

Memorandum

To: University Senate Council
Chair, Jennifer Bird-Pollan

From: Interim Dean Mary J. Davis
UK Rosenberg College of Law

Date: March 27, 2020

Re: Change of Grading Policy for the Spring 2020 semester due to COVID-19
pandemic crisis

The UK Rosenberg College of Law faculty overwhelmingly voted on Thursday, March 26, 2020 to adopt the following mandatory pass/fail grading policy for spring 2020 courses due to the COVID-19 pandemic crisis sweeping the world, wreaking havoc on all our lives but particularly those of our students.

Mandatory Pass/Fail Grading for Spring 2020 Courses

- (1) All courses in the Spring 2020 term will be graded on a pass-fail basis.
- (2) Credits awarded in courses that are currently taken pass-fail will be counted for purposes of the limitation on pass-fail hours in Faculty Rule 10(D). All other pass-fail credits awarded under this rule will not be counted for purposes of the limitation on pass-fail hours.
- (3) All students will be evaluated by the instructor as if this rule were not in effect. The instructor will assign a letter grade for each student in the course (unless the course is already designated pass-fail in the catalog). The registrar will substitute a grade of “P” for any grade other than “E” or “I.” The grades of “E” or “I” will not be changed by this rule. The grading information reported by the instructor of each course shall not be communicated to the student. The student will receive only the grade of P when the student is determined to have passed the course. The award for the highest grade in the class will not be awarded in any class for the Spring 2020 semester.
- (4) All requirements for class attendance and participation remain unaffected by this rule.
- (5) When providing transcripts to students who completed courses during the Spring

2020 semester, the Registrar shall provide a statement to students explaining that, because of the unprecedented effects of the Covid-19 pandemic, the College of Law faculty with University approval required that all courses be graded on a pass/fail basis.

(6) Notwithstanding the terms of other faculty rules, the conditions imposed on students readmitted to the College who are not in good academic standing are suspended for the Spring 2020 semester because of the unprecedented effects of the Covid-19 pandemic.

(7) Students will be informed that they have the academic right under University Senate Rule 6.1.3.2 "to receive fair and just grades." This rule states that "[s]tudents have the right to receive grades based only upon fair and just evaluation of their performance in a course as measured by the standards announced by their instructor(s) in the written course syllabus at the first class meeting." College of Law faculty have decided, based on the emergency conditions arising from the Covid-19 pandemic and its unprecedented impact on the College, University, and community, that mandatory pass-fail grading for all courses is the fair and just method for evaluating student performance in all such courses. If any student believes that the grade received is not a fair and just evaluation, the student has the right to appeal the grades received. That appeal will proceed without the student being advised of any of the letter grades that were awarded, because such an appeal would relate to the award of the grade of pass or fail, rather than the particular letter grade. The student will receive the letter grade awarded if the student prevails in this appeal. In that event, the student would retain the right to appeal the letter grade received.

The vote of the faculty was 20 in favor and 3 against this rule.

This rule was adopted for the following reasons:

1. The grave impact of the Covid-19 pandemic on our students' abilities to perform to their best given the wide variety of difficulties presented to them in the current environment. Student sentiment, expressed in hundreds of emails received by the faculty, and a survey conducted by the Student Bar Association responded to by over 80 percent of the student body, indicate that students are concerned that the burdens of social distancing and online education are not borne equally among the students and some (e.g.,

child care and elder care inadequate internet access in Eastern Kentucky and other areas) are borne very unequally. Further, the burdens of the coronavirus outbreak itself are not borne equally among the students—again, some of the inequalities would be very stark, such as for students with spouses, parent and others in the medical field. Some students are parents trying to educate their children during this time as well as themselves. Some are single parents. Students from historically underrepresented and financial disadvantaged backgrounds will suffer the worst. At a time in their lives when academic achievement can help lift them and their families out of disadvantage because of what a J.D. can potentially do, they are disadvantaged yet again because of the circumstances from which they come. That inequity can only, we believe, be alleviated by a mandatory pass/fail rule. These differences between professional J.D. students and other students at the University support a rule that is tailored to J.D. students. Students overwhelmingly support a mandatory pass/fail rule: 83% of survey respondents support it over an optional pass/fail rule.

2. Making the pass/fail change mandatory responds to the widespread concern that poor grades during this time will impact student rank, which has a dramatic effect on career opportunities. J.D. students obtain ranks that are used widely by potential employers to sort students for legal employment. A mandatory pass/fail system will impact all students equally. No one will receive a grade in a course so no one's future employment is burdened by the grades produced under the difficulties of their particular living circumstances. An optional pass/fail system places students in a Hobson's choice of having to continue to try to achieve high grades because their fellow students with better conditions are able to continue to try to raise their grades, preventing students without those better conditions the choice of taking a pass, thus indicating to employers that they did not think they would do well under the current circumstances. This untenable situation has our student in a state of heightened anxiety. Again, 83 % of the Rosenberg Law student body desires a mandatory pass/fail system not only because of their own circumstances, but because they fear what an optional system would do to their classmates who have difficult situations. Ultimately, mandatory pass/fail system is the only way to try to put everyone on a level playing field during a time in which the world is turning upside down.

3. We are aware that across the country law schools are choosing mandatory pass/fail grading options over optional ones. This background landscape in legal education supports the UK Rosenberg Law faculty's decision but was not alone a reason. Well over 130 law schools out of almost 200 have already chosen to adopt mandatory pass/fail grading and the number grows every day. For information, the following public law schools, many benchmarks of UK Rosenberg Law, have chosen mandatory pass/fail: Indiana, Ohio State, Louisville, North Carolina, Virginia, Texas, Arkansas, Missouri, Wisconsin, Minnesota, Washington, Colorado, Arizona and the list goes on. Other SEC schools are deciding this week.

The UK Rosenberg Law faculty deliberated over the last two weeks robustly and comprehensively. We explored all the available options, many of us changing our own positions as the reality of the world we now live in has become clearer. Uncertainty is the enemy in a world of upheaval and change. A mandatory pass/fail grading system provides much needed clarity and certainty for our students, permitting them to focus on their education knowing a safety net has been put in place if their circumstances become more difficult and less bearable. It is not a perfect solution; there are no perfect solutions. We firmly believe it is the best solution for our law students during this extraordinary time.

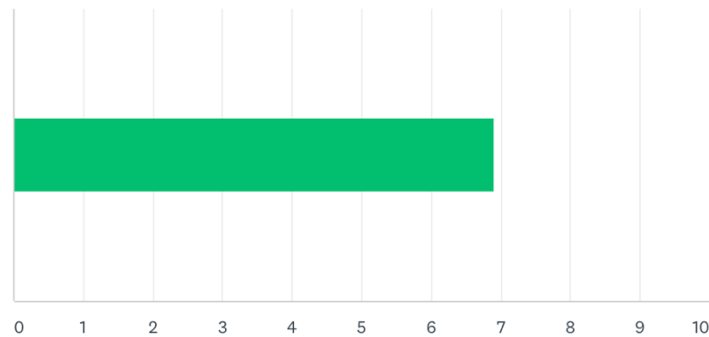
We respectfully request University Senate Council approval of this grading change.

Students and Faculty:

After an initial poll, the Student Bar Association deemed it necessary to collect more data so that the student voice was adequately voiced. There were 303 students who voted in the poll, and 177 students who left individualized responses about how any proposed change in grading structure would impact them personally. The responses represent 87% of the student population.¹ Of the students who chose to participate, 82% of those students favor a **mandatory** pass-fail system, rather than an **optional** pass-fail system. Please find below the individual questions presented, and corresponding data:

I. **“Q1 Has your ability to effectively do your schoolwork been adversely altered since moving to online coursework?”²**

Answered: 303 Skipped: 0



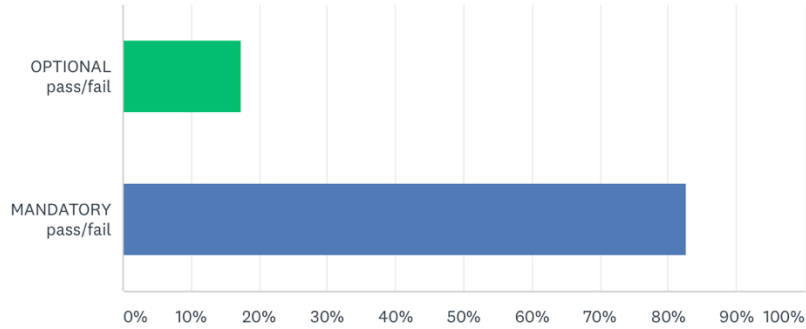
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¹ The current number of students at our College of Law is 348

² This was based on a scale of 1-9.

II. “Q2 If given the choice between an OPTIONAL or MANDATORY pass/fail grading structure, which would you prefer?”

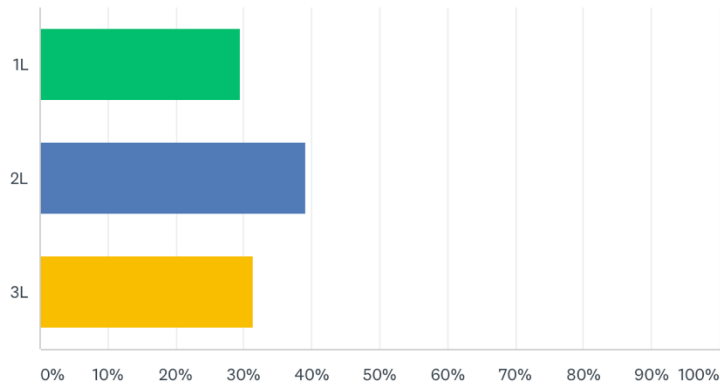
Answered: 300 Skipped: 3



ANSWER CHOICES	RESPONSES
OPTIONAL pass/fail	17.33% 52
MANDATORY pass/fail	82.67% 248
TOTAL	300

III. “Q3 What is your classification?”

Answered: 299 Skipped: 4



(cont...)

IV. Summary of Results:

Students support a change in the current grading structure because of the newly found challenges they face. There were 303 students who voted in the poll, and 177 students who left individualized responses about how any proposed change in grading structure would impact them personally. The responses represent 87% of the student population. Of those responses, 82.7% of students support a **mandatory pass-fail structure**. As this poll received even higher student participation, I am confident that the entire student body would favor that grading structure. The student body overwhelmingly supports some sort of change in the current grading structure; however, we are seeking a structure that is both equitable and considerate of all of our newly faced challenges. The data we collected reflects the desire of the student body for that structure to be a mandatory pass-fail system.

Please reach out to me personally for any questions or concerns.

Best,

Jonas Bastien,

Student Bar Association, President



University of Kentucky College of Law Students and Faculty:

I reach out to you not in my own individual capacity, but as the spokesman for the Student Bar Association Executive Board comprised of students elected to represent their peers. After much debate, each board member made a final decision on whether to support or reject any proposed change in the current grading structure. Each member came to their conclusion after individual conversations with students of our student body, and after reviewing the results of the data collected over the past week. Of the 303 total responses from the most current poll, 82.7% of students support mandatory pass-fail. In that light, the board gathered,¹ voted, and came to a unanimous decision: support of the implementation of a mandatory pass/fail system.

We did not sign up for a nationwide pandemic, in which our lives are in turmoil and our families are in panic. The challenges we face are shared throughout the country by hundreds of other law students. Students across the country face severe financial distress, anxiety from the care of children who might normally be in school or day care, problems with Internet connectivity that many take for granted, or challenges simply having a reasonably study space that not all are blessed to have. In these challenging times we must look to the greater good, and not just what serves our own interest. We must think of students who are educationally sidelined by a pandemic, whose struggles are compounded by the realization that some of the obstacles may be correlated to socioeconomic status.

There is a solution to this problem. It lies in a system upon which each student is treated equally from the beginning of this decision and helps prevent potential gamesmanship resulting from the luxuries not everyone enjoys. An optional pass-fail system **does not*** provide the benefits that students so desperately need. Instead, it adds to the stress each of us is facing by coercing us into focusing on academic performance through potential achievement of letter grades. It would be inconsiderate to assume that two students, one who must choose a pass-fail grade, and a second student with the luxuries to be confident in their ability to achieve a letter grade, will be treated equally in any sense by future employers or the like. An optional system damages students by punishing them for choosing to accept accommodations they so desperately need.

¹ Virtually of course.

*emphasis added

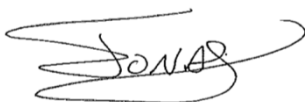
Student Bar Association
 **Rosenberg**
College of Law

Our normal grading system that forces us to focus on academic performance is not flexible enough to deal with alleviating that pressure in the face of a national crisis. As future attorneys, we are taught to be cautious and to plan for the worst. With four more weeks of school and instruction, we cannot accurately say to what degree of turmoil our Commonwealth will be in, so we must hope for the best and plan for the worst. An optional pass-fail system does even more in adding to the academic pressures that any proposed change is supposed to alleviate.

The board is unanimous that a mandatory pass-fail system be implemented due to the inherent fairness it provides to each student across the spectrum. No, there is no one solution that will make every person happy and there seldom will be a decision of that kind. But it is the responsibility of the faculty and administrators to make their decision, which will impact students more so than themselves, based upon what that decision will mean for the majority of the student body. Here, that would mean that students are not coerced by the academic pressures surrounding them in an environment which they are unfamiliar with. It would mean allowing the release of stress that results from knowing that in an optional system, some students will still choose to receive a letter grade while other students who will not have any choice but to succumb to the external challenges they are faced with, take a “pass or fail,” and still be detrimentally impacted. A mandatory system means that every student is treated equally, fairly, and presents the flexibility required for these challenging times.

Regardless of the decision, I hope that the announcement of a clear and uniform policy will permit students to turn their focus back to their studies and to reconnecting with faculty, while removing an additional source of anxiety at a time of far too much uncertainty. COVID-19 to a degree affects all of us differently and the same all at once. Let’s find a solution addressing that disparity, one that treats our most vulnerable population equally while not punishing those students for being faced with challenges out of their control: mandatory pass-fail.

Yours in service,



Jonas S. Bastien,

Please indicate any questions or concerns you would like to share with faculty pertaining to Legal Research and Writing as they decide how to proceed with grades for the remainder of the semester.

#	RESPONSES
1	<p>I understand that a large portion of grades has already been awarded, but a significant percentage is still left up for grabs. Yes, we have been working on the brief over the entire semester, but the most crucial time for the brief is essentially now during the re-writing period: the week before Spring Break when we were made aware of the severity of the Coronavirus pandemic and that our schooling would be going online temporarily; the week OF Spring Break when we were told to essentially lock down as a nation and our schooling would be going online permanently; and this week when we, everyday, have been trying to adjust to an online structure, debate the potential of a pass/fail system, pour over the looming decision of whether or not to elect for pass/fail, wrangle professors to speak with us via zoom—all while having to edit and polish the most important and weighty portion of our LRW grade. Regardless of socioeconomic, health, etc. statuses—we have all felt the brute of this change suddenly and swiftly. The sheer uncertainty alone is reason for giving us the option to curtail some of the adverse effects of this incredibly stressful time. Some have had had the luxury of few distractions, and they were able to go on with school as normally as possible. Others are just now settling down enough with their situations to put time an effort into the brief. Additionally, I feel strongly that a small extension for Briefs would make sense and be a fair way to mitigate some of the time lost dealing with the pandemic. That window for extending the submission deadline is disappearing quickly, so I hope and pray LRW professors take our responses seriously and act accordingly. This is all saying without one word about Oral Arguments—which have yet to be explained nor defined by the majority of legal writing professors. The only equitable solution for LRW is optional pass/fail to accommodate those who have been hardest hit by these unfortunate circumstances and the time spent on previous assignments over the past 2 academic semesters. If this was a single semester class, my opinion would differ.</p>
2	<p>attempting to oral arguments over zoom destroys the integrity of the assignment itself. so much of oral arguments is decided via body language, inflection, and it's pretty damn hard to get your bearings over zoom, facetime, or any other virtual interface. i very much would prefer this part of the grade to be mandatory p/f.</p>
3	<p>In my opinion, the work we've already done in LRW should be counted so far, as the overwhelming majority of that is already completed and graded. I also feel like that some sort of accommodations need to be made for those who are in difficult situations for the Oral Arguments.</p>
4	<p>It's the most important class we've had. People who want pass fail are entirely disregarding ALL of the work we've done. We have such a minor amount of work due. The students for P/F that I am very close to are largely basing this as a reason not to try as hard. I know people are effected, as am I, but I'm going to assume our legal writing professors will be more lenient with grading during this time. I truly fail to see the merits of P/F for this class specifically.</p>
5	<p>Our final brief submission is worth a big percentage of our grade. Many of us were hoping to use this as an opportunity to improve our LRW grade because we did worse than our classmates in the earlier assignments but have been making up a lot of ground. Because of this disruption, I know absolutely that I am not going to be able to turn in my absolute best work on this final submission. I'm not sure that pushing back the deadline for the final submission fixes that either.</p>
6	<p>I believe LRW serves as the exception. Because the majority of the work has already been completed and graded in the course there is not much work remaining that might be affected by the change in circumstances.</p>
7	<p>This is an entire yearlong course. Many including myself have worked like a dog. Making it pass fail because of the potential hardships incurred by some during the final month cannot be classified in any sense as fair. what concerns me is this class will be graded on a pass fail basis—it shouldn't be.</p>
8	<p>The portion of graded work that we will turn in after moving to online learning is only a small part of the work we've done this year, so it's a much different situation than classes where the entire grade comes from the final exam. Switching to the online format for writing is easier than it is for other classes because the final brief was already intended to be turned in online after working on it on our own time and using whatever resources we need. In other classes the online format completely changes the structure of the final exam, especially for exams that were supposed to be closed notes, and it's hard to expect students to take a time pressured exam in environments that might not be free of interruptions. But that's not as much of an issue for the final brief because it was never supposed to be done in class. It would make sense to</p>

require more leniency on late work, because that might be harder for some students to avoid. Also changing the weight of the oral arguments in grading would make sense, since doing those over zoom sounds kind of awful. But I think it would be unfair to make the entire year pass/ fail. I've heard that legal writing is an extremely important skill to employers, and it seems like a bad idea to not have a grade to show for that for the whole year. Legal writing is also unique because it's graded so differently than any other class. If every other class is mandatory pass/ fail then employers can still get some idea of how a student generally performs under a time pressured exam by looking at last semester's grades, even though it's unfair to students who didn't do well and whose abilities would be more adequately represented by this semester's exams. But not getting a writing grade is extremely unfair to students who work hard, but don't test well under pressure. I don't do well on timed exams, and I have always felt like the work I turn in for legal research and writing is a better representation of my ability than the exams I turned in last semester. I don't think it's fair to students in similar positions to not have any grade to show for the only class that provides an alternative way for them to demonstrate the work they put in and the skills they developed.

9	I believe that there should be mandatory pass/fail for both semesters, as our professors have graded previous assignments as if we had a substantial amount of points that would enable our grades to rise. If we were to apply the pass/fail to the second semester of legal writing/research only, it would negate any progress that was made through hard work.
10	Even through the majority of the work has already been done, the largest and most important piece of work has not. We have little access to professors and other resources. More than any other class, I need writing and research to be mandatory pass/ fail.
11	I think research and writing should be mandatory pass/fail anyway, especially now. Each professor grades so much differently and some grade incredibly too hard. A large amount of our grade has not even been determined yet for writing and our largest assignment is do now, during the beginning of this pandemic.
12	In the LRW classes moving to a mandatory pass/fail grading structure is especially important because of the magnitude the remaining assignments have on our grade and ultimately our ranking. The resources that are available in a traditional setting are no longer available. We can no longer meet in person, one on one, with our professors to get their feedback in the week that this large assignment is due. The resources of the reference desk in the library are also a tremendous help and we no longer have access to that. While our LRW professors have made themselves as available as possible, this does not make up for the loss students are facing without these resources and, respectfully, is not the standard of legal education that we pay thousands of dollars for. Moreover, while I understand oral arguments aren't a necessarily significant portion of our grade, doing them over zoom completely eradicates the integrity of the experience. Not being able to actively participate in oral arguments in the court room, meeting with our co-counsel, and getting the full value of that experience is another reason to move to mandatory pass/fail. These concerns are especially critical in the LRW setting because of the variance that already exists among the different classes. All the professors teach in different ways and students should not be negatively affected, again, simply for things they cannot control.
13	We can't perform as needed provided we are online.
14	I think the appellate brief deadline should be extended as it is unfair to have it due at the end of our first week in this new learning environment and more generally the new everyday environment all of us are adjusting to. These are difficult times for everyone involved and if LRW remains graded, I believe the best way to give students the best chance at success during these changing times and transition to online learning is to allow students to have a grace period and give us some additional time to complete the brief. Furthermore, I am concerned generally about the oral arguments assignment. If oral arguments remain part of the curriculum for this semester I think the way they are graded should be considered when making these decisions. Many students do not have reliable access to the internet and are going to be disadvantaged by having these done electronically over zoom or whatever platform is chosen. Lots of other factors play into this such as the environments in which we are to give these oral arguments. We will no longer be in a courtroom but rather many of us will be in our homes with a multitude of uncontrollable distractions that could hinder performance. We are all trying our best but these are factors to keep in mind when making decisions that will ultimately affect your students' futures.
15	I am for grading ALL grades normally. I think its a bit ridiculous to throw away 75% of a semester worth of learning just because the last month is online. If you do pass fail it has to be

universal. The biggest argument I have heard for pass fail is that some students have additional burdens like childcare, family issues, or technical problems. How would it make sense to allow pass fail on that basis for other classes but not this one? I believe grade feedback is Especially helpful for writing but it goes directly against the rationale for going pass fail at all.

16	(I am in favor of mandatory pass/fail across the board). My concern with Legal Research and Writing being the only OPTIONAL pass/fail grade is that it will disproportionately impact GPAs/ranks. Meaning 1Ls will have their entire semester dictated by a single, 4 credit hour course, as opposed to the 17 we were anticipating. Additionally, a substantial portion of our LRW grade that is yet to be determined has been SIGNIFICANTLY impacted. Our appellate brief rewrite are due this Sunday. A majority of our time allotted for our rewrites has been in the thick of the current global crisis. Some of us, myself included, have family members that are: being forced to work, elderly, and living with preexisting conditions that may potentially impact lung function. I, as well as many of my peers can NOT put forth our best effort under such circumstances. Also to be considered is the lack of authenticity in our oral arguments, which we just began receiving detailed information about this week. It has been expressed by multiple students in our 1L GroupMe that there is the issue of insufficient access to internet. Some students have lost internet in the middle of lectures, and although they are recorded, that means nothing if the students' internet connections are down for several hours. For the reasons listed above, I believe mandatory pass/fail for LRW (and all classes) to be the best method in proceeding with the semester. I understand that administration is handling an intense decision under unprecedented circumstances, to which I commend each and every one of you. I truly cannot imagine the stress of making this decision.
17	An extension for the brief rewrite would be extremely helpful.
18	I don't think legal writing should go to a mandatory pass fail system. While the COVID-19 outbreak has created a significant disruption to instruction for doctrinal classes, legal writing is largely taught via feedback on written work and is unlikely to be affected in the same way. Additionally, the increased burden upon students in rural areas and those with childcare duties can be mitigated in a way that the doctrinal classes with their finals based grading systems cannot offer, by relaxing submission deadlines. The process of writing does not require internet access. The process of research does, but relaxing deadlines could accommodate this burden.
19	The appellate brief rewrite is a significant portion of our LWR grade. I do not feel that I am in an environment in which I can produce my best work and receive the best grade possible.
20	For many of us, we have only had 2-3 weeks with feedback on our brief (including spring break) and the brief rewrite is a significant portion of our grade. That added to the oral arguments that are now substantially more difficult to navigate are a very large portion of our final LRW grade. Even though we have been completing a lot of work over the year for the class, this crisis is affecting the most significantly weighted portions of the class and accommodations should be made to reflect that
21	Since we have already received grades on over 75% of our LRW assignments, it is only fair that we receive grades as normal in LRW. I think an optional pass/fail would also be OK, but it is imperative that students who wish to receive their letter grade in LRW are able to do so. It is a 4-credit hour course that we have spent an extraordinary amount of time on over the course of the whole year. It would be completely unfair to prevent a student who worked incredibly hard for two whole semesters to not receive the A grade they absolutely deserve. Also, since instruction is all but completed in LRW classes, students aren't really losing anything by a switch to online in LRW. What's left is basically polishing our appellate briefs and oral arguments. The COVID-19 issues does not really impact our ability to submit quality briefs (in the way it affects other courses). I support mandatory pass/fail for the other courses, but it would be unfair in LRW. Students should be allowed to receive a letter grades that counts (is factored into GPA and rank) for LRW.
22	Transitioning to online instruction has made preparing for oral arguments more difficult.
23	Many students may perform better on writing tasks that allow time over the semester to complete and fine tune, rather than on time-intensive, high-stress final testing environments. To take away these students' chance at a small rank boost in what may be their strongest course would be highly prejudicial to them, as they have likely been putting an incredible amount of time and effort into this course over the entire year in the hopes that it would help their GPA and rank in the one class that caters to their strengths. To take this option away is to make all the work these individuals have put into this course all year long count for essentially nothing.

24	With regards to Legal Research and Writing, as most of our efforts for this course have already taken place prior to the disruption, I feel it is unfair that all of the hard work we have put in since August would be wasted by being graded P. Our briefs are so this week and therefore have not been as affected by the disruption to classroom learning as the rest of the courses have. I feel it would be unfair to grade LR&W with a P/F based on all of the time we've put in for almost the past year.
25	A substantial portion of the work and grading in LRW has already been done. Not being able to have a letter grade come out of that courage would be a considerable blow, and would feel much like a slap in the face given how hard we've worked. However, an optional pass/fail grading system for ANY course, including LRW is absolutely irreconcilably unfair to all students. The ability to "game" the system should NOT be an option, and if a new grading system is desired, it should be mandatory for all.
26	I believe with the significant portion of our grade still looming (brief rewrite and oral arguments) it makes sense to go pass/fail. I am concerned about our brief rewrites being due Sunday night, due to the disruptions.
27	If the rest of the classes are P/F then LRW, being a 4 credit hour course, has the potential to dramatically swing someone's GPA and affect their rank. Student X has a 4.0 from the 13 hours earned last semester; Student Y has a 3.0. Assuming that Student X earned a B- and Student Y earns an A+ their GPAs will experience a 0.306 GPA swing. This is one hypo that is rather drastic but it definitely shows the significance that LRW will have on class rank, employment prospects, and student morale regarding the department. Oral arguments will be significantly hindered via Zoom. This is a significant part of our grade that can determine where we end up in the class. The ABA does not require a letter grade.
28	n/a
29	A significant portion of the grade is still to be determined but a lot of hard work and many hours have already been put in. I'm not sure how but I believe that should be reflected in some way.
30	Writing should not be treated any different as the other classes. Our oral argument and brief is 43% of our grade. That is a huge chunk that we have not been able to effectively work on given recent events. If the UKCOL goes mandatory pass fail, LRW should do the same. Further, it shouldn't be our only grade for this semester which could adversely affect our gpa and rank.
31	I believe that legal research and writing might actually might be the most crucial class to switch to mandatory pass/fail. This class requires the most hands-on work and one-on-one discussions, and trying to replicate the benefits of this in a real classroom is simply impossible. Additionally, grades for this class are more subjective than the exams for our other classes, making it harder for us to know where we stand prior to making the choice of pass/fail if it was optional. Finally, if it were optional, this would be a huge disadvantage to those who are forced to elect pass/fail in the job world, more so than for the other classes. Being a 4 credit class and holding the most important skills needed for a summer job, an employer looking at a P versus an A or B could drastically affect the P student's chances at employment.
32	Although I am sympathetic to the extensive amount of work that has been put into grading and revising briefs and research plans all semester, I see no reason to single out LRW from the way our other courses should be altered. The adverse effects of choosing to keep our grading procedures the same (or choose optional pass/fail) would be felt in LRW as well. Our newfound stressors and obligations will affect LRW like our other courses. I believe the most equitable option is to include LRW in the switch to mandatory pass/fail grading. Thank you for considering our concerns.
33	Though legal research and writing has taken place over the course of the entire year, a significant portion of our grade comes from the final copy of our appellate brief (due in the midst of this chaos) and our oral arguments that haven't yet occurred.
34	Mandatory pass fail is the only valid option that is fair to every student. I am not at all concerned about having a pass/fail grade to show possible employers for LRW as there are no ABA requirements for a grade in this class and many other schools have LRW as pass/fail normally.
35	I'm living with my grandfather and acting as his caretaker. I have spotty, unreliable internet and no access to a printer at his home. (Which is about 150 miles from my apt in Lexington.) in person meetings were important and helpful to me, as well as access to reliable internet and a quiet space to myself to study. We all must make sacrifices in times of crisis, and I don't want my grades to suffer because I have to take care of an immunocompromised family member.

36	I see the need for continuity across all of classes and the way they are graded. It would make little sense to argue that this pandemic adversely impacts our grades for all other classes but exclude LRW. Not to mention, this class is four credits so the curve would drastically be skewed if it was our only grade. If it goes mandatory pass fail I think everything class should be covered in that.
37	If we were to go p/f for everything but LRW I would understand. While fairness seems to call for mandatory p/f across the board, the class of LRW is unique in comparison to our other 4 courses. I hesitate to speak for other who may be more adversely affected by the larger situation than me, but it seems to me most of LRW is done outside of class time, at least as writing the papers go. However I am in favor of mandatory p/f.
38	While I understand we have put in a lot of time and effort throughout the year for legal writing and research, our appellate brief final copy is majority of our grade. Therefore, considering we are trying to complete this while adjusting to online classes, not having face to face interaction with our professors (especially legal writing as we have never submitted a full appellate brief so it's hard to edit/fix), dealing with every day changing circumstances, and trying to mentally maintain health while being trapped inside in less than ideal situations (ie kids/parents/roommates/lack of WiFi), a mandatory pass/fail seems most equitable. Additionally if LRW, is optional and people choose to get a grade but everything else is mandatory P/F then one single grade could have huge implications on rank which seems extremely unfair. There is also just simply variation between professors and legal writing classes that lends itself to a mandatory P/F in that there is already concern over grade distribution depending on which class you are in. Obviously, people have worked hard and I doubt that will stop depending on grade determination considering we are all paying a lot of money to ultimately become good lawyers (not get good grades). The point of law school is to help us become well-versed in a profession. People will still work with that goal in mind. However, with so much change in the world and so much variation depending on individual circumstances, it is beyond me how any work from here on out could lend itself to a fair and equitable reflection of grades and effort.
39	I spent much of the past week moving myself and members of my family back home. This significantly effected the amount of time I was able to spend on the appellate brief rewrite. With that project encompassing >30% of the grade, how will the curve accurately represent the level of work put in by each student rather than simply reflecting the disparate impact of COVID-19 across a given class?
40	I understand that we have grades from last semester, however, with the multiple different professors our classes have seemed to have different guidelines and requirements. In general, I believe that the mandatory p/f would help level the field in that aspect. Adding that due to the current events this week has been a HUGE adjustment for us. Both our final brief and our oral arguments are large parts of our overall grade and I know that many of my peers, myself included, are experiencing hardship and not being able to devote as much time needed to do their best on the brief. With the brief being due this week and on top of all the new platforms - it as been very challenging. I believe that mandatory p/f will help take the ease off of many struggling students, if not all.
41	We aren't able to even meet with our co-counsel for oral arguments to adequately prepare. So we are at a disadvantage.
42	I am concerned that if LRW is optional it would give students who choose to show their grade a significant advantage because it is a 4 credit hour course. Additionally, there is such a variance of teaching styles and coursework throughout the LRW professors that I think a mandatory P/F would be the most equitable way to distribute grades under these circumstances.
43	While I personally feel content with the grade I believe I would receive in LWR, I think the only fair way to assess this semester is mandatory P/F for every class. Perhaps a different structure would work better for THIS ONE COURSE, but I would sacrifice my own "good" grade in favor of a more just and equitable grading system. While a lot of our grade is already complete for this course, the majority of this semester's points are still up in the air (final draft of brief, oral argument) and some students are now at an extreme disadvantage that did not previously exist. We must think of everyone.
44	The last week we have to work on our brief has been interrupted by trying to do online and get adjusted to that. This has greatly reduced the amount of time we can work on our brief and also having to e-mail professors and waiting for a response versus stopping by their office to get a 30 second question answered

45	I would be alright with either mandatory pass/fail or optional. However, I do not believe the research and writing class should be graded as normal if the other classes are not, making this the only grade that affects our GPA, when this is not how we understood the grading to be structured at the beginning of the year.
46	Most of the grades for LRW have already been accounted for. The remaining assignments to be completed online are not very detrimentally impacted.
47	Materials already graded should count for a grade, oral arguments and the appellate brief final should not.
48	As we have already completed a majority of the work in this course, and since we did not receive a grade for last semester, I feel that this course should be graded as normal. Additionally, we knew of our deadlines for the remaining work and all of the remaining work is to be completed independently, further suggesting that we should be graded as normal in this course.
49	I believe the class credit should be divided into semesters. I think last semester work should stand alone, and the work left for this semester should be given a P/F
50	I am greatly concerned about the grading of oral arguments that occur over zoom.
51	The portion of LRW which is going online is the oral arguments. However, this seems like the section of LRW that should very much so NOT be online. Therefore, a mandatory pass fail (at least for this portion of the semester) makes the most sense.
52	Whether there is a possibility of getting a retroactive grade for last semester over everything already graded and the final brief and oral arguments being pass/fail.
53	How would a pass fail system affect our grade, taking first semester LRW grades into account? That may change my preference.

Please indicate any general questions or concerns you would like to share with faculty as they decide how to proceed with grades for the remainder of the semester.

["Individual Student Concerns," 25 pgs]

#	RESPONSES
1	<p>The uncertainty about this situation alone should warrant a fair and equitable mandatory p/f system. The uncertainty affects ALL students and ALL professors the same and differently all at once. For fear of ostracizing ANY number of students, is mandatory pass/fail. No true choice: This is fundamentally an argument about how we're willing to treat others during a pandemic, realizing each individual has different sets of circumstances to deal with. Some students' mental and physical health will be seriously affected so grading those students on the same scale used with students who are not dealing with the same type of issues is fundamentally unfair. I fear that those pushing for opt in pass fail are motivated is to succeed at the expense of others. It is true GPAs for those who opt in for p/f will be frozen, but ranks will not. Those who choose p/f will be helpless as to the effect this semester has on ranks. And if we've learned anything from a semester of interviews, its employers care about nothing more than ranks and grades! Additionally and to that point, students feel as though opting out of grades is a non-choice. If some students have grades while others have a "p," which is going to look more favorable on the student to an employer? For fear of being judged, students will choose a grade, making this entire debate null and void. Time left in the semester: Yes, 2/3 of the semester has be completed, but the most important 4 weeks lay ahead. Law school grades are based on a single exam at the very end of the semester, and unfortunately, this year's exams fall during a pandemic. The sheer uncertainty of how exams will be administered, who will have the resources, environments, etc. to do well should be reasons alone for leveling the playing field. Potential repercussions: I fear most of all what the effects going optional pass/fail will do to the already dwindling numbers of the 1L class. I personally know of 2 students who are contemplating whether or not law school is worth the stress and anxiety they constantly feel, let alone with the added stress of deciding on their grades and/or competing regardless with students who opt for normal grading. Furthermore, if/when the administration decides on an optional p/f system, these students may take the opportunity to drop before this weekend, when the all important brief is due. I hope these students can avoid judgment, because these are serious times—I hope we can do right by them and by all students affected.</p>
2	<p>While I understand that a voluntary pass/fail could alleviate some problems, I worry that a voluntary system will actually lead to inflated GPAs for students who remain relatively unaffected and choose to receive letter grades. There are possibly people who are now caretakers for at-risk loved ones, caretakers of their children who are no longer in school or daycare, or have possibly (likely) losses jobs and are struggling to make ends meet. Just like the rest of the nation is doing right now, we should be helping the struggling among us. Finally, an employer would be much more understanding of a mandatory pass/fail system than a voluntary one.</p>
3	<p>I think it should be mandatory pass fail. The right to convert a grade to pass fail is a call option. All upside, no downside. The option would only be exercised in the 50% of cases where one's grade for a class is higher than one's cumulative GPA. The effect of this would be to shift the average grade given for this semester from a 3.0 to a 3.5. This prejudices students who have taken a lighter course load this semester than other semesters. In other words, people with heavier course loads this semester get more call options than those who took lighter course loads. For instance, a student who has taken 10 credits as opposed to 17 credits would have their cumulative GPA decreased on average by .05833 i.e. $(17-10)/(60)*.5=.05833$ TI;dr the only grading change that's mathematically fair with respect to timing of course selection is mandatory pass/fail.</p>
4	<p>I really hope the faculty doesn't listen to the voices of a few students, who frankly are more concerned with themselves and their confidence in being able to do well when making their decision. From interactions with my peers we are all concerned not only about grades, but frankly the more important things facing us. Loss of life and graduating during a global depression. By forcing us to continue to obsess over grades (because optional pass/fail essentially makes it unavailable to many of us) during this traumatic event would be an extremely insensitive decision. Alexis Hardesty</p>
5	<p>I just hope that they are as fair as possible during this unusual time. People are in different situations, such as lacking reliable internet, having to watch children as daycare is no longer available, caring for relatives, etc. I do not think it is possible to stick with the normal grading system, as these are not normal circumstances. Other law schools have acknowledged this and adjusted grading accordingly. I hope that we are able to do the same.</p>
6	<p>This virus is unprecedented. Considering uncontrollable external factors, I ask you to make the decision to make this semester mandatory pass/fail to equally benefit all students personally,</p>

psychologically, and academically. I strongly disfavor the idea of an optional pass/fail. Ranks play a large role for employment after law school. If we are able to pause rankings where they are, we would have the ability to focus on learning the material and taking care of ourselves and others. This would encourage social responsibility. The optional pass/fail is not a fair or equitable option, as students who need to take it would choose not to in fear that their rank would drop. Additionally, an optional pass fail route could look bad to employers as it could appear the student took the easy way out. No student who overcame these circumstances wants to spend valuable interview time in an OCI explaining why they went pass fail. It is more important for an employer to get to know the student.

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- 7 I think optional pass/fail would unfairly allow students to take advantage of the unfortunate situation we are currently in. Mandatory pass/fail is more equitable because there will be some students with more hardships than others. Some may not be affected at all and those unimpeded shouldn't be able to use this situation to advance their own academic standing.
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- 8 I think that if you are going to deviate from normal grading, mandatory pass/fail is the only fair avenue. If you give people the option, there will be a lot of strategic decisions made regarding which classes to pick. Depending on what classes people are in relative to other 2Ls (for example, having more experiential courses this semester where getting an A is more likely or where you already have grades in for midterms/assignments) they will have an obvious advantage over others. Additionally, we would have to struggle with the decision to choose pass/fail to keep our GPA at our desired number while also taking into account how employers will view our decision to go pass/fail (whether they would view it negatively or understand is up in the air). People's situations vary extremely and we did not sign up for/pay tuition for online school. Although obviously this situation is out of everyone's control and I wish we could proceed as normal, people's performance is now out of their control as well and mandatory pass/fail is the only fair option. I say this as someone who most likely could use the optional pass/fail to my advantage given what classes I chose and considering I already have an A for about 75% of one of my experiential courses already. Also, with option pass/fail there is so much room for mistakes in entering grades and potential for confusion that should just be avoided. Sidenote: If you are choosing only between option pass/fail or normal grading, then you should choose normal grading in my opinion.
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- 9 this pandemic affects all of us. students with kids may be dealing with the loss of child care; students have lost internships that promised pay that has no doubt been factored into household budgets; students are readjusting all aspects of their lives because of this virus. in an effort to stay healthy, we are struggling mentally, as many of our family members have lost income, health, and general stability. it is imperative that uky law switch to a mandatory p/f to ensure equality amongst all students. while inequality still existed in "normal circumstances" the law building and personal interactions with faculty in some way, shape or form alleviated some of these tensions. now, a lot of us are moving into less than ideal housing situations; life does not stop for law school, but at the very least, the physical community provided a deep sense of comfort and stability for many students.
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- 10 I do not understand a way in which optional pass/fail can be made equitable. It allows people who may otherwise be fully capable of completing their school work to slack off for the semester, but maintain the same GPA. This is unfair to the students who choose to be fully graded and work hard, but are unable to increase their ranks to the full extent possible because many students' GPAs will be predetermined. There are students who will choose pass fail strategically to maintain their standing, and this will make moving up in the ranks more difficult for those who are able and do choose full grading. It is also unfair for those students with situations at home that make completing school work challenging and are forced to choose pass fail. These students, too, have worked hard up to this point, yet out of fear that their grades will drop with the current challenges, choose pass fail and are accordingly forced to see where their rank ends up at the end of the semester, knowing other students are able to work to increase their ranks. Allowing optional pass fail is MUCH more stressful on the student body than necessary in that it forces each student to somehow strategically decide on the best course of action based on what surrounding students will do, what future employers will think, and what our future grades will look like. For many, the stress of the pandemic will not play a part in this decision because having to make the decision in the first place forces outside considerations into view. The goal in changing the grading structure should be aimed at accommodating those unable to work to full capacity and those who in the upcoming weeks may wind up unable to work to full capacity. Optional pass fail would instead encourage strategic planning and would produce extraordinarily inequitable class ranks.
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- 11 Optional pass/fail makes absolutely zero sense from both an equitable and logistical standpoint.

There are really only two options: pass/fail or no pass/fail. Choosing one or the other is the only way to ensure that everyone is on an even playing field.

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- 12 I feel that if the pass fail is optional, it should only be reserved for students who are actually facing adversity. To obtain a pass/fail, students should have to petition the administration to actually articulate why/how they need it. While I know that some of my classmates are experiencing hardship, I know that others are hoping for a "free ride" semester. Additionally, 1L students need to receive ranks to be competitive for jobs. I know personally that there are many 1Ls who have worked hard to improve their situations from last semester after receiving their fall grades. Moving to a mandatory pass fail would be nothing short of a slap in the face to these students, who now have no chance to improve and no chance to seek better prospects for their 2L summer. An option like I have proposed would allow the College to take care of those students who truly need accommodation, while remaining fair to the rest. Our system of grading is unfortunate, but it is. While I think some arguments (like Prof. Frye's article) have merit, making such a change 2/3 of the way through a semester isn't the way to do it.
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- 13 I would be in favor of a pass/fail OPTION if it means that students have to opt-in for ALL of their courses. Students shouldn't get to cherry-pick which courses they get grades for and which they don't. If we have a pass/fail option, students should have to accept pass/fail for all courses or get grades for all courses. People who are truly impacted by the online structure can do pass/fail and those who aren't can carry on as usual. It would be unfair to allow the pass/fail option on a course-by-course basis.
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- 14 I'm concerned with the optional P/F consideration due to our ranking system. I think that it is logical to give students the "option" to choose P/F, but I think nearly all of the students (given our competitive nature/Type A personalities) will inevitably select to forego the P/F option. This would inevitably add to the stress of this hectic time, and I think the consideration for P/F is supposed to subdue some of the stress (not increase). I've also found the last three days of class to be very difficult to learn new content, specifically some of the nuances (that inevitably are tested). If teachers were aware that the P/F system was in place, they may focus on the basic of the law (as opposed to the intricacies that can be tested to help differentiate students for the curve)
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- 15 As a someone that has moved back to Eastern Kentucky during this pandemic it is fair to say that this has already had negative effects on my attempt to perform to the best of my ability. The past couple of days both electricity and internet have stopped working at different times. Today I missed the last 5-10 minutes of a class via a live zoom meeting because of the electricity going out. This crisis is disadvantaging students from different backgrounds in a variety of ways. Its unrealistic to think that people are able to produce their best work under these circumstances. Many students may be completely unaffected but for many that are affected this will create an unequal playing field.
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- 16 I feel no matter what optional pass/fail is the worst possible system for me and my fellow 1Ls. I also feel disheartened when I hear arguments by both students and professors that seem to be more employer-focused. Students are the lifeblood of the school, and right now the focus needs to be more on helping students now than helping employers in the future. Employers will understand the troubles that all law schools are going through right now, and they should be accommodating. To do otherwise would be quite foolish.
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- 17 I personally study best outside of my home. I normally get 90% of my work done at school or coffee shops because I have a hard time focusing and tend to get distracted at home. I also think having a lack of structure for multiple weeks could potentially affect my study habits.
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- 18 Many of us feel that mandatory pass/fail is the most equitable option available. Option pass/fail benefits certain individuals but mandatory benefits the entire community. It really should be all or nothing, no "optional"s on the table. I also think that throwing in a high pass grade, like other law schools have done, would be an even better option. Doing the mandatory pass with a supplemental grade sheet is just grades in disguise. It will only take one person to disclose their grade to an employer before the employer will expect that/ask for it out of every other applicant and will treat the supplemental grade sheet as actual grades.
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- 19 I have worked incredibly hard this semester to fix what I could improve on in the previous one. We dont even have 90 students in our class anymore, pass fail would be detrimental as we will have to be reoriented to our positions with the MASSIVE (another huge concern is how we have such poor retention) number of students that dropped. We will be fighting tooth and nail to have a decent or acceptable ranking because of the incredibly small class size and now we are basically supposed to take a huge drop in rank and not have the opportunity to improve. A

rough estimate of 30 1Ls have dropped, and now we are stuck in worse off positions with nothing to do about it. This will wreak havoc on our job search and my drive to stay at this institution or even learn the materials. I am having huge difficulties from moving and not having a work space and I am against pass fail. Those who are for pass fail are either safely situated in rank or want the easy way out/ unconcerned with their rank in the first place.

20	Mandatory pass fail has been the standard for the nations top law schools during this uncertain time. An optional pass fail system is inherently flawed for many obvious reasons. It disadvantages those who are most affected by this pandemic by forcing them to explain why they chose pass fail when others did not.
21	Anything but a mandatory P/F system would be extremely unfair to students. We should not be graded as we are normally when we are so far removed from our normal situation. We don't have the same access to study spaces or even the stability to carry on normal, day-to-day activities with everything being shut down. An optional P/F system would result in an inequitable system in which some students are in a position to earn a grade while others, for practical or personal reasons, are not. This unfairness can even be linked to socioeconomic status -- I, for example, am living in a small home with 2 family members and I have no where to go in my home that is a quiet study space free of distractions. I cannot go to a coffee shop or library to study because those places are closed. Someone with a larger home may have a quiet area they could escape to. Expecting the same results from both students would be unfair. Additionally, an optional P/F system will result in students putting all effort into the classes they take a grade in and almost no effort into their P/F classes. If all classes are P/F, students can just focus on learning the material and trying to do their best in each class. Asking students to make strategic decisions about which classes to get a grade in is only going to make this situation 10 times more stressful.
22	While it is clear to everyone that there is no single solution that will make everyone happy there is one clear option that is the most equitable and that the large majority of students prefer. Mandatory pass/fail is the only way to ensure that the entire student body is on an equal playing field and no one is adversely affected by this crisis. Optional pass fail is essentially a non-option. In reality it only forces students to make yet another impossible decision in a time of extreme stress. Students would feel compelled to go with the graded option even if they are facing disproportionate hardship because of the serious negative impact that going pass/fail when others receive grades would have on their class rank and ultimate career prospects. Such an 'option' would not really be helping anyone.
23	I think maintaining the current system will hinder fairness because it will be extremely difficult to fairly account for changes in personal circumstances including finances, internet access, family obligations, etc. Additionally, I think the change to pass/fail should be mandatory (or at least mandatory by class). I don't see how an optional transition would help students, but it's clear that it could potentially hurt students. If a high-performing student opted to switch to pass/fail due to personal circumstances, while a more fortunately situated peer opted to keep traditional grading, issues of a fair class ranking system are obvious. For those concerned that a pass/fail transition would reflect poorly on them when seeking employment, I would highlight the obvious impact to our entire nation that won't soon be forgotten. The notion that a prospective employer would not make the connection between a pass/fail system on transcripts and the current events facing the world is simply absurd. I think Kentucky's proactive response is a prime example of the benefit of using common sense approaches in times of uncertainty. UK's response thus far has been prudent. I see no reason to change the nature of that response by implementing a complicated grading response.
24	Optional pass/fail is not a middle ground as it suggests. The stigma that comes with chosen pass/fail, even under these circumstances, will inevitably follow job applicants for the foreseeable future. 3L proponents of optional pass/fail policy, in their last semester of law school, want EVERYONE, regardless of individual circumstances, to be burdened by either a harsher curve system or the stigma of individually opting for pass/fail, so that they might have the POSSIBILITY of raising their rank MARGINALLY. This is despite their rank already (as a matter of averages) being roughly 83.3% set in stone. To elaborate on the stigma effect of choosing pass/fail under an optional system, I estimate (putting myself in an employer's shoes) that opting for pass/fail and passing has the same effect as getting a B, maybe a B+. For many students and employers, myself included, this is not acceptable. This effect disappears when everyone is held to the same standard. Mandatory is the only purely equitable option that accounts for the different circumstances of all students. Again, optional pass/fail is not a middle ground. It benefits only those who are currently unaffected by this crisis and have the time/resources to devote full time and attention to their studies.

25	The majority of the work this semester has been completed. I'm concerned that a significant portion of distinguishing factors for employment—that is, half of our 1L grades—will be eliminated. Optional pass fail grading or handling individual cases of hardships on an individual basis is the only fair resolution in my opinion.
26	Mandatory pass/fail is the most equitable route to go. If students have the option to choose letter grades, students who opt for pass/fail grades will suffer under the ranking system.
27	A mandatory pass/fail is the most equal option. Law school is an inherently competitive environment. While we have done a remarkable job joining together as a community to support one another, that competitiveness will not suddenly disappear. I am not in the top of my class, and as I would love the opportunity to continue to raise my rank, I feel as if that should not be my main priority during this time. If the faculty were to implement an optional system, I, along with many of my classmates would not be able to take that option despite our divided attention and anxiety. I am concerned that those who truly need to use the pass/fail option will not choose the option because they fear a drop in rank. Like I previously said, law school is already so competitive and the optional pass/fail system will further encourage gamesmanship. I have really struggled adjusting to online classes and ways to stay focus as this is not my normal study environment. I do not feel comfortable, however, taking an option to pass/fail because someone will pass me up in rank. I would take the normal grading route in hopes of passing those above me. As much as I feel bad doing that, that is how competitive law school is. Those ranked above me may be caring for children at home, sick family members, or are not in an environment where they can perform at the best of their ability. I have spoken to my classmates about this and we all agreed that this gamesmanship was our first thought when hearing about optional pass/fail. We are not proud of that, but it is the nature of law school. Instead, we need to focus on collaboration to support one another. I am facing financial instability and am worried for the health of my family as well as my own. Law school has gotten my full attention and focus for the past year and a half, but now my attention is being pulled elsewhere, and for good reason. I am not able to meet with my study group and utilize the study rooms in the law library. Spending 14 hours a day in a quiet study room with good internet connection before finals was how I was able to succeed. Now I am facing distractions from family members and a bad internet connection. I understand the faculty is concerned about students not working as hard. I can attest to my own performance as well as many of my classmates whom I have discussed this with that we will continue to work hard and put the time in to learn the material. We are students who truly care about our performance and hold ourselves to high academic standards. We want to be prepared to pass the bar exam. Further, I want to be the best practicing attorney I can be; I will not brush off my studies this semester, as it is my goal to master this material.
28	I strongly oppose an optional pass/fail system. I would prefer we stay the same with letter grades, as usual. I would like the opportunity to have the letter grades impact my GPA (in, hopefully, a positive direction). Not only for class rank but also for future employment. I acknowledge that some employers will be understanding of this COVID-19 situation but I really do not think that MOST employers will be understanding. If we must go to a pass/fail system, it should be mandatory. Any change or lack there of should impact all students the same in terms of grading.
29	What are their rationale for whichever decision they make
30	None
31	Optional pass/fail creates a prisoners' dilemma for students, foisting even more stress on them in an already extremely stressful period.
32	A mandatory pass fail grading structure leaves 1Ls who were unsatisfied with their first semester grades at significant disadvantage in terms of GPA and class rank. An optional pass fail system wherein students make such a decision upon receiving their final grade would provide the opportunity for those looking to increase their GPA to do so without negatively impacting those who have been significantly impacted by the disruption of COVID-19. Such a grading structure would also promote the continuation of a competitive system that would prevent those who were satisfied with their first semester grades from just riding out the rest of the semester with no risk of a change in class standing.
33	We are in a program where rank is extremely important. Obviously mandatory pass/fail is in some ways unfair in that people who work harder than others may not get the reward (a higher class rank) that they deserve. However, we are no longer in a circumstance where hard work is the defining variable in determining grade outcomes. People are having issues with their health, finances, and living situations to varying degrees based on a variety of factors (which although

those factors obviously impact student performance, their impact is greatly exaggerated during what is, undoubtedly, the most serious situation anyone in our age group has dealt with). Additionally, we are being asked to acclimated ourselves to a completely new and unexpected method of instruction, which, aside from its general novelty from the traditional in-person law school teaching method, manifests itself with a great deal of variety among the faculty at this school, giving advantage to certain students based on age, internet access, computer quality, in addition to the factors listed above. Optional pass/fail is merely a cloak to hide a bad grade. Whether we're allowed to use it only before or even after we see our letter grades, it offers almost no advantage as compared to just a letter grade system. People in situations which will allow them to feel confident about their ability to perform will not opt for the optional pass fail. A "pass" on the transcript will surely be seen as a sign of failure. Mandatory pass/fail is the only solution that will actually help our student body in a significant way. And many of us need help. I know University of Louisville has already opted for mandatory pass/fail. Please help even the playing field. I'm sure I don't need to even say that employers will not magically forget about this event in 2,3, 5, 10, or 20 years when we are applying for jobs. They know that many schools are using this option. While it's true this argument maybe used for optional pass/fail, such an argument could only be made in bad faith, because the difference between the two is vast. An employer is likely to think less of a student who they know chose to avoid their letter grade as opposed to one who did not have the decision at all. 5 semesters of grades is more than sufficient to determine a fair class rank. I do not know what else to say, except that I and many other students will be extremely disappointed in our institution if during this international crisis, the administration is unwilling to ease the stress weighing on us. Thank you very much for considering what I had to say, and thank you for everything you have done for us so far. It has not gone unnoticed. I wish you and your families all the best.

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| 34 | I think mandatory pass/fail grading is the most fair way to proceed. There's no denying that this change has impacted students and effected their ability to study, or at least study as efficiently as before. I think if you give people the option to choose which classes they can take pass/fail it gives students a chance to game the system. I have seen that some other schools have included high pass marks so that those that have been working to improve their school work can get that recognition without disadvantaging other students. |
| 35 | I am concerned with an optional pass/fail system. As this could result in gamesmanship between individuals picking and choosing courses in which will increase their GPA, while disadvantaging others. If pass/fail is the chosen solution, I believe a mandatory pass/fail system places every individual on the same playing field. |
| 36 | I think we should move to mandatory pass fail. Most of the students I have heard have advocated for that position. I think that moving to optional pass/fail would create an incentive for people to take traditional grades for fear of falling in the rankings. Additionally, if there is a push for optional pass/fail, I hope there will, at a minimum, be methods to ensure that students who choose pass fail are not penalized. Perhaps allowing students to choose after they receive grades. I still think mandatory pass/fail is the fairest option to ensure all College of Law students are on an equal footing in such difficult times. |
| 37 | 1.) Honor code is unbelievably hard to implement and mandate remotely, some students will be more apt to use their "resources" way more broadly than others 2.) It seems unbelievably asinine to be worrying about grades, curves, and rankings when so many throughout the world are experiencing the worst fear, anxiety, health, and loss of their lives. 3.) We need to be a united front and attack this crisis as such. 4.) Optional pass/fail in application will NOT make students feel as though they can truly opt out of traditional grading. This is evidenced in the fact that those opting for pass/fail will still need to compete against those that maintain their traditional grades, thus resulting in a majority of individuals feeling as though they have no option but to choose to maintain the traditional grading and therefore push themselves harder than their environment might dictate. 5.) The innate competitive nature of law school will continue if there is an optional pass/fail structure implemented because students whose situations and anxieties and effects during this crisis that justify having too many external factors to adequately and proficiently excel and perform their best and ultimately should have pass/fail for classes will ultimately feel pressured to maintain the current grading to compete and not have their ranking be detrimentally effected. 6.) Optional pass/fail is NOT the most equitable decision. It is not going to make the biggest amount of students happiest. It will exert too much pressure and ultimately not allow students to really feel like they have an option at all. 7.) So many of our students are now in situations and environments that are unbelievably grueling and demanding. The students are not universally effected by the current crisis, but the impacts on our grades can be. 8.) We are going to law school to learn how to advocate for others and this situation should be no different. While I personally may not (currently) be as |

effected as others during this time, I think it important we advocate for those presently being adversely effected. We need to advocate for those that have the world crumbling around them and the need to attend more to life outside of school than the regular semester usually holds for them. 9.) It will be much easier for us to explain down the road that our University wanted to stand as a united front and mandated the pass/fail grading structure during this global crisis. It will prove much more difficult to try and overcome the presumption that we opted into the pass/fail grading solely because we did poorly. That is a presumption few will voluntarily opt into and is unfair for those who have no other option to have to continuously explain and justify moving forward.

38 Mandatory seems like the best and most fair choice. It obviously has some negatives to it, but people got the ranks they did first semester because of their own work. It seems unfair to me that someone that did well first semester can potentially suffer more just because they have less ideal circumstances now. The most fair solution is to make everyone stay exactly where they are. The ranks were done fairly first semester, but there is no way to do the rankings fairly this semester.

39 I don't believe either mandatory or optional/pass fail is completely fair to everyone, but I'm firmly in favor of *optional pass/fail* because of the following concerns about mandatory pass/fail: 1) It seems to be borne out of a concern the playing field won't be level for everyone. This is a false premise, as the playing field was never level in the first place, a concern I've shared with Dean Wright (in short, in case you weren't aware, some of your students are far less affluent than others, and law school, even with financial support, is expensive, as are other necessities, like healthcare and housing). 2) Mandatory pass/fail imposes *actual* unfairness based on concern for *potential* unfairness; students who have already received good midterm grades, and students who've busted their ass all semester, would receive the same "pass" as students who've only done the bare minimum; optional pass/fail is more responsive to actual circumstances, providing a pass/fail safety net if needed, but also allowing for students to be rewarded for their hard work if they don't need a safety net 3) Being able to improve rank and GPA is more important for less affluent students. My family doesn't have connections. They can't get me a job. They also can't afford to support me if it takes me a long time to find a job. I need to be able to put myself in the best possible position to get hired. This is still a law school, and I'm still thinking about eventually being a lawyer. If that's not what we're shooting for, then you should just cancel the semester and refund my tuition so that I can put it towards a semester when that *is* what we're doing. 4) Lawyers are expected to perform even in incredibly stressful circumstances. Compassion is great. But mandatory pass/fail just imposes a bar minimum standard, and no incentive for exceeding it. 5) Although a majority of students favor mandatory pass/fail, it's not clear for how many this is because of concern for the virus, and for how many this is just opportunistic because they'd support getting rid of grades and rank altogether (which, again, benefits the most affluent students) 6) As was noted in the town hall, it is my *right* as a student to be graded consistent with the criteria I was provided at the beginning of the semester (i.e. a letter grade), and the opportunity to distinguish myself among classmates (via letter grades/rank) is, to me, the primary value of what I'm paying for. Mandatory pass/fail would deprive me that right, while optional pass/fail would preserve it (and if you choose mandatory pass/fail, and deprive me of that value, I think that should result in a partial refund of my spring tuition to reflect that loss of value, particularly given the law school's recent \$20+ million donation, putting it in a far better position to bear the burden of lost value) 7) Regardless of what choice the faculty make, I hope this newfound concern for a level playing field is carried forward when/if things return to normal, in tangible ways. Maybe students should receive an allotment of pass/fail choices during their law school career, in case things come up (so if someone has a particularly difficult semester, they could use a couple of their pass/fails on two of their courses to lessen the stress, and maybe they get 2 or 3 for their law school career). Maybe the law school should think of some more ways to help students who are struggling to buy expensive case books (and if you're barely going to use it beyond just assigning the cases, how about you just have students read the cases for free on Lexis or Westlaw? Or at least tell them that before they buy it). Maybe the law school should think about how to help students who can't afford expensive bar review courses (that certainly doesn't place them on a level playing field with students whose parents can pay for everything, does it?) You may have picked up on a theme here, but I'll reiterate it one last time: students, particularly poor ones, had all kinds of burdens before this, and there wasn't all this conversation about how unfair things were. Now that there's *potential* unfairness that might affect affluent and poor students alike, suddenly we're concerned. That makes this whole push for mandatory pass/fail seem really dishonest to me.

40 Optional P/F would cause so much additional/unneeded anxiety to this already trying time. If

you want to help the student mental health and ability to learn without the added burden of curves and ranks please, please, please vote for mandatory P/F to help us already struggling law students

41	Professors are adding work because they fear they won't be paid if they aren't very strict.
42	My concern is that the faculty will be in favor of the students who do not want the pass fail grade system due to them being at the top of the class. They want to make sure they receive another high letter grade to add to their transcript and resume. They are already at the top of the class. A pass fail grade will not impact that, but it will help those of us who have felt the impact of the virus on our families.
43	There are those students who have been uprooted, quarantined within environments that are not conducive to Law School, and some are even losing clerkships that they have applied for in the middle of COVID.
44	With the possibility of optional pass fail I have a number of concerns. It seems unfair to me that individuals who are affected personally by the virus or mental health concerns stemming from it would be graded on the same scale as other students. It seems like a dilemma to say to students you must chose whether you're graded or not, especially with the job market we are facing with the economic downturn. I would feel obligated to opt in for grades but feel my mental health has been significantly adversely affected by this crisis. Similarly, I worry about how this will affect my class rank and would need more information about that.
45	Optional pass/fail will put unnecessary pressure on students to receive grades, as if they don't they could fall behind in rankings. Furthermore, it penalizes those who may not be able to commit the same to law school now with the different circumstances.
46	With online exams mandatory pass/fail seems to be the only feasible option. Some students have parental responsibilities, others don't even have desks in their homes so taking an eight-hour exam with no where to go may prove difficult or give other students an unfair advantage. In the alternative, for some students grades are an indication of how well someone comprehends a subject. If we go pass/fail that is no longer available.
47	Optional will have lasting impact. An employer looking at an A v. P will inevitably choose an A over a P.
48	While the challenges of transitioning to online learning is a burden on us all, the brunt of that burden is being taken on by students. In a matter of one week we have had to adapt to online learning in general, learn to navigate five different classes being taught five different ways, and have our largest LRW assignment due, and these are tough hills to climb. The stresses of law school in a traditional setting are already substantial, our faculty and administration are aware of this, I know, and advocate for mental health resources all throughout the year. The mental health tolls and stresses the law profession has on a person, that we have been told are so important to everyone in the law school, are being put to the test ten-fold in this unprecedented situation. Moving to a mandatory pass/fail grading structure is the only way to ensure the desire to be the best in a law school class and have an arbitrary grade assigned to the value of your work does not overshadow the hardships placed on us all during this global pandemic and the importance of balancing out those inequities. The choice to allow the optional pass/fail option is no choice at all. Every law student is competitive and strives to do their best work, the fear of seeming inadequate or lazy to a potential employer virtually eradicates this option entirely, so those who need to take the pass/fail options won't and may suffer the repercussions going forward all because they were faced with heavier burdens to carry during this time when others are not. The curve will not balance these inequities. All hardships felt by students are not the same, while all are important, they are not the same and it would be a disservice to assume a curve could rectify this unprecedented situation.
49	If a pass/fail grading system is good enough for doctors, it should be good enough for lawyers. I would also like to say that more than half of my immediate family members are doctors, I've found it incredibly stressful knowing that my dad and siblings are treating infected patients without the proper equipment available. I find it so distressing that I will be leaving town tomorrow to help my mom make masks. I know my family cannot be the only one directly affected by this pandemic. There are plenty of other students who have spouses who have lost their jobs or children that they now have to take care of. By keeping the grading system as is, the administration would be overlooking these situations and putting those students at even more of a disadvantage. An optional pass/fail defeats the entire purpose of moving to a pass/fail system—it needs to be mandatory.

["Individual Student Concerns," 25 pgs]

50	We are all no longer on an even playing field as we have all had to change our study habits, schedule, and environments against our choosing.
51	I think whatever is decided, we as a law school need to move forward together on the same page and as a family. We are only as strong as the most vulnerable among us. I was disheartened by what I saw to be immense selfishness during the town hall when we should all be working and focusing on flattening the curve through actions that are the opposite, selflessness.
52	There are people who have worked very hard this semester to get their grades up because they didn't do too well last semester. They should have the choice to not have their hard work be for nothing. Law school is an individual process and optional pass/fail reflects that.
53	The current situation is difficult for many students and some may find it more difficult than others. Currently, I am finding the online classes very hard to work with given that my spouse is also working remotely from home and we have limited space and resources to work with. Additionally my mother was forced to close her "non-essential retail business" and is facing a very difficult time and looking to me for emotional support. I am also trying to help support two of my elderly family members who live alone and are completely isolated. Additionally, I personally know three students at the college of law who do not have stable internet connections and may not be capable of viewing classes in real time. Furthermore, there is a hidden emotional/psychological toll that is likely to affect students as we go further into the semester in isolation. I have had conversations with several students who are already struggling with this. Given the competitive nature of law school and the inability to level the playing field in regards to each student's unique circumstances, it would be irresponsible not to go to mandatory pass/fail.
54	(1) How the administration would deal with the prospect of people "gaming" their class rank (i.e. focusing on doing extremely well in only one or two classes) if P/F is optional. (2) Whether those taking P/F at their option are still included in the overall curve of the class. (3) How the administration could still provide some reward for high achievers in order for students to maintain some semblance of their work ethic.
55	Optional pass/fail does not seem to help the current situation much more than leaving the grading as is. Realistically, only the students who are not at a disadvantage and/or receive high grades will opt in to receiving a letter grade. They will receive a boost to their GPA that those who are at a disadvantage won't, which puts us back at the same problem we have at hand. Mandatory pass/fail is the only way to truly level the playing field and allow ALL students to handle this pandemic accordingly. Additionally, with numerous law schools around the country moving to a mandatory pass/fail system, "Ps" on transcripts for this semester will become the norm. Employers will understand this, so I strongly doubt that moving to a mandatory pass/fail system will harm anyone's future employment chances. If UK is serious about providing equal opportunity to all students, mandatory pass/fail seems to be the only option that ensures that.
56	Optional does not give any real benefit. Grading should either be normal or pass/fail. Employers may view those who chose pass fail negatively without knowing their personal situation. This places a heavy burden on students to choose between possible poor grades or being overlooked by an employer because they chose the pass fail option. Leading many to choose to take the chance on the graded option even when their situation may be difficult. This will lend toward poor grades and additional stress. We are all in this together, we should be united in our grading structure and the chosen grading structure should reduce stress, not impose more.
57	An optional pass/fail system creates a number of personalized issues for every student. Disadvantaged students near the bottom of their class might feel pressured to make up ground on their class rank or to avoid questions from potential employers about "P's" on their transcript when they could have replaced it with a letter grade. This could ultimately end up hurting these students.
58	Optional Pass Fail puts more pressure on students to make a choice to choose grading because of the fear that it will look poorly if they have a P on their transcript for some or all of their classes. Also optional pass fail would effect the curve a great deal. I think you have to do Mandatory in the interest of fairness.
59	Any transformation to pass/fail would be a way for students to effectively learn while removing the looming pressure to instruct ourselves in order to earn acceptable grades.
60	I cannot study or effectively learn from home. I may be able to complete class work and receive

a grade, but I will not learn to the same degree as when I am in the Law building day in and day out. I did not sign up for online, no one did. I feel significantly disadvantaged. I switched my whole learning style my 1L year after I realized I was horrible at working remotely; I routinely complete all my work in either the library or a coffee shop. I personally prefer pass/fail

61 Though not all of us are being impacted by the state of the world right now, some of us are being detrimentally impacted. If we choose to go pass/fail, it should be a mandatory pass/fail. If one student finishes a course with a P and another student finishes the same course with a A/B, the student who elected to go pass/fail is almost certainly going to be at a disadvantaged in the job market. Optional pass/fail still punishes the disadvantaged student for circumstances that they cannot control and could not have foreseen.

62 Mandatory Pass/Fail is the best option for this semester — especially for 3Ls. It takes some of the pressure off because we're about to graduate, get jobs, and take the bar on top of worrying about getting sick. With mandatory pass/fail, I don't worry as much about it I got sick and falling behind.

63 I strongly urge faculty to consider the unprecedented nature of this scenario. We as a nation have no idea where we will stand in the upcoming weeks. Currently shelves sit void of all alcohol based sanitizers, home cleaners, and also basic human necessities such as toilet paper. Faculty should make this decision expecting the worst and hoping for the best. By this I mean it is a strong possibility that some of UK's law students and faculty will contract COVID. We have no idea how far this pandemic will reach into our lives as a community, let alone individuals. It seems unjust to implement an optional pass/fail system as this will further only reward those with less to worry about (those without family members with health conditions, those with reliable internet access). Additionally, if the decision is made tomorrow to offer optional pass/fail, what happens when/if in a few weeks half of UK's law students contract COVID? Optional pass/fail would once again force students to take a gamble in an unprecedented time based on whether or not they think they may contract COVID. Additionally, faculty has done their best to quickly transfer to an online format, to which they should be applauded. However, this hasty transfer has led to classes being administered across several different mediums, as opposed to the ONE in-class method we have prepared for. At least half of the 1L class has information being disseminated via: zoom, youtube recordings, mandatory class quizzes (some of which only count towards attendance if the student answers correctly), email, canvas/twen posts, and written assignments. Not to mention the lack of my confidence in the Honor Code. In a perfect world, yes, the Honor Code is sufficient, and would be proctored in-person. However, as we have all clearly seen over the last few weeks, we do NOT live in a perfect world. This is to not accuse anyone of cheating, this is to establish the fact that desperate times lead some to desperate measures. It would be beyond easy for someone with connections to a member in the legal field to unfairly utilize this crisis to get ahead. Even if we were recorded, there are several methods to circumvent such a small hurdle. Such as a student setting their webcam to a picture of themselves, or even screen mirroring using an HDMI cord to another monitor or even television. This would enable an individual to communicate with another individual who can't be seen via webcam. My GPA/rank should not be based on my trust in others upholding the Honor Code. My GPA/rank should be based off of what I know and demonstrate on class and in writing my exam. There are additional reasons why I feel strongly for a mandatory pass/fail, but I believe the above express my strongest feelings. I prefer not to write a book as I'm sure there are a plethora of comments coming in. In summary: a MANDATORY pass/fail grading system is the most just path to take in these unprecedented times that are bound to get worse before they get better. Without a mandatory pass/fail system, it gives those students that aren't at risk an upper hand over those students that have underlying medical conditions who are currently fearing for their lives, and the lives of their loved ones.

64 "Substantive" classes have seen their in-person instruction time decreased by ~33%. This is the kind of instruction that we expected, planned for, and paid for. No one could have anticipated these circumstances, however, there is an appropriate response - mandatory pass/fail. First, optional pass/fail forces the students to make a decision that is not theirs to make. The faculty is paid and responsible for making decisions thus this decision belongs to them. Second, an optional pass/fail system is de facto a letter grade system. Not only will students feel the pressure to choose the letter grade system to protect their rank, they will feel judged by employers if they do not. A pass grade will look like we do not care about our study of the law when in fact the decision could have been motivated by fear of a loved one getting the virus, losing childcare, or losing our job. Finally, a mandatory pass fail system will finally put to rest the widespread anxiety over the grading system. If we choose optional then more pressure is put on students to make the "right decision."

65	No questions or concerns. Just want to thank the faculty for considering the issue thoroughly since it will have A significant impact. Thank you all for addressing it on top of converting courses to an online format!
66	There is no doubt that students have been adversely effected. Personally, I do not feel I can accurately grades in classes that were originally heavily presentation based. Because professors are trying to compensate for these changes this is also creating more work for students. Moreover, some professors have adjusted to the technology platforms better than other. The quality of my education is plummeting and I frankly did not sign up for many of the classes that I am now forced to take. Optional pass/fail is not pass/fail at all. This is going to force students into electing for a grade in fear of plummeting in rank. Other laws school have elected for mandatory for this very reason (e.g., Tulane). Those who are worried about employment can appeal for their grade to show prospective employers. Problem solved. However, employers know and are faced with the same challenges we are and I highly doubt any employer would hold pass fail against a student. Allowing traditional grading or optional pass fail is unfair. We know longer have equal access to equal resources, class time, internet, and study spaces. As someone who does relatively well in terms of grades, I don't think it's fair to penalize students for things outside of their control just so some students may try to climb to the top (which for 2Ls and 3Ls is numerically unlikely to happen). I understand that other classes have differing views, largely due to employment prospects. These concerns do not apply nearly as well to the 3L class. Overall, mandatory pass fail is the only equitable option.
67	A mandatory P/F semester is the fairest way to proceed. To retain the traditional grade system would indicate that this semester is no different than any other, and it deserves the same weight as a typical semester. Additionally, a student's GPA should not profit from this circumstance, which would happen if UK went to an optional P/F.
68	I think it is important to consider that we do not know what the impact of this virus is going to look like in 6 weeks when we are taking finals. There is a high possibility that students and/or their family members may be suffering from COVID-19 during finals and may not have indicated pass/fail on a class prior to falling ill. Unforeseen circumstances will be arising over the next few months and no student should be penalized with a massive GPA and Rank drop for something that occurs completely out of their control. Additionally, regardless of what a student's current situation is, the COVID-19 pandemic is anxiety-inducing and detrimental to the mental health of students who are already suffering from anxiety and depression. Asking students to decide which classes to pass/fail on top of the already stressful new normals we are facing day-to-day is an unfair burden to place on students. In my opinion moving to an optional pass fail system would be more detrimental than leaving normal grading in place. The most productive solution during this time would be to implement a mandatory pass-fail system similar to the one put in place at Tulane's Law School which includes the option to have High Passes for students scoring in the top 15-20% of the class in order to fairly reward them for a successful completion of the class but without penalizing students who are unable to devote their full attention to law school during finals, as we are normally expected to, or who are unable to effectively adapt to the online learning environment to have equal success as they would in the classroom. It is important that we make a decision that is best suited for UK law, for a community that so openly advocates for mental health awareness in the legal field and emphasizes the importance of community. One semester without grades will not be detrimental to any student when it is a decision being made at countless other law schools across the country. But asking students to select classes to pass/fail should certain circumstances prevent them from adequate preparation time is asking a student to push him or herself to the edge of their capabilities because they do not want to risk a significant drop in rank while their peers are able to have a GPA boost at their expense.
69	If UK Law were to choose an optional pass/fail grading structure, that decision will be debilitating for our community. An optional pass/fail means that students electing grades have an unfair advantage over their classmates. My classmates who face financial difficulty, health concerns, and immediate pressing commitments elsewhere will choose pass/fail, but my classmates without those circumstances will not. By choosing an optional pass/fail, we are rewarding those students who are healthy and financial secure with grades, leading them to pursue opportunities. If we choose optional pass/fail, we are further ostracizing those students from opportunities just based on a situation caused by a global pandemic outside of their control. Further, I believe those students who choose grades will further stress themselves in an already overwhelmingly situation. I include myself in this group. Law school is an extremely stressful time, and many students are not open with how they handle that stress, or even if they are aware of how debilitating their stress is on themselves and their health. Choosing an

optional pass/fail leads a student to stress about the decision of grades or not, and then stress about studying for classes in a new format, all the while stressed about the state of their health, their family and friend's health, and the state of the world. I understand the importance of accountability, especially in the law. But I genuinely wonder what more would need to happen in this world to show that grades are not everything in life. At what point does a healthy environment for students become the priority? I hope so now.

70	The resources of study groups and adequately quiet study spaces for finals have been severely hindered. Also, students act as if employers aren't aware of the pandemic and it's effects on academia. Surely they will understand and adapt, as we all must.
71	I'm a little confused about how optional pass fail would work. Would teachers still be required to grade on a curve and then when grades are entered those who want a grade get a grade and others get a p or an f? To me, this seems to significantly disadvantage those who do pass fail (either bc they have to due to circumstances or they choose to to elevate stress in this quite stressful time). People are being faced with a lot of challenges right now that affect their ability to perform at a level that they are used to. For someone who might not be facing as many challenges and feels like they can perform well enough to take a grade for the semester, it seems like their performance will far exceed that of their peers faced with a sick loved one, sickness themselves, or any other inevitable challenge that this time presents. If the grading still occurs on a curve, it is likely that those who feel they can still perform well enough to receive a grade will receive quite a high grade and quite a significant boost in gpa and rank. Thus the problem with allowing students to choose whether they go pass fail or not might seem like it is giving everyone what they want but in the end it is going to severely disadvantage students who have worked extremely hard though law school to achieve their grades and ranks bc now they might be surpassed due to circumstances far outside of their control that required them to choose pass fail. Additionally, in a class of many overachievers and driven people when given the option, I feel like many people will feel pressure to go with the graded option even though it might not be good for their health (mentally and physically).
72	I am concerned that the transition to online courses will have a negative impact on my grades.
73	The immense change and uncertainty that has come with the outbreak of Covid-19 has effected my ability to effectively undertake schoolwork far more significantly than I would have predicted two weeks ago. The concerns created from the virus itself have been great--much of the first few days has been occupied by worries for my mother who was briefly hospitalized for Covid-type symptoms (she was, fortunately, not infected). To this there are worries about my wife's continued ability to earn money, a significant concern as she is our sole money earner. And the strangeness that's been created by the shift to online courses, a situation not the fault of the faculty who seem to be doing their best in this situation as well, has been to create a scenario where achieving the level of focus found during normal times sometimes seems impossible. There is no reason to add to these concerns about a prisoner's dilemma type scenario with regard to grades. Mandatory P/F is an equitable solution for all students whose lives have been upended in myriad ways during this pandemic
74	Many students must invest in their future by taking out student loans. Some students must fall into substantial debt in order to obtain a legal education and cover living expenses in the process. This debt, however, is worth it if students are able to obtain employment that can help pay it back. While this is clearly a difficult time for our nation's economy and many fear job loss or insecurity in providing for their family and paying bills, the purpose of seeking higher education is to obtain employment. I know I am not alone in that I hope to be a competitive applicant in the job market. While some students are pleased with their class ranking thus far and have obtained summer employment or employment post-graduation, others, unfortunately, have not achieved that. I made this investment with the expectation that I would have the greatest opportunity to succeed while in law school. I know that this is an unprecedented situation and everyone is doing everything they can to make the most out of it. With that, the optional pass-fail system at least provides an option for students to improve their chances for success, while allowing those with additional burdens to survive this situation. A mandatory system may be advantageous to some but it is burdensome to many. While there are students who are taking on so many stressors that the idea of taking a grade in a class seems horrible, I am aware of many students who are simply not wanting the usual stress of working hard to keep their ranking and see this as a "get out easy" situation. Neither option is perfect. However, it is unfortunate that most arguments are coming down to whether the person wants to improve their rank or wants to keep their rank, rather than the bigger picture associated with this crisis. Based upon that, I have heard little from those with fears outside of class ranking expressing their opinions and I wish we could hear more from those individuals. I have even heard

students say "If I was happy with my rank, I would prefer the mandatory system." While I have also heard from others, "If I didn't have a job this summer, I would want the grades." The advocates of mandatory grading put forth arguments for a high pass, pass, and fail grade. While that may seem better than a simple pass or fail, it honestly defeats the purpose of those simply hoping to survive. I find it very difficult to believe that employers will truly consider the "high pass" whenever there is a GPA and ranking beside it.

75	I will send an email
76	Some proponents of the optional pass-fail system argue that it promotes student choice and preserves the expectations of students seeking to improve their grades. From my perspective, many students will not feel as if they can vote in the way that best suits their circumstances. I want to believe that hiring managers at law firms will approach the situation with empathy and not penalize a person for choosing pass/fail. But I am confident that many students will feel as if an employer would look down on it. And they would choose the grading option, even if their circumstances did not support that choice. If I were in that position, I would probably choose grades, even if it harmed me. And that seems to cut against the entire premise for optional pass/fail.
77	With respect to some of the 1L concerns, I have two comments: (1) first semester grades are what get you jobs for your first summer, as most second semester grades are not posted until the summer has started, and (2) surely no employer will hold a mandatory pass/fail system against a student knowing what was going on globally during this time (especially if students make notations on their resumes/grade sheets reminding employers of the pandemic). If we move to optional pass/fail, I think that's when employers will ask questions--say if one candidate chose to have letter grades and the other candidate decided to take the "easy" route of pass/fail. This would be unfair to the latter candidate because the decision to move to pass/fail right now may be due to a lot of personal things, such as taking care of an elderly family member and so on. It would be difficult/an invasion of privacy to have to explain your reason to choose pass/fail to employers in the future. Further, on a different note, if most students choose pass/fail and only a few choose to have letter grades (seeing as the overwhelming majority of the student body in the survey voted for pass/fail), then the professors would be faced with how to go about grading on a curve for so few students. Having it be optional is just way more complicated than this needs to be. Online school is already difficult enough with everything going on, let's not make this more difficult than it has to be--move to mandatory pass/fail. I will also say that us 3Ls have gone through a lot already--having our last day on campus without knowing it/being able to cherish it, having our graduation postponed to an unknown date, having to finish online in a learning environment we've never had to be in in law school, and so on. Please just let us move on.
78	I think the whole pass fail notion is beneath the school. This is a flagship school with the smartest students in the state. There is only a month of school left. Does a month online really make us unable to do normal grading? Where is the line we draw where online is so detrimental that we cannot assign values to a student's grades? Mandatory pass fail is a joke. This is law school not undergrad. Much of legal learning in our profession is online and this is no different. All of the class sessions are recorded for those who have other obligations at the time and can be listened to at ANY time later. If an aspiring attorney cannot learn on a computer can they be trusted with someone's freedom? Someone's children? Their home? We are capable of adapting to an online class just fine. The majority of the pass fail movement is disguised as a helping hand for people with kids or bad internet but for most of the students it's just plain laziness. This is our most important semester for grades and it will be taken away from 97 people for the sake of a busy 3. Not to mention how this will adversely affect those who wish to rise in rank or who had to redo a semester. I urge you to deeply consider this as there are potentially careers in jeopardy. This could damage people for their vital 2L summer employment and the rest of their lives.
79	Working from home is very difficult. The change in environment blurs the line between home and school. That impact not only the quality of school work but also mental health. It feels like there is no break from school. Also with the closing of off-campus and on-campus venues, it is this is further increased.
80	I think optional pass/fail allows people who are less affected by covid19 to game the system and improve grades/rank while those of us who are experiencing a hard transition may have to take pass/fail and not do as well. That isn't fair.
81	An optional pass/fail practically wouldn't provide an option at all. Because their rank would decrease by default, students will feel intense pressure to select the option of continuing with

the grading system despite that not being the best option for them. If optional pass/fail was the chosen system, I myself would have the immensely difficult dilemma of compromising my rank in selecting the pass/fail option that would honestly be better for me given my personal situation. Although I'm sure it feels like a great, "make everyone happy" solution that is thus attractive to faculty and administration, it would simply add more stress. I trust that the school would avoid situations that would mount additional stress and difficult decisions on top of the stress students are facing given the global pandemic.

82	It is UNJUST to opt for an optional pass/fail. Today, multiple students experienced technical difficulties in zoom meetings who are from rural areas. This equates to a hampered ability to adequately participate in class (a university policy), ask questions that others may not ask for the benefit of the class, and ultimately a weaker education as these experiences will ultimately translate negatively to the exam. This creates a chain reaction that could ultimately hinder ones career. Furthermore, the equitable and just way to proceed for the semester during this unprecedented time is to enact a MANDATORY PASS/FAIL option. This ensures students who do not have access to amenities and support systems that others may during this time, do not lose their competitiveness in the job market. If an optional pass/fail system is implemented, those who are "rank hungry" will opt-out of the pass fail so they can attempt to move up the ladder. This will have ramifications throughout the remainder of the law school experience as the quality hours when calculated will be increased compared to those who opt in. This "padding" will provide more cushion to those students who do well and solidify their class rank in the event of a future bad grade. This is a numbers game that law students will know how to exploit. I implore the faculty to enact a MANDATORY PASS/FAIL system for the semester. If employers are not understanding of this then, as a human, you probably should not work for them.
83	An optional system would reinforce unnecessary gaming of the system. If a student knows classmates will elect for a P/F grade, then they are more likely to elect for a letter grade because of a reduced effort from those that elect P/F. This is exploitation of those who by circumstances out of their control have deemed P/F their only option. This is only remedied by a mandatory P/F system where gamesmanship is removed.
84	In my opinion, the only two fair and equitable solutions are (1) status quo; and (2) mandatory pass fail. I support mandatory pass fail because I believe it is the fairest option to the most students. Optional pass/fail has a myriad of fatal flaws whether the option is taken before or after the grading of exams. Optional pass/fail presents a fake choice. It is not really a choice. Students who truly face burdens and truly think pass/fail is the best option for them will be forced to select letter grading because they fear employers will look poorly upon their "P" grade when other have actual letter grades. On top of that, the decision to choose letter grades or pass/fail is incredibly stressful and will have an adverse effect on most students' mental health during an already-trying time. For the good of the entire student body, mandatory pass/fail seems to be the best option. If the administration chooses optional pass/fail, then the option must come AFTER students receive their grades. Forcing students to choose before exams is incredibly unfair and will result in major disapproval, to say the least, based on all the conversations I've had. The college could still allow students to know their true letter grade. Plus the college could still give "CALI" (or similar) awards to the top 5 or so performing students in each class so that super high achievers could have something to show for their hard work.
85	I believe mandatory is the only fair way to go. To help everyone, and specifically help those who are most hurting, mandatory is the best way to do it.
86	If we did optional, how would future employers look at our decisions about switching some classes and not others? If that could be detrimental, an optional system will be harmful in that it would force the hands of most students to switch to avoid being ranked graded when only high scoring students remain, only for those who switched to suffer down the line.
87	Optional pass/fail will put those with more severe limitations to internet and more severe difficulties studying/learning through the new method at a significant disadvantage. If people choose pass/fail they will be viewed, by employers, as lesser than those that chose to be graded.
88	It would not make any sense during this pandemic to not do mandatory pass/fail. If not for the concerns of cheating, then for the sake of students mental health and adjustments for altered learning environments. We as a student body should be held on equal footing in some way given the fact that we are currently in drastically difficult situations.
89	I am concerned that employers will look down upon students who select pass/fail if it is optional

rather than mandatory. Students who elect to still receive grades could have an unfair advantage over those who elect not to, many of which are not in a position to be as academically successful as others due to heightened household/financial/family concerns.

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- 90 Following in suit with other schools who utilize the pass/fail structure, a high PSA could be awarded to those who score in the top 15%. This would mitigate some of the damage created by lack of grades while still supporting those of us who do not have the ability to remain focused as we previously were.
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- 91 Any option other than mandatory pass/fail greatly affects parents, rural, and economically disadvantaged students that you have. Access to internet, materials, and quiet spaces may be limited for them and optional grading or regular grading scale creates a significant disadvantage for them in comparison to their peers. Even more of a disadvantage than in-person classes posed.
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- 92 Were we to keep the same structure or move to optional p/f, my biggest concern would be academic integrity. I understand our profession holds itself to a higher standard of integrity, but I fear that the temptation to cheat and better one's class rank would be too great for some of my classmates to overcome. With optional p/f there would be little to no incentive for high ranked students to take their exams for a grade since they are already well positioned. Conversely, those with lower class rankings may see this as an opportunity to better their GPA since those in higher positions will likely remain stagnant. With this perceived opportunity also comes a higher incentive to cheat since obviously better grades results in a higher semester GPA that then in turn boosts one's position. Along with this concern there's also the issue that not everyone is similarly situated while working from home. Every student faces a different set of distractions while working from home and some students have situations that may make it easier to cut them out. There are also issues of individual motivation and the possibility that students will feel pressured to take a class for a grade even if they feel uneasy simply because they don't want to risk losing their position in the class. I think a mandatory p/f system cuts out all of these issues and will still encourage students to learn the material to the point that they at minimum still understand major concepts.
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- 93 There are people that need an optional pass/fail option in order to adequately be able to compete with our classmates. And there are those who needed this semester in order to not be on academic probation/scholarship warning and be able to stay at UK. There is also the fact that there have been rumblings of wanting mandatory pass/fail to maintain their higher rank longer for a better job advantage instead of wanting to do what's best for each individual person. I think no one knows what is best for each individual person other than themselves and the individual should be able to choose whether to opt into a pass/fail system by each individual course. Personally, I have put in so much work that I would not want to go to waste. I think that GPA changes should be allowed but rank changes should be frozen until the end of fall semester since that is what people are so concerned about. There are other law schools doing optional p/f and we should follow suit so we won't be disadvantaged.
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- 94 An optional pass/fail grading system should not even be considered. This is the most unfair approach to our current situation, puts the burden of decision making on the students, and feels much like a "punt" so that the faculty can feel good about their decision that they did *something*. Optional/pass fail would be detrimental to students who are actually disadvantaged by our current situation because, though they might be the ones the pass/fail system is meant to help, they may feel so inclined to choose a traditional grading system because they feel like they need to improve their rank or they don't want their decision to select pass/fail to reflect negatively on them when viewed by employers. Students who are doing well are also disadvantaged because they must choose between going pass/fail and keeping their rank as it is while also losing the opportunity to further improve their standing or risking everything that they've already worked for because they're afraid of what would happen if they don't. The ONLY fair options are to a) continue the status quo with traditional grading or b) a MANDATORY pass/fail for all students and all classes.
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- 95 I will be sending a separate email to the Deans, but I truly cannot understate the need for Mandatory P/F. I have been significantly impacted by both the pandemic and the switch to online classes and they have both been devastating to my academic achievement. Just today I received my lowest Business Associations quiz grade. Before Zoom instruction, I was averaging 4/5 on these quizzes. Today, I received a 2/5, after studying for SIX hours for it. I have severe astigmatism and my eyes simply cannot adjust to the computer screen adequately or quickly enough (as it is a timed quiz) to differentiate the multiple-choice answers on these quizzes. I have been absolutely distraught and inconsolable over this grade, as it will bring

down my entire average for the course. As I previously said, I will be sending an email to the Deans, one that I have been crafting for over a week now, emphasizing the absolute necessity of Mandatory P/F. But please know how incredibly detrimental even the "option" of Optional P/F has been to my personal mental health, along with the mental health of my classmates. Selecting Optional P/F will be a true travesty to your student body, individually and collectively.

96	Optional Pass/Fail is without a doubt, the WORST option for students. It will punish those who choose P/F, who may need to because of complications with family, internet access, mental health, etc.
97	As someone who had a less than stellar first semester, I have had to fight hard to catch up and I have improved tremendously over the past two semesters. I have been denied so many opportunities so far simply because of grades. I need this semester to continue moving up. Any form of pass/fail harms me on pursuit of improving my position to obtain better employment and opportunities. When we signed up to go to this law school, we were promised 6 semesters to prove ourself, not 5. I understand that this semester is less than ideal, but going pass/fail feels like essentially writing the semester off. Because law school is so finite, even 1 semester of pass/fail significantly benefits people who are satisfied with their grades or have locked down their desired employment, but significantly hurts people like me who are not satisfied, but continue to improve. I hope the administration keeps these concerns in mind in making their decision, as I am confident I am not alone in feeling this way.
98	I feel that at the very least all students should be on the same, level ground when it comes to whether or not to implement pass/fail.
99	It is extremely hard for me to do school work right now but I don't want to have to feel pressured to choose pass/fail or not. I'm fine with pass/fail but I want everyone to do it so I don't have to explain to somebody why I had to pick that one day.
100	Giving students the option to take classes pass/fail this semester will be helpful for wasing student anxiety as everyone tries to adjust to rapidly changing schedules and daily routines.
101	While it seems I've heard most 3Ls don't care about grades and want pass/fail and it seems 1Ls really want grades for understandable reasons, I think the consensus among 2Ls is split. As a 2L, I would particularly like some sort of grades given that I worked hard the first two months of this semester anticipating final exams. And further, it is difficult to imagine not getting another set of grades until January 2021, which is close to our graduation for 2Ls. I would prefer to have another semester of grades (in significant classes like Evidence) under my belt before I apply for jobs during 3L year.
102	I am very concerned the administration is not considering student preference when it comes to grades. Ultimately, it is our education and our tuition. While I understand advocates for mandatory grades, an optional pass/fail is really no option at all. Students cannot freely choose without entirely risking their rank and without truly knowing what the future holds. It lends an unfair advantage to those students who will ultimately adjust best to online classes, have minimal distractions at home, and be least affected by the pandemic. The very last thing people should be concerned with right now is having to make decisions on grading when loved ones are getting sick, people are having to spend 10 hours a day taking care of family/kids, the news is constantly telling us the world is going to hell, and extreme economic uncertainty. It is also extremely detrimental to mental health to be sitting inside all day with nothing to work on but school. At least with mandatory P/F, students may feel less pressure to work nonstop and try to exercise/focus on family and friends in ways they cannot if grades are forced, or even some people choose grades. We shouldn't be catering to employers and the "system" or worried about maintaining a status quo. This global situation is something we will never experience again and maintaining any "normalcy" is ridiculous. Lastly, I completely understand how mandatory P/F hurts students who want to improve. However, given all of the pros/cons and the extreme likelihood that this situation will only continue to get worse and have more and more negative implications for more people, it is obvious the most equitable thing is to do mandatory P/F. It is my understanding majority of the student body prefers this, majority of other law schools have moved this way, and it is simply the best of all bad choices in a bad situation.
103	I prefer mandatory over optional so that all gpas/ranks stay the same as opposed to some being able to benefit from their class load either by hours being taken or difficulty of material
104	My only concern is how the P/F will look to future employers as this is my 1L year. I also am curious as to how the P/F will be calculated. It seems the most fair to continue to grade on the curve to determine the P/F. I am also interested as to how we would be able to determine what

letter grade we actually got in courses if the system does go to a P/F as well as if we will be able to share those letter grades to future employers if we choose. I also think as a 1L employers put a lot of emphasis on Legal Research and Writing so not receiving a letter grade in that course could be an extreme disadvantage.

105	A core value in public education, and in our country as a whole, is equal opportunity. Choosing optional pass/fail would completely go against this value. I have heard from several students who are disadvantaged for several reasons: having to take care of their kids at home, deal with severe technological issues, and while it may not be looked at as heavily, our struggling mental health that comes with being isolated for weeks in the midst of this pandemic. Electing an optional pass/fail system would put those in these situations at a disadvantage from those whose academic lives are not affected. It would prevent them from getting the employment they might have rightfully earned if they were not in the situation we are currently in. To retain equal opportunity for our school, we should elect a mandatory pass/fail system. Due to how many law schools, ranging from T14 to T100, that are adopting this option, employers should understand the severity of the situation and not put too much emphasis on this semester (at least I hope.)
106	Students will cheat at home to secure higher grades to the detriment of more honorable students. And this cannot be acceptably policed when students are working from home.
107	Optional Pass/Fail is not equitable. Students who are experiencing little impact due to this pandemic will succeed at the expense of students who are experiencing unexpected circumstances due to this crisis.
108	I think classes with a research paper determining the final grade, such as seminars or research classes, should be kept on a regular grading scale as research has not been significantly affected by the changes. The classes with a grade based on a final exam should be moved to pass/fail as the ability to learn in class has been hindered significantly.
109	Mandatory Pass fail is the only clear choice. People shouldn't be forced to pick under optional pass/fail. The administration needs to make the decision that what is best for everyone is mandatory pass fail. What is going on in our society is bigger than law school and people shouldn't be penalized based on their circumstances. We're in a pandemic. Our mental health is suffering by being trapped indoors and our friends and family are being affected. This shouldn't have even gone on this long. Mandatory pass fail is the only choice.
110	If you think going to pass/fail grading is the more equitable method of addressing the current issues you should also think that mandatory pass/fail is necessary. If you go with an optional pass/fail system, functionally nothing will change, as people will feel the need to pick the option that theoretically makes them more competitive, and that is almost certainly going to be traditional grading compared to a pass/fail marker. A student with a pass on their transcript versus a student with a B+ on their transcript is going to be more suspect simply because of what a pass could potentially mean. I know that many worry about the fact that 1Ls and 2Ls will have less chance to distinguish themselves to employers, but they'll still have several semesters to do so. If you really worry about the issues that some students might be facing due to our changed circumstances and how that might put them at a disadvantage, you would not want to put those students in a position of choosing between the systems.
111	Mandatory pass/fail is the only fair option. Having optional grades will greatly hurt many students whose performances are negatively impacted by online learning and by the quarantine. With childcare, loss of income, forced moves (some, like me, out of state), and many other factors, this is not a time where all students are performing to the best of their ability, and not all students are affected equally.
112	I was looking forward to improving my GPA this semester as I felt like I had finally found courses that interested me and kept me driven. Unfortunately this pandemic has taken that opportunity away as I have felt like my ability to do my best has been hindered. Optional pass/fail is what I am advocating for. This gives the student back some power in the outcome of something that has a huge impact on our futures. I believe if we aren't satisfied with the grade we receive we should be given the option to change the grade to pass/fail. This allows for incentive for students to work hard in hopes of receiving the grade they would've most likely gotten before the pandemic, while providing a safeguard if the outcome of these unprecedented changes is not favorable. The future is uncertain and optional pass/fail is the best approach for both students and UKCOL's reputation as a whole. Additionally, if a student opts in for a course to be pass/fail it should not effect the number of credit hours allotted for the graduation requirement/restriction. In conclusion, I know the UKCOL faculty and administration wants their

students to succeed and to become positive representations of the law school once we enter the career field and optional pass/fail is the best way to ensure that desire is fulfilled.

113	I have reached out to professors with this but there's no harm in posing to you too that I think mandatory pass fail is the best solution, with a high pass option. This takes most of the pressure off most students while allowing exceptional performance to be demonstrated. I know I will not CALI bankruptcy, but would feel obligated to choose the letter option if it were optional. A high pass option offers enough flexibility to satisfy gunners and normal people. This is the solution adopted by Tulane earlier today. I also suggested allowing a prospective employer to request one single grade from a student from this semester with the grade coming directly from the registrar upon the student granting permission. No student could see all of their grades or any of them at all without having the individual course requested by an employer. This would allow for a firm to establish whether a student could work in, say, chapter 11 cases even if they took bankruptcy this semester, while not defeating the purpose of pass/fail. Optional pass/fail is a false choice and creates more problems than it solves. As with public health efforts, now is not the time for half steps.
114	the concern for the university at large as to students paying for the class to get a grade is not the same for the law school. a significant portion of the 1L class, while we are concerned about OCIs for next summer, we also don't want to have to compete against each other when we aren't on a level playing field.
115	How would any change effect required attendance?
116	Option pass/fail would be the worst decision. It puts everyone in limbo.
117	With the level of displacement and uprooting that our student body has endured, I believe that it only makes sense to go pass/fail, and then the most fair way to do that would be mandatory.
118	all available options on the table have very real pros and cons. I hope our faculty makes the difficult decision to go mandatory p/f. It is the most equitable and one of the biggest drawbacks (not having grades, new ranks for employers) can be overcome because this crisis is affecting the world, not just our law school. That being said, I am in favor of whatever decision made being mandatory. I do not want the extra stress and, essentially, strategy that any sort of optional system requires. Please think about our mental health and do not place that extra burden on us. We will follow your decision, even if it's to keep grading as is, if you make it mandatory.
119	At the risk of sounding hyperbolic, the current state of affairs has made it virtually impossible to focus on school. This is no fault of the faculty (at least not the ones I interact with), who are clearly trying to make this a seamless transition. But, I can't overstate how difficult it is to devote the required amount of time and effort to my studies while also worrying about the pandemic. Further, the fluidity of the situation has shouldered me with added responsibilities that I never had to worry about before. I am confident that I'm not the only student facing these new challenges. I'm sympathetic of those students who are concerned about what the lack of grades means to their job prospects. But, weighing those concerns against the difficulties of our new reality yields only one equitable option—a mandatory pass/fail grading structure.
120	I ask our faculty to consider the most disadvantaged students in making this decision. Yes, there are many students who did not perform strongly their fall semester and want the chance to improve rank and GPA, but this pales in comparison to the struggles of many others. I performed very well last semester and think I am a pretty good student, but even so I am struggling immensely to comprehend more abstract material from home—surrounded by distractions and outside of the traditional classroom setting. While it's still early and we may all adjust fine, just in the past few days students have already been stressed by extensive power outages in Eastern Kentucky preventing them from attending synchronous classes or accessing anything online for that matter; stuff like this will only continue. Others, like myself, are home with multiple siblings, nieces/nephews, etc. which makes it insanely hard to allocate chunks of time to school work. Situations like these and many others are beyond students' control, whereas underperformance in previous semesters—though unfortunate—was within their control.
121	I personally am struggling to adjust to this structure, as I'm sure all students and professors are. I recognize that we're all in this together. I am fortunate that, so far, I have not faced any additional extreme hardship because of this crisis. However, I am not blind to the fact that many students ARE or WILL face unforeseen hardships. These may be academic (difficulty adjusting to the new learning environment, difficulty receiving feedback and clarification from a professor,

etc), technological (several students have already spoken up about internet issues— not everyone has reliable WiFi and not everyone remains in an urban area), or personal (finances, health, etc). We have no idea what the next few weeks have in store for us as a law school community, or for the country as a whole. We must protect the wellbeing of all students. Grades should be the lowest priority in the face of a global pandemic. Yes, learning is important, and I think we are all committed to continuing our education. But worrying about the curve and the competition it creates should not be an additional burden on students. Additionally, some students could be diagnosed with COVID-19 in the next few weeks and may have to deal with, at best, feeling unwell for a few days... but, in a worst case scenario, these students could have severe illness and a period of hospitalization. Even if a student is not sick, they are not free from the anxiety it creates, as family or friends could become ill. We are facing an unprecedented situation and we need a solid solution that is as fair and equitable as possible. We must do mandatory P/F and spend the remainder of the semester emphasizing the importance of learning, but also taking care of oneself.

122	1. Inability to group study which is the only way that I learn 2. Several classes aren't even meeting and just doing assignments, I don't think that I should be responsible for teaching myself this material for a grade (which I would have to with optional because other people will and therefore I will have to to not have my rank go down) 3. This system will reward students with food security, economic security and healthcare security while punishing students who have none of these things
123	This is an ambiguous, deep impacting pandemic. No one knows if they could get sick or family members that could alter their lives in a moment. I in no way see my grades as being more valuable the lives of every student in the entire school. I understand that part of our value we pay for are grades but so is the building we can no longer use and in person learning. The crutch of a law school education is the Socratic method and the back and forth conversation, not only is that gone but without it, it's adding more work than we would of had before. Without live questions and cold calls the material goes much faster and covers only the surface of what we would reach in class. I am a one L that did want the chance to improve this semester but to weigh that over the well-being of my classmates is a selfish endeavor.
124	There is no ideal way to solve this problem, however, it is quite clear providing optional pass/fail grading will only result in harming the students most affected by the pandemic. This is because students who are least capable of adapting to the new environment will feel most inclined to take advantage of the pass/fail system. However, if they must then compete with others who are in far better home/quarantine situations they will be irreparably harmed by the disparity. I believe that a mandatory pass/fail grading scale is a far better solution than any other alternative presented to the student body thus far.
125	n/a
126	Where is pass fail threshold compared to the typical grading scale.
127	Concern- My ability to focus on school has been significantly impacted, as I have had to begin working full-time in order to make ends meet. My boyfriend, whom I shared all expenses with, is now out of employment due to the Coronavirus and is unable to draw unemployment. This has impacted my ability to put sufficient time into my assignments and preparation for class.
128	It is certainly more difficult for me to concentrate and ask questions with the new structure. If we do not go to pass/fail, I would be worried that grades would be based on students' ability to learn under these circumstances rather than actually mastery of the material. If pass/fail is optional and I elect to be graded normally, am worried that I will be graded against only the students who are confident in their ability to learn under these circumstances, and I would be at a significant disadvantage.
129	As a 3L, I have had 5 semesters of traditional law school instruction. I have learned how to prepare and study for a very specific way of teaching and testing. This online style is totally different. Honestly, it's more work. Some professors are giving us additional work like discussion posts and quizzes while continuing to cold call during zoom lectures. Basically, I have to do undergrad busy work and understand/articulate case law in an online forum where technical difficulties often create frustration. Additionally, I have tremendous anxiety about the health of my loved ones, my ability to take the bar when scheduled, if my job will still be available to me in this economy, and my own health. I do not see how traditional grading is legitimate/justifiable given these uncontrollable circumstances.
130	The main issue with optional pass fail is the school would put the students in a prisoner

dilemma situation. If the students all work together and take the pass fail, there will be no change in rankings therefore the safest bet. However, it would be advantageous for one student to break away from this and take the letter grade because the student could greatly increase their rank if other GPAs stayed the same. Therefore, it is likely every student would want what is best for them and try and take letter grades, creating the most volatile situation in rankings and the least desired result.

131	In my opinion, assigning letter grades this semester makes ZERO sense. We all (students, professors, administrators) now find ourselves in circumstances none of us could have anticipated. To maintain the status quo with grades would be to completely disregard the exceptional situation in which we are all now trying to study the law. Additionally, I don't think enough can be said about prioritizing the mental health of students right now. Law school is already a highly toxic environment, and with the state of current events, maintaining the status quo with grades runs the risk of sending some students over the edge.
132	Teachers have not diminished our workload in any way. In fact, in addition to EXACTLY THE SAME ASSIGNMENTS, in some classes we now have longer lectures than we had before. I can't find a quiet place to work because unlike some of my classmates I live in a basic apartment complex where everybody is staying home and being loud. There are many students who I'm sure are in worse situations than I am, and I empathize with them for that. Mandatory pass/fail is the only fair way to do the grading at this point. Optional pass/fail will have a self-selection bias, and furthermore, if optional pass/fail were to be implemented, I am sure you would see those of higher means taking exams while those whose families do not have as much money choosing the pass/fail route. For example, many in rural communities may have a tougher time accessing wifi, buying horn books for additional learning (which is almost required considering face to face interaction has been snuffed), etc... It just doesn't make much sense to me to give an optional pass-fail system. I am in the top half of the class, so I am not coming from a place of jealousy or laziness, but our worlds have been totally flipped upside down, some more than others, and I think that really needs to be taken seriously by this administration. Students should not be punished for choosing pass/fail by seeing a decrease in their class rank given the circumstances. Almost every reputable law school in our nation has switched to mandatory pass/fail, and I hope you will do the same.
133	Frankly, there's enough else to worry about right now besides worrying about getting a grade. Plus, there is so much unknown still with how this semester will proceed, that there's almost no way that whatever grade we receive will be indicative of our ability to master the material.
134	Preparing for the bar, clerking, and keeping up with all school work has been more difficult now that everything is remote. Particularly, I feel as though I am having to spend more time keeping up with class recordings which have so far tended to go beyond the normal class meeting hours. I believe that pass/fail system would strike a healthy balance between competently knowing the class material and not being mentally stretched too thin in light of the circumstances.
135	Mandatory pass/fail is unfair as it subverts the expectation that we would have 90 credit hours with grades during law school, I went into this semester expecting to have another semester full of grades to improve my gpa and if we switch to pass fail that opportunity is eliminated.
136	If an optional pass-fail is authorized, a student must choose same grading method for all their classes. No cherry picking.
137	Please know the huge amount of stress remote learning has placed on students. The interaction with faculty in two of my classes is limited to recorded lectures. Even in my live classes on Zoom, the ability to ask questions is severely limited.
138	Mandatory pass fail is unfair for people who wish to better their GPA etc. In this economic climate, everyone should be given every opportunity to do what they feel they need to do to be successful long term. As a graduating 3L, if mandatory p/f is put in place then my gpa and rank is written in stone, which is unfair.
139	Reading and studying in a small, yet very full, house is extremely difficult with all the noises and disturbances. Finals are going to be a disaster.
140	My greatest concern with moving to a pass/fail system is the maintenance of the Honor Code, firstly; and secondly, having the ability to make a repairable impact on GPAs and ranks with only two remaining semesters (for current 2Ls) before graduating. Nevertheless, if transitioning to the p/f system, I think giving an option to students does not alleviate the issues.

141	I generally think that an optional P/F defeats the entire purpose of P/F. Some students who do not have their lives altered by this pandemic will be able to work hard and will choose the option to show their grades, whereas a lot of students who have been affected will choose the P/F option. While nobody was prepared for this and obviously grades/rank are important in law school, optional P/F would create serious disadvantages and, I believe, cause more worry than we already have.
142	We are all under a tremendous amount of stress right now due to these unprecedented circumstances, but that stress is no longer equal as it was before. While there certainly may have been some added difficulty for some students prior to the epidemic, it is almost certainly for mor difficult now than before. Having a child, for example, might have had its difficulties before, but now students with children have no alternative other than to devote a large chunk of their time to childcare. Another example is utilities. Before everyone at the very least could get to the law school and could access WiFi, now when students lose power or WiFi they no longer have a second option other than to miss time that otherwise could be spent aiding their education, all through no fault of their own.
143	It has to be all or nothing to accurately reflect the true ranking system. I don't care which solution you choose, but please keep everyone on a level playing field.
144	Classroom instruction engages various learning styles, whereas online instruction only panders to a single type. We appreciate the administration's flexibility and willingness to work with the student body. I hope we can mitigate the sting of this unfortunate time as best we can.
145	It has been brought to our attention of potential hesitation due to us expecting to receive grades. However, I feel as though this is a unique situation and sometimes a different approach is what is best.
146	Many of us have worked hard this semester, and in some cases (mine included) for 2-3-4 years to improve their law school GPAs and improve their chances at finding good jobs or internships. Some of us are on the cusp of being considered for jobs or paid internships but need grades this semester to make the final push. A required switch to a pass/fail system, especially for those of us who have structured our semesters around aiming towards certain grades, would jeopardize that and forever hurt our chances at success. We all have had struggles this semester with this virus, but many of us have still worked through them and still want actual letter grades despite the challenges. Others may want the pass/fail simply as a relief as they try to care for their families in extremely burdensome situations, while still others simply want pass/fail so they don't have to work as hard. For those of us who still want actual grades and want this final chance at improvement, please don't place us at the mercy of those who do not want to work as hard and want to take the easy road of pass/fail. What could still be done would be to grade everyone on the normal curves, but for the students who wish to receive a pass fail they will not receive their proper letter grades but will simply receive a pass or a fail. For those of us who still want letter grades, we will still be graded on a curve with everyone else (including those who select pass/fail) but will still have that opportunity to improve.
147	My main concern is that an optional structure would do nothing to help me in a significant way because I'll feel pressure to elect to still receive a letter grade due to not wanting my rank to be adversely affected if I choose pass fail and others don't. My ability to concentrate has gone down, my mental health has suffered so much during this pandemic, and the pressure of getting an A, while I still want to learn and keep up with courses, is adding to all of this stress as well. If we want to flatten the curve of Covid-19, we need to abolish our curve in this mandatory situation.
148	Optional pass fail will still force students to choose a legal grades because they will worry that a P on their transcript will look bad for employers. Also students would only pick grades that benefited them and could give other students a huge disadvantage. We don't have access to the library, white boards, study groups like we are used to. At this time in the semester it is too much stress to do well on top of trying to understand this new system and adjust to our new study spaces. My apartment is not always quiet and that is the only place I can study. I am worried how this will effect me when I take finals and am working on other assignments and trying to study. I never study in my apartment for this reason but now I am being forced to study in not a good environment
149	I believe the worst option is optional pass/fail grading. It should be mandatory regular grading, or mandatory pass/fail. Preferably mandatory pass/fail, considering the current circumstances.
150	As a 1L I saw this semester as an opportunity to improve my GPA and ranking going into

summer OCIs. If the grading system changes to mandatory pass/fail, I feel that I, and others in my class, will be able to set ourselves apart from others in our class. Additionally, I know that this is the semester where students have the greatest chance of improving their GPA and rank, and feel that mandatory pass/fail would take that opportunity away from the 1Ls, affecting us for the rest of our law school career in relation to summer and postgraduate employment.

151	Any option of traditional grading feels to me like additional pressure. I am high achieving, and if traditional grades are an option, I will feel additional pressure to select that option and continue to put my mental and physical health at risk to try and "perform" for finals in the way that I traditionally would.
152	I believe that doing optional pass/fail would be a very poor choice because of the inequality this would present amongst students choosing pass/fail over being graded. In order to preserve fairness, I think it needs to be either everybody is pass/fail or no one is (preferably the former).
153	I genuinely believe that the optional pass fail option will do more harm then good. Especially for students who have been greatly impacted. Though we would like to believe employers would understand a students choice; optioional pass/fail creates another factor for employers to base their decision and that will negatively impact a lot of people. People who ultimately cannot control their situation at the moment.
154	Optional P/F would not be giving students a choice. The pressures of the job market and the idea your class rank would become worse will make all students choose an actual grade. Mandatory Pass/ fail is the fairest solution in the global pandemic.
155	Mandatory pass/fail is the only equitable option. We have to move to a pass/fail system to adequately address the various difficulties students are facing (one significant of which is professors' difficulties in successfully online instructing, and students' inability to successfully learn online). However, optional pass/fail is the worst possible option. In that system, there is no real option. We have to be competitive for employment, and employers will absolutely see the choice to go pass/fail as the "weaker" choice, even if the student was in a situation which required them to do so. Further, out of fear for losing their rank, many will feel forced into choosing a grade, even when that is not the best option for them.
156	I'm worried that an optional pass/fail will force some people to take grades regardless of their circumstances in order to not fall below in rank.
157	I personally, as well as I'm sure some of my classmates, lost my summer position as a result of coronavirus. This has added an exponential amount of stress, which will only be increased when having to choose whether or not to go to pass/fail if the choice is optional.
158	Ranking being affected by optional pass/fail Unfair advantage to students who have not been as adversely affected by the protective measures/lack of class time with optional pass/fail Top law schools are going to enact mandatory pass/fail, and a failure to do so might affect UK's reputation
159	I did not do well last semester and was hoping to use this semester to bring my rank back up. So, I have been putting in a lot of time and effort this semester and worry that will not be reflected in a mandatory pass/fail structure.
160	Some students don't have the luxury of studying at home. Some students have children and spouses living in the same home. Because of Covid19, students cant use libraries or "internet cafes" as a way to focus on their work. Quarantine has far more profound effects on students with families than might have been realized previously.
161	I believe a mandatory pass/fail would be the best because it makes sure everyone is on a fair ground and we as students do not have to make the decision of whether selecting the wrong choice. I do not want employers to see some of us who select a grade to be more competitive than people who selected pass/fail. Everyone should be even.
162	Optional p/f will only disadvantage those most effected by this semester.
163	Mandatory pass/fail is not fair to students who put the work in on the front-end of the semester in order to be prepared for our normal grading structure.
164	Mandatory pass/fail
165	Mandatory pass is the only fair option. UofL just instituted mandatory pass as well. Making me choose between maintaining my health and my grades is unfair and is not in the spirit of what

	UK stands for.
166	I'm in Lit Skills. Currently, we are preparing for our final trial. We have also been preparing depositions. Both of these tasks are extremely difficult with social distancing guidelines in place, and I do not feel that it is reasonable to grade students against one another when such severe circumstances exist.
167	I am very concerned about career prospects in the face of a looming recession, requiring students who have worked hard to do well this semester and attain employment to not see that come to fruition would be devastating. Optional pass fail is the most fair grading option. I have extenuating family circumstances and still advocate for a choice for students.
168	One of my professors gives a quiz with each class period that is hard to prepare for without group study. Additionally, I now have to help take care of my extended family at home where internet is not good and where I do not have the same space I had at home. It is very different and hard to focus.
169	N/A
170	How would an optional pass/fail effect GPA and rank? I'm not sure if I'm fully educated on my options, especially as a 1L
171	None
172	In full candor, I have to say that grades are the last thing on my mind. I am watching as my friends from around the country get diagnosed with covid. Just 20 minutes ago I saw a friend post that his 2-year-old daughter tested positive and I am terrified that my turn to get the illness is coming next. I still attend classes because I have nothing better to do, but to expect quality work out of anyone right now seems unconscionable.
173	Optional pass/fail should not be an option. The school either needs to stick with the traditional grading system or move to mandatory pass/fail. Optional pass/fail provides no true relief to the many students who are now unexpectedly and heavily disadvantaged. Under an optional pass/fail regime, any student who opts in for pass/fail becomes a sitting duck, heavily risking the fact that while their grade will stay the same, every other student around them could potentially opt out of the regime for a grade, putting the "sitting duck" student at a heavy disadvantage for purposes of both rank and grade sheets. Make no mistake, I have gone through several OCI interviews, call back interviews, and even an interview for a post-judicial clerkship position. Every single interview started off with a question or comment about my class rank. The class rank is perhaps the most dominating factor for summer employment and post-graduation employment. I implore, even beg the faculty of our school to not heavily disadvantage students by turning them into sitting ducks through an optional pass/fail regime. You must be all in or all out. There is no riding the fence in this situation. Additionally, the fact that the University of Louisville College of Law went mandatory pass/fail should take the pressure off of many of the employment concerns. As for current 1Ls, any concerns about 2L OCIs can be alleviated by pushing back OCIs until the spring semester. I accepted a job through the OCIs in September of 2019 for the summer of 2020. I haven't heard from the employer since I accepted the offer. There is no need to put an inordinate amount of reasoning into OCIs when the problem can simply be solved by pushing the process back a semester. Make the right call. If you as a faculty choose an optional pass/fail system, then you have effectively chosen a no pass/fail system.
174	I previously indicated that I would prefer not to do pass fail. I still have that personal preference, but am fine with whatever decision the faculty choose. There are problems with fairness and equity no matter what you decide, but I'm in a privileged enough position that I will be able to adapt and finish the semester without significantly more disruption than any other student t regardless of the decision. I do think that optional pass/fail is the worst option, because it fails to address many students' concerns about impact of grades. Many students will be extremely stressed trying to decide whether to do pass/fail because of how it may impact their rank if others choose not to, how curves will work, and how future employers will perceive the decision to take a class pass/fail.
175	Students with limited electricity (no, not limited internet access. Limited ELECTRICITY) may severely be disadvantaged if the pass fail system is not implemented. Students with children are also at a disadvantage because child care centers are closed and children are very demanding. Students who are caregivers for parents or other relatives are disadvantaged because of time demands. Professors giving over their allotted time for lectures or having

synchronous lectures at different times also does not help. Students out of work or have household income that has significantly decreased lately (like myself) are struggling to pay bills (including the bill for high-speed Internet to complete coursework) are at a disadvantage. Students who have unhealthy home lives that have been forced to move back home are at a disadvantage. Students who have had to move to areas in different time zones are at a disadvantage for synchronous learning. No, "the curve" on a normal, letter-grade system will not, as one individual put it, "work itself out." Students with these types of disadvantages can't even begin to fathom the stresses of school right now. As far as real life is concerned, school is one of the last things on my agenda right now. I assume that I am not alone in this view. If I'm not, so be it. I think a pass-fail grading system would account for these disadvantages and it students in a more equitable position for finals. The details of the system matter too, and I hope our discussion on how to iron out these details will continue.

176 Concerns: An optional pass fail simply does not solve the problems facing many students as a result of COVID-19. Law school is inherently competitive, and if given the choice to capitalize on the misfortunes of others by opting in for regular grades in an effort to go up in ranking, students will do so. It is simply inevitable and a sad reality of the system. Allowing an optional pass/fail where some students opt in for regular grades and have the ability to change their ranks would be neither an accurate representation nor fair to those who have been more negatively affected by recent circumstances. For example, many students have been displaced and no longer have an adequate study space/environment to adequately prepare for finals. Given the closures of all campus buildings and libraries, students who no longer have such a space are at a major disadvantage compared to students fortunate enough to still have an adequate quiet place to study. Further, the "opt-in/out" decision places an immense amount of pressure and anxiety on students to "right" choice during these already incredibly stressful times. Lastly, most of my classes this semester are geared towards multiple choice exams, and have been taught accordingly for 2/3 of the semester. Now that all exams will be take home, neither professors nor the students know how to handle that. Mandatory pass/fail is the only real solution to these problems.

177 Mandatory or bust.
