

Special Faculty Meeting Minutes August 11, 2020 (via Zoom)

The meeting was called to order at 1:02 pm by Dean Sergio Pareja, once a quorum was reached. The following people were present for at least some portion of the meeting.

Faculty: Maryam Ahranjani, George Bach, Reed Benson, Camille Carey, Barbara Creel, Elizabeth Elia, Scott England, Paul Figueroa, Marc Tizoc González, Vinay Harpalani, Steven K. Homer, John Kang, Joshua Kastenber, April Land, John LaVelle, Jennifer Laws, Ernesto Longa, Nathalie Martin, Jennifer Moore, Gabe Pacyniak, Mary Leto Pareja, Sergio Pareja, Sonia Gipson Rankin, Alejandro Rettig y Martinez, Michelle Rigual, Lysette Romero Cordova, Leo Romero, Alexandra Siek, Joseph Schremmer, David Stout, Carol Suzuki, Sherri Thomas, Cliff Villa, Samuel Winder, Peter Winograd, Veronica Gonzales Zamora, Christine Zuni Cruz (20 needed for quorum; names that count toward quorum in bold)

Staff: Beverly Akin, Chad Covey, Stephanie Grant, Tony Anderson, Bonnie Stepleton

Students: Jessica Arreola, Taylor Bingham

ANNOUNCEMENTS:

Dean Pareja welcomed our visiting faculty members, Alejandro Rettig y Martinez and Joseph Gallardo. He also welcomed Lysette Romero Cordova, Steven Homer, and Sam Winder to the tenure-track.

Professor Mary Leto Pareja reminded everybody of the link she sent out to a shared OneDrive that contains a syllabus bank. If you are reworking your syllabus for the fall semester, if you are willing to share so that other people can “crib” from you, we would really appreciate it. The link will let you create from syllabi that are in the set. The guidance on attendance policies and the teaching guidelines can also be located in the shared OneDrive, as well as links to training materials. Should anyone need the link sent again, please contact Professor Pareja.

ACTION ITEMS:

Approval of Minutes from June 19, 2020 faculty meeting – Dean Sergio Pareja: A motion was made to approve the minutes and was seconded. The minutes were approved with 31 yes votes, no nay votes, and 5 abstentions.

Grading Policy and the 2L and 3L – Dean Sergio Pareja: Dean Pareja refreshed the faculty regarding the 1L grading policy and the 2L and 3L grading policy. As to 1Ls, regular letter grading will apply this fall. As to 2Ls and 3Ls, regular grading also will apply. However, the COVID-19 Task Force recommended that a mechanism be put in place that would allow for 2Ls and 3Ls to potentially exceed the normal number of courses that they may take on a “limited grading” basis (credit, C-, D+, D, D-, F) this fall. Specifically, the Task Force proposed that, after a student has reached the maximum number of limited grading courses, he or she may seek an exception that would allow them to take additional courses this fall beyond the total permissible amount. To qualify for the exception, a student must first consult with the Office of Career & Students Services about the proposal. After consulting with that office, the student may request an exception of Vice

Dean Camille Carey. Vice Dean Carey would then advise the student of the potential adverse consequences of taking additional limited grading courses. After discussing the situation with the student, Vice Dean Carey may or may not decide to allow the exception. The exception, if granted, would only apply this fall to courses taken beyond the number that is normally permissible. After much discussion, a motion was made to adopt the recommendation of the committee. The motion was seconded, and discussion ensued. A faculty member proposed a friendly amendment providing that if a student elects the limited-grading option for a fall 2020 course, that course would not count for purposes of the two-course cap on limited-grading courses per student. The proposed friendly amendment was not accepted by the faculty member who made the original motion, and that motion was then voted on. It passed with 43 percent (or 17 individuals) voting in favor, 40 percent (or 16 individuals voting against), and 18 percent (or 7 individuals) abstaining.

Update on the fall semester plan – Dean Pareja: Dean Pareja gave an overview of what the fall semester should look like as of right now, reminding the faculty this all could change at a moment's notice. There will be very few in-person classes. For the most part, all 2L and 3L classes, as well as MSL classes including the introductory MSL class, will be exclusively online. At this time, the only upper division courses that will have any in-person component are ETP and Pretrial Practice. About 18 1Ls have indicated that they want their classes to be exclusively remote. The remaining 1Ls have been divided into three groups, each of which will meet one day a week in person for three classes (Monday, Tuesday, or Thursday). As of this moment, we have 106 incoming 1L students; however, the first day of orientation is tomorrow, and from prior experience we know that we can anticipate last minute dropouts. The dean indicated that we will know more on the exact numbers after orientation; however, it is looking very solid at the moment. Dean Pareja thanked and acknowledged Peter Winograd and his team, including Justin Goodman, Krysta Madrid Arellano, and Diana Reynoso, as well as Maryam Ahranjani and the rest of the Admissions Committee for doing such a wonderful job during these challenging times.

When 1Ls come in for in-person classes, they will be required to sit in the same seats, which have been spaced according to UNM Policy, and they will be required to wear face masks. The professors will be switching between classes. A thorough cleaning will occur at the end of each day of in-person class, with all the seats, desks, and podium thoroughly cleaned and sanitized. In addition, the podium area will be sanitized between each class. We ask that, weather providing, the door to outside the building from the classroom be propped open to allow for greater ventilation.

Due to concerns about the health and safety implications of 1Ls leaving the building to buy lunch at restaurants over the lunch hour we reached out to Dion's to see what it would cost for them to deliver food for 30-35 people three days a week (\$150 per day). We then sought volunteers from staff, faculty, and alums to sponsor meals. We quickly received enough volunteers to cover all lunches for the fall semester, which means that 1Ls who come in for in-person classes will not have to buy food. Food will be distributed by alumni, faculty, and staff volunteers who will be wearing gloves and masks. 1Ls would be encouraged to gather in small groups (up to five) outside on the golf course, in our outdoor courtyard, or spread around the law school building to eat lunch. Incoming 1Ls were notified of this plan, and they have responded enthusiastically.

The university created a university-wide COVID-19 policy, and individual units were not supposed to have their own policies. After we had our first positive test at the law school, however, Vice Dean Carey and Dean Pareja decided to craft a stricter policy for the law school. We have received some pushback on that from the central administration, although we are optimistic that we will be able to keep our policy. The most important aspect of our proposed policy is that it allows us

greater discretion to prevent somebody from coming back into the building after he or she has been exposed to somebody who has tested positive. Assuming that we are allowed to retain our own policy, which applies to faculty and staff, we likely will also craft a separate policy for students. The Vice Dean indicated that next Thursday she will be attending a Provost-level meeting on how to handle student exposure and student positive tests. The Dean also informed the faculty that masks have been ordered and will be distributed to 1Ls on the first day of class. As for gloves and hand sanitizer, Chad Convey and his team have been diligently working on purchasing these items.

Update on the computer/ransomware situation – Dean Pareja: Dean Pareja confirmed that the law school definitely is the victim of a ransomware cyberattack. The Dean stated that, although his first inclination is to tell the faculty everything, he cannot do that in this case because an active investigation is happening. Dean Pareja noted that two weeks ago yesterday, he found out that there was potentially some sort of intrusion into our system. While we didn't know what it was at first, we quickly shut down and disconnected servers to protect them from further damage. We were clearly instructed to not publicly say anything about the attack because it could adversely impact our ability to recover our data. We are dealing with sophisticated criminals who have attacked the law school in a very severe way. We are the victims. Dean Pareja noted that attacks like this have been increasing tremendously since COVID-19 hit, likely due to the fact that so many people are working from home, creating greater opportunities for criminals to break into systems.

Discussion regarding proposal to delay start of fall semester – Dean Pareja. Dean Pareja started by stating that he truly does empathize with what everybody is going through in terms of stress – with a pandemic, transitioning to working from home, shifting mid-semester to online classes, changes to course evaluations, racial justice issues in our society, budgetary issues, childcare/schooling issues, and now a ransomware attack. We know that the stress faced by faculty, particularly pre-tenured faculty and faculty with young children, is acute. Dean Pareja is trying to find ways to support our faculty, although there are many challenges that make it difficult. Dean Pareja stated that he would like to start meeting with pre-tenured faculty members around mid-September to see what he can do better to support them individually. Beverly will be setting up those meetings within the next few weeks.

Due to the challenges that we are all facing, a recent proposal to delay the start of the fall semester has surfaced. The Dean denied this request for a variety of reasons. The most significant one to Dean Pareja is that it would delay financial aid disbursements to our students. Despite the stress that faculty are feeling, Dean Pareja indicated that he is not willing to alleviate that stress on the backs of our students with the greatest need. In addition to financial aid considerations, there are many practical considerations. For example, pushing the semester back by three weeks would mean that final exams would not happen until December 30th. Because that's not realistic, exams would likely happen in January. Delayed grades would adversely impact students' ability to get certain summer jobs. There is no easy answer here, but as a community we need to find ways to support each other. Until and if we get our data back, we need to find ways to help each other – share your lecture notes, share your syllabi, share exam questions. Some faculty members have indicated that they will be willing to step up to occasionally cover classes for faculty members who are unable to teach. There was significant discussion around these topics and, especially, the challenges that faculty are facing now.

The meeting was adjourned by unanimous consent at 3:55 p.m.