in the next few days.

We also know that a change to CR/F grading may have a particular impact on some LLM students. We recognize that LLMs, because of their shorter tenure with us, have fewer opportunities to receive letter grades and may have other reasons that do not apply to JD students for favoring letter grades. I want to assure every LLM that I will join our CP&P team to do whatever individual outreach is necessary to give a transcript reviewer a substantive evaluation of your work this semester, as well as dealing directly with any national licensure authorities or other stakeholders on your behalf. We will hold a special discussion with

the LLM class to discuss particular concerns within the next week at a time to be announced, as well as working with you individually.

These have been unsettling weeks for all of us. I hope that the certainty this decision gives allows you to focus on your courses, yourselves, and each other. I am mindful that what makes a Penn Law education excellent is not a letter grade – it is our commitment to multi-disciplinary learning, innovative skills development, and the supportive community we build. We will call on these principles more than we might have expected this semester, and I have no doubt in our collective success.

Sincerely,

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