

Minutes\*

**Senate Committee on Educational Policy  
Wednesday, November 16, 2011  
2:00 – 4:00  
238A Morrill Hall**

Present: Thomas Brothen (chair), Kirsten Barta, Lee-Ann Breuch, Emily Combs, John Cwodzinski, Norman Chervany, Jude Higdon, Alon McCormick, Robert McMaster, Peh Ng, Jane Phillips, Peggy Root, Leslie Schiff, Paul Siliciano, Cathrine Wambach

Absent: Barbara Brandt, Amanda Koonjbeharry, Henning Schroeder, Elaine Tarone

Guests: Professor Chris Cramer (chair, Faculty Consultative Committee); Tracy Smith (Office of the General Counsel)

Other: David Langley (Center for Teaching and Learning)

[In these minutes: (1) context for grades on transcripts; (2) Twin Cities curriculum committee; (3) the syllabus as a legal document; (4) lists of instructors ranked as excellent by their students (the top 30%)]

**1. Context for Grades on Transcripts**

Professor Brothen convened the meeting at 2:00 and welcomed Professor Cramer to start a discussion about providing context for grades on transcripts.

Professor Cramer presented the following statement to the Committee for consideration (between the \* \* \*)

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TO: Members of the Senate Committee on Educational Policy  
FROM: Chris Cramer, Chair, Faculty Consultative Committee

In order better to inform students, and other recipients of transcripts, of the *meaning* of letter grades earned in courses, I propose, and ask SCEP to endorse, that the U of M transcript be modified to report two additional pieces of information for each grade, namely, the number of students in the course, and the percentile range of students in the course earning the grade reported.

Thus, imagine that Jane Doe takes Phys 1065, Subluminary Neutrinos, and she is awarded an A-. Further imagine that 100 students were enrolled, and that the numbers of each grade awarded in the course were F (5), D (2), C- (6), C (10), C+ (4), B- (9), B (25), B+ (10), A- (9), A (20). Jane's transcript would read:

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<b>Dept</b>	<b>Course</b>	<b>Name</b>	<b>Grade</b>	<b>Enroll</b>	<b>%ile Range</b>
Phys	1065	Subluminary Neutrinos	A-	100	72-80

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*Rationale:* The U of M has very non-uniform grade distributions across colleges, levels of courses, and campuses (see attached most recent report to University Senate). In many instances, there has been severe grade compression (e.g., of 7246 1xxx level grades awarded in EHD on the Twin Cities campus, 62.42% were A grades and the average GPA at that level was 3.36). As a result, consumers of transcripts face a considerable challenge in assessing what a particular grade on a transcript “means”. However, a percentile range provides very clear context. Thus, if I see on Jane’s transcript

<b>Dept</b>	<b>Course</b>	<b>Name</b>	<b>Grade</b>	<b>Enroll</b>	<b>%ile Range</b>
Biol	3065	Weevil Anatomy	A	26	0-100

then I know that every single student in the class received an A. I may be less impressed with that grade than, say, her next class

<b>Dept</b>	<b>Course</b>	<b>Name</b>	<b>Grade</b>	<b>Enroll</b>	<b>%ile Range</b>
Span	5111	Cervantes Deconstructed	B	20	95-100

where I can see that, while Jane got a B, that was in fact the highest grade awarded in the course, and, moreover, Jane was the only one to receive it (reflecting, no doubt, one extraordinarily crotchety professor).

Note that faculty need do nothing more than they already do, i.e., simply enter a grade for every student. The number enrolled is, obviously, equal to the total number of grades, and the percentile rank is trivially determined by dividing the number of grades at each level by the total number.

I submit that, in general, our best students are disadvantaged by grade compression; they receive grades that do not distinguish them from their peers who did less well but nevertheless earned the same grade because, given an average GPA of 3.3+ (common for many campus/college/levels at the U), *most* students are receiving A grades. When faculty see the new transcripts, they *may* think about using a wider range of grades, which I submit would be a positive outcome.

But, perhaps more importantly, for campuses/colleges/campuses that have *not* succumbed to runaway grade compression, good students will be *advantaged* since their seemingly “low” B grades, for example, may place them in percentile ranges that merit substantially more appreciation.

I note that other schools across the United States, including Research I universities like Cornell and the University of North Carolina, have recently begun to include in their transcripts additional information designed to set individual student grades “in context”. For instance, Cornell reports median grades awarded in a course, and UNC provides extensive information about the percentage of students receiving various grades. (See, for additional background, <http://chronicle.com/blogs/measuring/qa-the-uncertain-future-of-transcript-reform/27456> and <http://www.news.cornell.edu/stories/May11/FacGrades.html>)

I note that one potential modification to my proposal would be *not* to report the percentile range for courses with an enrollment below, say, 10 students. I personally see no problem with reporting percentile ranges for every course, since it's obvious when there are very few students that ranges will be wide, but if we assume that many consumers of transcripts are too innumerate to recognize that, I suppose that we might make that choice.

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Professor Cramer said he was appearing before the Committee both as FCC chair and as an individual faculty member. He noted that last spring, as usual, the Faculty Senate received the report of grade distributions. It did not receive a lot of attention, but FCC looked at it more carefully and observed that in one college on the Twin Cities campus, with several hundred grades awarded at the 1xxx level, 67% were an A. In another, with several thousand grades at the 1xxx level, 62% were an A. By the terms of the Grading and Transcripts policy, an A "represents achievement that is outstanding relative to the level necessary to meet course requirements." At the other extreme, two large-enrollment colleges awarded only 25-28% A grades at the 1xxx level. Similar distribution disparities are apparent in the different academic groups on the coordinate campuses. Given these numbers, he convened a small ad hoc group that included Vice Provost McMaster and Professors Brothen and Hancher (English) to discuss the possibility of providing context on transcripts for grades (Professor McCormick also provided comments although he was unable to attend a meeting). He developed the proposed resolution following that discussion.

What motivates the proposal, Professor Cramer related, is that the top of the class is harmed because, with grade compression, all students receive essentially the same grade, with little ability to differentiate those who performed at the highest level. There is a camp that regards grade compression as simply the way higher education works; everyone at Harvard receives an A. In that case, the University should just do away with grades altogether. Admissions committees have stopped paying attention to transcripts and look at the GRE instead, because it provides percentile rank and a means to effectively compare different individuals. Other schools (Cornell, University of North Carolina, Indiana more in the past) have taken steps to provide context on their transcripts. Professor Cramer said he would be interested in hearing the opinions of the members of this Committee.

Committee members made several points and asked a number of questions.

-- (Ms. Phillips) What happens when some students are registered A/F and some S/N? Professor Cramer suggested the transcript should reflect the number of students who were in the course on an A/F basis.

-- (Dr. Falkner) The change might harm students; when the Committee talked about this before, it understood that if three institutions make such a change they would be helping stellar students, but the change could harm other students competing against students from other institutions. It is likely technically possible to make the change.

-- (Professor Wambach) If institutions are moving in this direction, it would be beneficial if they would all make the same change to transcripts, rather than each adopting idiosyncratic changes. Professor Cramer said he would like to see the University be a leader and his proposal is a simple one.

-- (Professor Wambach) Is this a burning issue? Do other institutions care? Is it possible to provide an average GPA for each college? Professor Cramer disagreed with the notion that "because what all institutions are doing is bad, the University of Minnesota should also be bad." That is a specious argument, he said. There once was meaning to grades, but no longer. The goal is to make transcripts useful for consumers of transcripts and to help the best students. In terms of students who are not the very best, the faculty has ample room to expand the grading scale.

-- (Ms. Combs) When she was at Cornell, which has added context to transcripts, it was explained to students as a way to protect students because courses are graded on a straight curve, with the number of As equal to the number of Fs. She encouraged the change.

-- (Professor Siliciano) Would this be only for undergraduate courses? Professor Cramer said it would not have to be. There is an understanding of the consumers of graduate transcripts that a C grade is failing. But the proposal could include graduate courses as well.

-- (Professor Root) This could push instructors into engaging in bad behavior, such as awarding the same number of As and Fs; it would be better to set expectations for a course, and if all students do well, they all receive As and Bs. Professor Cramer said he was not pushing for a Gaussian distribution; if an instructor wants to give all As, he or she can still do so. But there is very little information content in those grades, as before. Professor Root disagreed; before it was just an A but now it would be an A with a quality marker.

-- (Professor Siliciano) If grade inflation is the problem, is this the way to address it? Professor Cramer said the problem is grade compression, and a secondary benefit of the proposal is that it might help to address that problem, but the key is to provide context for grades.

Vice Provost McMaster made four points. He said he liked the idea because it would add more rigor to transcripts, it moves in a positive direction, puts the University in a leadership position, and it starts to get at grade inflation. If adopted, the change could nudge faculty members to change behavior, although not necessarily to a Gaussian distribution. He would be concerned about comparability with students from other institutions (e.g., when employers are looking at transcripts). On the technical side, the change might not require much work but Academic Support Resources is already behind on critical projects because of a lack of staff.

-- (Professor Chervany) The context should be provided if it is possible. One can speculate about consequences, and he acknowledged the potential technical problems, but it is the Committee's job to decide if the change should be a priority project. If the Committee believes the University should make the change, it should vote in favor of it. If it is impossible to make the change, then it should drop it. This is a research institution; why not try the change in a couple of schools and talk to faculty and students rather than speculate? He said he believes this is a good idea.

-- (Professor Schiff) Trying the proposal out in some colleges and not others would mean some courses on a transcript would have context and some would not, which would mean a consumer would be flummoxed by the entries. Her college has tough grading policies, and there is some compression, but they talk about grades. She agreed with Professor Siliciano: One goal is to provide information, another is to change the behavior of some instructors.

-- (Dr. Falkner) The Committee has talked about providing grade distributions by course and level on the web. That could be done and the transcript left as is, and it would provide the opportunity to obtain context. One could also look at hit rates on the site, a measure of whether people see value in the information, Professor Wambach said. If a lot look at it, that could be a reason to add the information to the transcript. Vice Provost McMaster asked how an employer would know to look at the website. Employers might not want the information, Dr. Falkner said, but the website could be provided on the transcript, and it might be necessary to check with the General Counsel about whether this is employment-related information. Mr. Cwudzinski said he did not like the idea of telling employers they can go to a website when he is filling out a job application; he would not want the employer to have to do more work and would prefer that the information be on the transcript. It would be a negative in a job application to ask a prospective employer to go to a website to get additional information.

-- (Professor Breuch) Has he received any student feedback? Not yet, Professor Cramer said; there are students on this Committee, so it seems a good place to start.

-- (Professor McCormick) The transparency provided by the proposal is a good idea. It is increasingly difficult for younger colleagues to stand up to grade compression when student ratings weigh heavily in promotion and tenure decisions.

-- (Ms. Barta) From what she has heard from students, she endorses the proposal. People do not trust transcripts; this is a good idea and an opportunity for the University to be a leader. She agreed that it would be more useful for employers to have the information on the transcript, not on a website they would have to go look at.

-- (Professor Ng) If the goal is to give people more information, look at examples. She could have a class of 50 students in which only 5 earn an A in one semester, but in the next semester she could have a great class in which 20 earn an A. In one semester the students would be in the top 10% and in the next in the top 40%, so the information would vary by semester. She does read the definitions of grades, and if students in her classes earn 90%, they receive an A. Professor Cramer observed that Chemistry keeps track of grades and the variation in large classes is very small. That might not be the case for other departments/colleges/campuses, Professor Ng said. Even if the proposal were implemented, should there not be communication with new faculty members about what grades mean? The D grade baffles her. Professor Cramer agreed that a key question for many classes is what grades mean. So it would appear that one goal is to change faculty behavior, Professor Schiff concluded.

-- (Professor Wambach) Are employers that interested in that much detail? They may be interested in a GPA, but once someone is hired, never again. That is why she suggests a college GPA; employers rarely look at a single course. But she can see why one would need more context when selecting students for entry into a highly competitive program.

-- (Ms. Phillips) If the goal is to provide more information, it would be better to expand the 30-character limit on the class description.

-- (Dr. Higdon) Will people understand the data? He appreciated Professor Cramer's point but said it might disadvantage a student and it could be helpful to provide context, but that providing

the data will imply how it should be used analytically. The logical extreme of that argument, Professor Cramer said, is that people are unintelligent and should not be provided any information; give everyone an A so no one is disadvantaged. Dr. Higdon said the information needs to be structured in a way that people cannot draw unwarranted conclusion.

-- (Professor McCormick) This proposal would also be helpful for undergraduate advisers, to know the grade distributions in courses.

-- (Ms. Combs) It would be useful to talk to people at North Carolina and Cornell. She said she would bring up the proposal with the Council of Graduate Students.

-- (Professor Chervany) One can have problems with any proposal. This is a wonderful idea. The Committee should find out if it is technically and legally possible to implement it and should also ask student groups. If they want it, it should move forward. If the Committee wants to change faculty behavior, it should have a discussion with the deans and have discussions with the faculty about grading practices. If this is a good idea, the Committee should pursue it.

Vice Provost McMaster said the idea is worth considering and steps can be taken to follow up. He can talk with Academic Support Resources and his undergraduate advisory board and can also bring it to a meeting of the CIC undergraduate deans. He said he would like to find out if any of the CIC schools are moving in the direction suggested by the proposal. He can also check with the associate deans for undergraduate education and with incoming Provost Hanson, who saw the changes take place at Indiana. Professor Wambach suggested preparing some hypothetical transcripts and providing them to faculty members to see if they could interpret the information provided.

Professor Brothen said he would interpret Professor Chervany's statement as a motion, to pursue investigation of the proposal, and asked for a vote. The Committee voted unanimously to do so. Professor Brothen thanked Professor Cramer for bringing the proposal to the Committee.

## **2. Twin Cities Curriculum Committee**

Vice Provost McMaster next recalled that the Committee has had discussions about a campus curriculum committee for a number of years and that last year it agreed to an experimental process for creating ad hoc subcommittees when a curricular conflict arose, including involvement of associate deans and faculty members. He said he not convinced that is the best method of addressing conflicts and that he believes there is need for an all-campus committee of 10-12 faculty members, with staff support, to have discussions about curriculum, courses, and intellectual content. In his judgment, the experiment is not working.

Ms. Phillips commented that the involvement of the associate deans is a conflict of interest because they will wish to enhance the ability of a college to bring in revenue—and this observation, she emphasized, says nothing about the integrity, performance, or judgment of the associate deans. But the conflict suggests that any committee should be composed primarily of faculty members.

They will also need to discuss the role of the committee, would it be advisory to the provost or president, Professor Wambach asked? The question is whether they would find committee

deliberations useful or if it would just be chitchat. Dr. McMaster said that they would find the deliberations useful.

Professor Chervany told Dr. McMaster that it would be helpful to have examples in order to understand what he wants the committee to do.

Vice Provost McMaster said he would bring a proposal to the Committee.

### **3. The Syllabus as a Legal Document**

Professor Brothen welcomed Ms. Smith from the General Counsel's office to discuss the syllabus as a legal document.

Ms. Smith recalled that she had been asked to join the Committee in response to a question from Dr. Langley, director of the Center for Teaching and Learning, about whether a syllabus was a legal document, a contract.

As a general rule, Minnesota courts will not recognize a claim of educational malpractice, Ms. Smith explained. The Minnesota Court of Appeals rejected a claim by a student who did not get the degree. One can bring a breach of contract if the contract terms are definite and do not require the courts to intrude into academic judgment. The courts are not interested in intruding into academic judgments. A student could bring an internal University grievance if an instructor changed the grading practice during a course to the student's disadvantage. Those internal grievances can ultimately be reviewed by the Minnesota Court of Appeals. Ms. Smith said she did not believe the courts would look at a syllabus as an enforceable contract and would not intrude on educational practice. She said she did not know why instructors write that their syllabus is a "contract"; perhaps doing so is to show commitment. But that may not be the best phrase to use, although the courts will not be moved to view it as a contract simply by the use of the word in a syllabus.

What is the syllabus, Professor Brothen asked? It is a syllabus, Ms. Smith responded. Perhaps a statement of goals?

So an instructor could change the grading at the end of the semester, because it is not a contract, Professor Brothen concluded. Generally he or she could, Ms. Smith said, but in that case there might be legitimate reason for a grievance if the change is unfair, and the college could deny permission to change the grading system.

Ms. Combs recalled that when she was an undergraduate, many of the syllabi in her courses indicated that grades could be "downcurved" (that is, all shifted down at the end of the semester if too many students received high grades). It is best if syllabi reflect that possibility.

There is a difference between the technical meaning of the word "contract" and the street use of the term, Dr. Langley observed. He said he did not like the use of the term, either, and preferred the word "syllabus." He said he had no problem with "agreement," either. Ms. Smith said she did not see a difference between "agreement" and "contract," and said that neither would influence the courts.

Professor Chervany said that in his thinking, the syllabus describes the contents of the course—what it does—and the requirements; it is what makes the course operational. At the point in time it is provided, it is the best information on what faculty and students will do, and it should be expected that the syllabus could change. He said he would avoid use of the terms contract or agreement. It is a set of expectations; the course will unfold, and changes may occur at the margins, depending on how the course goes. But he would advise against using language that hints that there is legal recourse.

Professor Brothen said that Professor Chervany's view could lead to pushback from deans who try to hold faculty to what they say they will do, for fear they will be sued if they do not.

Dr. Higdon commented that the syllabus should also speak to high-level intellectual goals of the course as well as the operational things underneath those goals. The syllabus should also say that the instructor reserves the right to change the syllabus as events suggest is appropriate.

Professor Brothen thanked Ms. Smith for joining the meeting.

#### **4. Lists of Instructors Ranked as Excellent by Their Students (the top 30%)**

Professor Ng asked for a discussion of the "top 30%" proposal. She noted that Vice Provost Carney had brought the proposal to the Committee on October 19; she asked her constituents on the Morris campus about it. Professor Ng said that the faculty and students at Morris reacted very negatively to the proposal. Their concerns and comments were that (1) averages are one small aspect of the student ratings, (2) the current student-release questions contain more useful information and release of that information should be made mandatory, (3) this is another popularity contest, using faculty members, (4) instead of rankings, identify all instructors who achieve or exceed a set score, and (5) they would rather see the mandatory release of the student-release data than faculty members competing with one another.

Professor McCormick said that in his college, and probably more broadly across the University, there is great regard for the student ratings, but they are only one measure of the quality of teaching. In a number of colleges, students will go into a profession that requires performance standards; just as important as the immediate student ratings is the student's long-term accomplishments and feedback about the teaching after gaining perspective on their professional practice.

Dr. Higdon said he would like to see a psychometric analysis of "what the data tell us." Ms. Combs asked if instructors who receive a teaching award see a spike in enrollment. If not, the release of the data may not be helpful.

Professor Wambach said the proposal has two purposes. One, to acknowledge that instructors receive high scores. Two, to help students identify courses—but except for electives, students do not have a lot of choices so the information can't help them in making decisions.

Even if the numbers for instructors are very close, Professor Schiff said she worries that students would over-interpret them. Professor Ng said that the information from the student-release questions is more powerful than students knowing an instructor received a 5.51 versus a 5.68. But the

faculty are not releasing the student-release information, Professor Brothen responded. How will this proposal solve that problem, Professor Ng asked?

Professor Cramer said he could not agree more with Professor Ng and said he was disturbed that the University does not have a culture in which all faculty members are obligated to release the information. If faculty members believe students will thank them in 30 years, that is their job; would they rather have five ratings on RateMyProfessor.com than large numbers from the University's student-rating forms? And it is possible to sign a release for the information in perpetuity, he added. Is it policy that faculty members must release the information, Professor Ng asked? It is. Dr. Falkner said that the results are part of the employment record, so faculty members must sign a release. In response to comments about whether that is true for the student-release-question information, which may not be used in promotion, tenure, and merit decisions, Dr. Falkner said she would have a conversation with Ms. Smith to find out what the legal issues are. If it is determined that the student-release information is not employment data, then the institution could make a decision about releasing it for everyone.

Professor Brothen asked if the Committee would be prepared to proceed in two weeks. Professor Chervany said that if the Committee is inclined to accept the proposal, there needs to be an intermediate step as suggested by Professor Ng: discussion among faculty and students in the colleges. If the Committee believes the top-30% proposal is a bad idea in principle, it should drop it, but if it tends to support it, the Committee should ask for more discussion.

It might be more useful to know if an instructors average student-rating score is above a certain level, Professor Cramer commented.

Professor Brothen recalled that Vice Provost Carney had said the list is honorific but that graduate students can use their appearance on it in applying for jobs. Faculty members can use it in their dossiers.

Is there a way to list every faculty member's scores, Mr. Cwodzinski asked? Only if they release them, Professor Cramer said. Even if the scores are 5.50 and 5.51, Mr. Cwodzinski asked? The proposal is only to list the top 30%, not the numbers, Ms. Phillips pointed out.

Professor Wambach said that what she would be concerned about, if all the information is released, is the inhibition of creativity. Instructors would not take risks in teaching and the release of information would drive everyone to safe strategies. Moreover, the release of all information could do damage to the careers of junior faculty members who are learning to be good teachers; lower numbers could hurt them if they are in the public realm. Tenured faculty members would not be as vulnerable.

Professor Brothen suggested that Committee members follow Professor Chervany's advice and discuss the proposal with their colleagues so that they are informed when the proposal comes back to the Committee for action in two weeks. He adjourned the meeting at 3:30.

-- Gary Engstrand