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# Transforming hierarchical relationships in student conduct administration

Kelly A. Jacobson

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UNIVERSITY OF NORTHERN COLORADO

Greeley, Colorado

The Graduate School

TRANSFORMING HIERARCHICAL RELATIONSHIPS  
IN STUDENT CONDUCT ADMINISTRATION

A Dissertation Submitted in Partial Fulfillment  
of the Requirements for the Degree of  
Doctor of Philosophy

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College of Education and Behavioral Sciences  
Department of Leadership, Policy, and Development:  
Higher Education and P-12 Education  
Higher Education and Student Affairs Leadership

May 2013

This Dissertation by: Kelly A. Jacobson

Entitled: *Transforming Hierarchical Relationships in Student Conduct Administration*

has been approved as meeting the requirements for the Degree of Doctor of Philosophy in College of Education and Behavioral Sciences in Department of Leadership, Policy, and Development: Higher Education and P–12 Education, Program of Higher Education and Student Affairs Leadership

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## ABSTRACT

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Conflict transformation theory provided a philosophical lens for this critical cultural, constructivist study, wherein four student conduct administrators who engage in leveling hierarchical relationships with students in conduct processes shared ways they make meaning of their professional practice. Through informal, unstructured interviews, a focus group, and photo-elicitation interviews, two broad themes emerged. Participants discussed how they level hierarchical relationships by mentoring and building trust with students, relating to students in the conduct process, contemplating self-reflection and mindfulness, empowering students, and providing welcoming spaces for student conduct practice. Identity dissonance, safety and surveillance, lack of student accountability, nature of the offence, retributive expectations, and near environment surfaced as barriers to equality in relationships between students and conduct administrators. Implications for professional practice include prioritizing social justice and cultural competency training, generating resources, and incorporating counseling attributes to student conduct practice. Implications for scholarship include addressing societal expectations and perceptions of the conduct process, social justice considerations and multiple identity development, and dynamics during the conduct hearing.

## ACKNOWLEDGMENTS

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through a challenging process, and I have become a better writer and scholar as a result of her talent, transparency, and belief in me.

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## CHAPTER I

### INTRODUCTION

Conflict flows from life. . . . rather than seeing conflict as a threat, we can understand it as providing opportunities to grow and to increase understanding of ourselves, of others, of our social structures. . . . One way to truly know our humanness is to recognize the gift of conflict in our lives. Without it, life would be a monotonously flat topography of sameness and our relationships would be woefully superficial. (Lederach, 2003, p. 18)

Conflict transformation theory seeks to explore underlying causes of conflict, simultaneously addressing both the source and its manifestation (Lederach, 2003).

Rooted in appreciation for conflict, conflict transformation serves as a powerful tool in understanding different levels of human experiences. It seeks to, “maximize mutual understanding [and] bring to the surface explicitly the relational fears, hopes, and goals of the people involved” (Lederach, 2003, p. 25).

Conflict resolution seeks to solve immediate problems by bringing an end to hardship through a solution, therefore, concentrating heavily on “the substance and content of the problem” (Lederach, 2003, p. 30). Alternatively, conflict transformation addresses all aspects central to the conflict, including personal life histories, relationships, patterns of behaviors, and socio-cultural contributions. In addressing different levels of understanding, conflict transformation seeks participant involvement and advocates for as little hierarchy as possible, therefore, diminishing power dynamics. As conflict transformation represents an emerging lens with which to view student conduct

administration, a discussion of professional movement from old to new paradigms becomes necessary.

When compared, the new paradigm differs greatly from the old, or dominant paradigm; however, to create change and function effectively, student affairs administrators must find value in both worlds, transcending strict adherence to either (Love & Estanek, 2004). The dominant, with its values of hierarchy, order, bureaucratic silos, and independence, should be mindfully tempered by emerging paradigms valuing connectedness, social construction, flexibility, and context (Love & Estanek, 2004). In applying this concept to student conduct practice, this study supports a continued movement from the old paradigm that mimicked Western retributive justice processes (Fischer & Geist Giacomini, 2006) toward a new philosophy, expanding contemporary conflict resolution practices (Meyer Schrage & Geist Giacomini, 2009) to include discourse on conflict transformation (Lederach, 2003).

Addressing a trend toward student development and social justice, Larry Roper reminded conduct administrators at the 2011 Association for Student Conduct Administration (ASCA) conference that we are, on some level, “responsible for managing the reputations of students” (personal notes, February 5, 2011). Given this responsibility, conduct administrators in higher education have enormous power within conduct processes. In addition to determining whether or not students are responsible for violating community standards as expressed in institutional policies and codes of conduct, administrators are typically responsible for determining appropriate, relevant sanctions, or outcomes, given specific incidents and behavior. Further, ASCA (n.d.) maintains in its ethical guidelines:

Members shall treat all students with impartiality and accept all students as individuals, each with rights and responsibilities, each with goals and needs; and seek to create and maintain a campus climate in which learning and personal growth and development take place. (5. Treatment of Students section)

Clearly, professional objectives for student conduct administrators prioritize goals requiring relationship building within student conduct practice. As an historical movement, many signs indicate student conduct administration has shifted from practices mimicking Western criminal justices systems, which are hierarchical and authoritarian in nature, to practices seeking educational and developmental outcomes. Moving beyond adjudicating students to building relationships with them requires thoughtful exploration.

This chapter initially outlines the statement of the research problem to provide rationale for the relevance and timeliness of this study. After which, the purpose of this qualitative study and the research question guiding its creation and design are addressed. Next, the study's significance and contribution to the practice of student conduct administration is explored. Finally, the researcher's personal story provides a backdrop for illuminating motivations and intentions for embarking on this research.

### **Statement of the Problem**

Student conduct administrators strive to foster student development through discipline (Dannells, 1997) and maintain challenging caseloads with little support (Fischer & Maatman, 2008; Waryold, 2006). Further, professional roles have recently expanded to include varieties of conflict resolution practices (Meyer Schrage & Geist Giacomini, 2009), including restorative justice (Karp, 2004; Meagher, 2009) and restorative discipline (Amstutz & Mullet, 2005). These myriad responsibilities must be performed while navigating an increasingly legalistic culture (Gehring, 2001; Lake 2009; Meyer Schrage & Geist Giacomini, 2009). Considering the multiple priorities student



conduct administrators may juggle, it is easy to externally focus on the code of conduct, involved campus community members, and legal frameworks.

Disciplinary counseling is increasingly sanctioned in institutions of higher learning, wherein students are required to attend counseling as a sanction for misconduct (Dannells, 1997). Increasing concerns regarding campus safety and students' mental health requires further exploration of ways counseling and psychological services interact with conduct processes (Dickstein & Christensen, 2008; Gallagher, 2009; Heafitz King, 2012). One study found that in addition to community service, disciplinary counseling was a sanction to which students responded most favorably (Heafitz King, 2012). Although rising (Consolvo & Dannells, 2000), disciplinary counseling is criticized by counseling professionals as being futile and unethical (Stone & Lucas, 1994). One study indicated almost half of the counseling directors surveyed reported they disagreed with the concept of disciplinary counseling, largely due to potential confidentiality violations, role confusion, and non-voluntary student participation (Stone & Lucas, 1994). The majority of counseling centers in institutions of higher education do not accept mandated clients for counseling (Gallagher, 2009). As conduct administrators increasingly value a therapeutic, educational, developmental approach to discipline, and while disciplinary counseling remains largely unavailable to sanctioned students, a clear unmet need is observed. Students who have gone through the conduct process and may benefit most from counseling are often unable to access those therapeutic services on campus.

This dilemma coincidentally occurs as student conduct administrators strive to build relationships with students in the conduct process. Student conduct administration is moving from discipline based on hierarchy and authority to mentoring relationships

focusing on student development (Lake, 2009). Mentors advise, educate, and sponsor, and mentoring oriented relationships view exchanges as mutually beneficial and encourage transparency and disclosure of personal knowledge and experience (Schmidt & Wolfe, 2009). If student conduct administrators diminish hierarchy by assuming mentorship roles, some of the benefits of relationship building, which often occur in ongoing professional practices such as advising and counseling, may also exist within conduct processes. In decreasing power dynamics, student conduct administrators are better able to build trust and relationship leading to enhanced disclosure and educational opportunity (King & Jacobson, 2011).

Although the profession of student conduct administration embraces a shift toward developmental and educational discipline, few scholars discuss how that shift is perceptibly facilitated in serving students within conduct processes. Should this shift emerge in the near future, conduct processes may require greater transparency, openness, trust, and disclosure of personal knowledge (Schmidt & Wolfe, 2009). Such change will necessitate intentional action among administrators seeking to deliberately diminish power dynamics. Additionally, students are expected to share personal, often sensitive, information during conduct meetings with complete strangers (e.g., conduct administrators) who are most likely viewed by students as authority figures. In order to effectively determine what students need to reduce reoffending, promote community reintegration, and support student learning and growth, conduct administrators must diminish power dynamics and build more equitable relationships with students to create environments wherein students feel comfortable revealing root causes of behaviors (King & Jacobson, 2011). Currently, very little research exists to support student conduct administrators as

they develop more equitable relationships with students and level the hierarchical relationships currently in place at many institutions.

### **Purpose of the Study**

The purpose of this constructivist/critical cultural research was to explore power dynamics between students and conduct administrators within conduct processes and more broadly in the student conduct profession.

### **Research Question**

The research question guiding this study was:

- Q     How do student conduct administrators who support less hierarchical relationships with students make meaning of the conduct process?

### **Significance of the Study**

This study's significance is observed in its ability to reframe discourse around the art and practice of student conduct administration to promote relevant, progressive discipline. Such reframing necessitates exploration of concepts and philosophies new in their application to student conduct administration. Emphases on building relationships and trust within conflict transformation theory best represent the significance of leveling hierarchical relationships within conduct processes and has not been explored in application to student conduct administration.

Typically discussed with relationship to conflict resolution and conflict management in peacebuilding scholarship (Maille, 2004), this study provides opportunity for the values of conflict transformation to arise in a new professional venue. Moreover, as student conduct administration continues to move toward student development and education (Dannells, 1997; Lake, 2009), this study may provide implications for research and professional development, initiating positive, equitable change within the profes-

sional culture. In addition, this study supports a natural paradigmatic progression existing within student development theory, from positivist studies and perspectives that silo and standardize student experiences to one more constructivist and authentic that is rooted in personal experiences shared by students themselves (Evans, Forney, & Guido-DiBrito, 1998). Here, student conduct administration is presented as another realm within which to apply progressive theories and paradigms. The following section provides context and background from which this research originated.

### **Researcher's Story**

It is critical for researchers to share their identities and stories, thereby lending context to studies while transparently revealing motivations and agendas (Finlay & Gough, 2003). The following section explores my story, describing how my unique path to this study unfolds and illuminating why I chose this particular topic of inquiry. Choosing this topic allowed me to explore how my own philosophy as a student conduct administrator merges with the broader professional arena. I hope that providing a venue for other professionals to share their stories informs and reveals new paths to approaching student conduct.

### **My Early Years: More Like the 50s**

In 1975, I was born in Baltimore, Maryland, as my dad was stationed near there while serving in the Army. My memories of Maryland are held strictly in photographs as our then family of 4 moved to Riverdale, North Dakota, when I was 2. My early years were more like the 50s than the 70s or 80s, filled with Emily Post's expectations for lady-like manners and church potlucks, not conversations around social justice, the Vietnam War, or disco.

My parents bypassed the civil rights movement and sexual revolution of the 1960s. Prior to entering the military, dad earned his Bachelor of Science in biology from the University of Utah and then completed his Master of Business Administration (MBA) from Central Michigan University via distance education, which at the time, likely seemed a revolutionary concept. Mom and dad were married at ages 18 and 20, respectively, and left Grand Junction, Colorado, to live a humble married college student life. Adding complication, both of my parents were first generation students. Truth be told, they were the first individuals in their entire extended families to attend college. Their financial situation was difficult, and mom later shared remorse for needing public assistance for food during those struggling years.

I was raised with a strong belief that receiving assistance from outside sources, especially the government, was embarrassing and to be avoided at all costs. Even receiving loans from family members was never encouraged, although I remember my parents telling me that their parents helped them out when times were rough. Of course, money borrowed was always repaid. Money was never gifted—partly due to pride and partly because the lender was also struggling to make ends meet.

Not uncommon for the time, or especially in my family, women prioritized their husbands' careers and dreams over their own. My mom had originally started college with dad, having dreamt of becoming an elementary school teacher since age 7, but dropped out and worked in a mattress factory to support my dad finishing. I was raised with the idea that although my education and potential career were important, my eventual husband's self-worth would depend upon providing for his family, and mine would center around home and nurturing our children. And even though mom worked in

Baltimore to get by while my older sister and I were young, it makes perfect sense, given increased economic stability, that she chose to stay home with us when we moved to North Dakota.

Riverdale, North Dakota, was a small government town where mostly men worked in an administrative building, while women typically stayed home to raise children or work at the school. The nearest grocery store was an hour away and local amenities consisted of a library, post office, gas station, and a smoke filled bowling alley with the best greasy, bun-toasted hamburgers ever. Home size and location reflected the rank of the family member working at the “admin building” and since my dad had earned his MBA, we had a lovely two-story home near the “plaza” or green space where as kids, my sister and I would play kick-the-can after school.

In many ways, my childhood was idyllic, privileged, and free from danger. Summers were spent mostly outside on bikes; at the lake swimming, fishing, and camping; and indulging in the occasional community fish fry. In the long and bitter winter, we bundled up for sledding and snow fort building, and once in awhile I went ice fishing with dad despite the cold temperatures, which I battled through happily just to be in his company. I was consistently praised for my independence and determination, a decision my parents likely lamented during my teenage years.

Due to the ethnic background of its inhabitants, Riverdale had a strong Scandinavian accent, casseroles galore, and one church, which the Catholics and Lutherans graciously shared. I distinctly remember the religious division; we didn’t talk about religion with our neighbors. After all, according to mom, “Catholics were the original Christians.” Memories of my early religious upbringing include church every Sunday

(even while on vacation camping trips), first communion, first confession, lent, holy days of obligation, frilly dresses with black patent shoes, sleeping with pink sponge curlers in my hair, and the Ten Commandments, particularly, “honor thy mother and thy father.” I remember saying the rosary on my knees by my bed at night of my own volition. I was a devoted Catholic.

Mom tried to commute to community college to continue her education in the evenings, but the weather and home responsibilities eventually took precedence. She expressed her love of teaching by volunteering at the library, reading to kids and was a teacher’s aide at the school my sister and I attended. In school, I learned quickly and was usually the teacher’s pet, receiving praise for my social and academic abilities. Acutely sensitive to peoples’ feelings, I made it my objective to include the kids who were ignored and praise the kids with low self- esteem. I stood up for my friend, Jayde, when the class bully tried to incite a group of first graders to exclude her from red rover. Then, I befriended the same bully because I knew his negative behaviors stemmed from an inner condition of loneliness. I earned lots of gold stars, the friendship of my peers, and a runner-up award in the county spelling bee. Life was good. In 1983, my baby brother was born, seven years my younger and sweet as sugar. My sister and I began caring for him diligently and cautiously relishing our new little addition.

In 1984, our family moved to a beautiful lake near Helena, Montana. Housing there was not as nice, but having a lake in my backyard at age 9 more than compensated for having to share a room with my sister in a basement crawling with creepy noises. I recall spending hours on the shores of the lake, skipping rocks, swimming to the nearest island, walking miles along the beach, peacefully alone. Always a good kid, I rarely

attracted negative attention and was praised for my independence. My parents always trusted that I would be okay.

Back then, dad was a Democrat, and I distinctly recall him and mom arguing about the Reagan–Mondale election. To my awareness, this dichotomy was the first and only instance of political disagreement expressed between my parents. One year later, we moved to Grand Junction, Colorado, to be closer to mom’s and dad’s families. I didn’t want to leave; Montana was peaceful.

### **Life in Grand Junction: 1985–1994**

Grand Junction derives its name from its geographic location at the merging point of the Gunnison and Colorado rivers. Also known as the Grand Valley, the area is a beautiful blend of desert and mountains; the rivers naturally serve to hydrate the many, various fruit orchards. Life in Grand Junction was markedly different because the five of us were now surrounded by extended family for the first time. Mom’s parents had lived on the same land for at least 30 years and had a small peach orchard and a couple of horses. We kids spent lots of time in the summer at their place with aunts, uncles, cousins, and family friends. My maternal great-grandma and great, great-aunt lived next door. Great-grandma was always special to me; she trained wild animals, grew a garden, and had a huge loom housed in the “loom room,” a freestanding structure specifically for weaving. She had Winnebago Sioux roots and made the warmest, chewiest, sugary homemade doughnuts in the world. I used to pick okra with her barefoot, mud squishing between my toes. Stories tell of her feminism long before it was popular. Great-grandma wore pants and drove a car when such things were considered completely inappropriate for a woman. She was the only non-Catholic in mom’s family. She never went to church



because when she was a little girl, her family lived above a bar, where she saw the same men who attended church in the morning, carousing about the bar by night.

Unlike great-grandma, we always went to church. Mom started singing in the church choir, and dad became an usher. Sunday mass was always followed by breakfast out with the whole family. I have many memories of helping grandpa ring the Sunday bell before mass, the beautiful stained glass windows of the historic St. Joseph's church, and the taste of the host, which would inevitably stick to the roof of my mouth after taking communion.

I had a harder time adjusting to my new elementary school. For the first time in my life, I felt like I didn't quite belong. My teacher wasn't as smitten with me as her predecessors, and I was the new kid, moving in to a class after school had started for the year. Yet, I found belonging in another way. I tested into the enrichment program (Triple E) in fourth grade, not due to my standardized test scores I'm told, but rather to my performance on creative and analytical measurements. I loved Triple E because learning became more experiential, and I felt like I belonged to a peer group.

As my little brother had moved through toddlerhood, mom decided to go back to college. The pace of life at home naturally quickened, and I recall spending a lot more time at home alone with my sister, as mom and dad were extremely busy. My cousin, who was having health problems, moved in with us, so I shared a room with my little brother. Initially, I was not thrilled to be roomies with a 4-year-old, but he actually proved easier to get along with than did my 14-year-old sister. I loved taking care of my brother; I believe our closeness as adults can be attributed in part to our rooming together that year. I introduced him to Aerosmith and challenged him to memorize *The Raven*, by

Edgar Allen Poe, and in return, he taught me all about dinosaurs and looked cute in his Winnie the Pooh pajamas. Life was pretty mellow, but adolescence was just around the corner.

### **My Emerging Self and Other Turbulence**

Middle school left a little to be desired. I attended a low performing school, which in hindsight seems attributable to poor administration and teaching. Some hidden gems like Mr. Lacrone, my shop teacher, who nominated me for optimist girl of the month, or Mr. Green, my sixth grade English teacher, who made us memorize prepositions and irregular verbs, were the exceptions to the prevailing mediocrity. I was part of the popular crowd, but had many friends spanning middle school subcultures. I loved Triple E in middle school, where I participated in Future Problem Solvers of America, a program designed to promote creative solutions to global problems through research and argument. I also developed an interest in world religion, paranormal psychology, witchcraft, and occult and checked out library books requiring careful hiding from my parents, who would certainly not approve. From a young age, I felt “different” than other people, not because I felt particularly unique, but because my behaviors, interests, and thoughts diverged from those of my parents, church, and mainstream culture and were considered deviant. Therefore, I mastered the intricate art of suppressing parts of myself to avoid inner emotional turbulence and disapproval.

At that time, and in the years to follow, I was externally motivated. Rules can be constricting to critical thinkers, and at the young age of 15, I developed relativistic reasoning, which allowed me to justify almost any decision I made, regardless of whether

or not rules were broken. I slowly embarked down a deviant path, while simultaneously presenting to the external world, a picture of who I “should” be.

I was fragmented. On one hand, I was elected class president two years running, played volleyball, softball, and dove for the swim team. I sang in classical choir, jazz choir, show choir, and church choir. I acted in plays and took Advanced Placement English and college preparatory composition. I excelled in English, humanities, and performing arts, but found little success in math and science. On the other hand, I ditched class, partied fiercely, was dangerously depressed, and became a Young Democrat (the essence of deviance to my parents). Pieces of me were all over the place.

Despite my divided self, I managed to form values during those years that promoted stability and informed my identity. Although raised to believe in meritocracy, I was a social observer by nature and easily made connections between political systems and social inequality. I also believed that all people were inherently good, but that lack of opportunity and life circumstances often served as barriers to happiness. I never felt comfortable judging anyone and had already amassed a wealth of experience indicating that choosing to see the authentic nature of people promoted kindness and respect. These philosophies would eventually find a spiritual home, but access to that avenue during those years was more limited to the political sphere.

I mentioned the Democrats—I used to attend Young Democrat meetings under the guise of study groups and hid my yearbook so my parents wouldn’t see me in the Young Democrat photo. My closest friends in high school were the daughters of educated attorneys, doctors, teachers, and activists. Under cover, I volunteered at local Democratic conventions, rallied for Bill Clinton before I could vote, and protested anti-abortion

groups, Dan Quayle, and Colorado Amendment 2 in 1992, which sought to legalize forms of discrimination based on sexual orientation. I felt a strong philosophical bond with my emerging political identity, but could never share my perspective at home. Instead, I spent many hours at my friends' homes, engaging in conversation about current events and social justice. I relished feeling accepted.

Going to church became difficult. At age 15, I distinctly remember the congregation chanting the Nicene Creed in unison. I stopped talking and began to listen. At that very moment, my religious worldview shifted. What are we saying? What does it mean? Is anyone else questioning? Perhaps it was part of my growing liberalism and anti-authority stubbornness, but I could no longer accept the rules of Catholicism. I quietly dismantled the faith of my family, determining that concepts like hell and original sin were nothing more than control mechanisms. I refused to believe that only some people were saved or that there was only one truth. Precariously, I negotiated life decisions without the support of my once nourishing, sustaining childhood faith. Like a freshly demolished structure, I spiritually crumbled; it would take years to clear the debris and rebuild.

Like my political beliefs, I kept my spiritual epistemology to myself. Being liberal was bad enough, but eschewing Catholicism, especially publicly, would've been too much for everyone involved. So, I was confirmed Catholic at 18, the year before I left for college, and as far as my family knew, I was devout.

### **Off to College: Freedom and Chaos**

Oh, did I appreciate my freedom at college. I enrolled in a community college in Casper, Wyoming, on a full-ride music theater scholarship. With ecstatic jubilation, I

opened my scholarship letter, knowing I had my ticket out. Family relations had become tenuous, and I urgently sought escape. My options were to stay at home and go to Mesa State College or move to Wyoming and attend community college. Like many lower middle class families, there was no money saved for college. At the time, I was resentful, watching my closest friends go off to Bryn Mar, Occidental, Johns Hopkins, and University of Colorado, Boulder. I later came to appreciate the \$300 my folks spent on books that first semester. They wanted to do more, but just couldn't. They found other ways to support me: letters of encouragement, canned fruit and pickles, homemade venison jerky, and a warm coat to shield me from the hostile Wyoming winters. They loved me.

I remember the day my parents dropped me off at college a state away. My 1978 Chevette Scooter (affectionately named the fraggle car) broke down half way to Casper, and after barely making it to its new home at the Gertrude Krampert Theater parking lot, it sat for six months before being sold to a custodian for 80 bucks. I obtained a work-study position shelving books at the library, an utterly mundane job, but was cast as secondary female lead in *The Sound of Music*, so things were off to a decent start.

I quickly befriended the social outcasts, our shared experience limited to mutual disconnect with mainstream culture. Theater students knew how to have a good time. I quickly mismanaged my freedom, which continued for three straight semesters. Attending class was somewhat revolutionary, as the parties became increasingly intense. I had three roommates my first year: one unreasonably uptight, one whose boyfriend slept over every night, and one dealing hard drugs. The first year didn't go well. I was sexually assaulted. I was on academic probation. I was in trouble.

My education those years occurred outside of the classroom, certainly not wrestling with academics. In need of family, I befriended counter culture. Our social group likened ourselves to modern day beatniks. We wrote poetry, created music, philosophized, rejected capitalism and institutions like college, and practically lived at a coffee shop owned by friends. Although none of us were particularly successful during those years, to this day I have never been around such a degree of eclecticism. Despite our youthful rebellion, we were a bright and talented lot. Now, our professions include potter, sculptor, writer, environmental activist, teacher, business owner, Peace Corps volunteer, musician, addictions counselor, architect, and student conduct administrator. I'm glad we eventually learned how to operate within the system we once outright rejected.

And when I say I rejected the system, I should also mention the system rejected me. After three semesters on academic probation and a public argument with my stagecraft teacher, I was summoned to the Dean of Students office. After pleading a case for why my stagecraft instructor deserved my verbal disdain, my academic record surfaced, prompting the dean to utter, "I think you need to take some time away from school." I was crushed. I walked out of his office, found an uncongenial seat on the curb, and wept.

Although I clearly wasn't academically high performing at that time, college was my holding tank, my structure of stability, and the reason I was in Wyoming in the first place. Not having a reason to stay in Casper, I decided to move to Denver with my boyfriend, where we could enjoy the cultural benefits city life afforded. Our relationship was about as functional as any intimate blending of dysfunctional individuals could be.

My parents disowned me due to my lifestyle, and we barely made enough money working in restaurants and coffee shops to enjoy much city culture. Perhaps the lowest point of my life, working constantly and having no plan for my future, made it clear I needed to return to school. So, after a tumultuous year, Chris and I moved back to Casper. Once there, our mediocre relationship ended, I was nearly homeless, and couldn't afford to eat. Fortunately I was quickly hired at a restaurant, and some friends let me move into their house rent-free for a month. I needed a 2.0 to transfer to the University of Wyoming, so retook English and political science while waiting tables and working as a baker in a local downtown bakery. I went to class. I did quality work. I transferred to the University of Wyoming the following fall.

### **Higher Education: Learning at the University**

My first semester at the University of Wyoming was wonderful. I had little money, but was able to independently obtain financial aid. I decided to study history, changed to secondary education with an emphasis in social studies, and then to social science. I loved my liberal arts education. I was sponge-like and opened my heart to knowledge. What I once deemed oppressive, I found liberating. That year I met my former partner, who was a teaching assistant for my United States history class. He was a good, decent person who offered stability to my formerly chaotic life. My parents loved him, and our partnership allowed me to regain their approval. Life was much improved, and at the end of six semesters in two years, I graduated with honors and was married in a vineyard.

Soon thereafter, Ben and I decided to move to Lawrence, Kansas, where I was planning on attending graduate school for counseling; he would apply to law school.

During that year, he built cabinets, and I worked as a paraprofessional at an alternative high school, which amounted more to being an underpaid, undertrained social worker. I burned out through helping and decided to pursue a creative path. He was admitted to law school back in Wyoming, so we returned to Laramie, where I began a program in family and consumer science studying clothing design and textiles. It was then that I first remember doing informal conflict resolution. As a teaching assistant, students gravitated toward me to help them resolve issues with faculty, relationships, and so on. I became both advocate and encourager of students' self-advocacy without any awareness at the time.

Not yet realizing my professional purpose working with students, I figured I'd start a small textile or design business while my partner worked to provide for our eventual family. My traditionally gendered upbringing was in full bloom. We became pregnant during graduate school, and our beautiful son was born in 2004. Our marriage was outwardly perfect and inwardly, not. We maintained and moved two more times, once for his job and another so I could attend another graduate program in design, which was by far the worst experience I've had in higher education. The competitive, top seven program was ethically challenged, politically ugly, and generally negligent to student needs. I dropped out before the first semester ended, and without the distraction of school, became aware that our marriage was no longer serving our highest good. After separating, my son and I moved in with my parents, who were completely amazing during that difficult time.

My life was once more upturned. I read *Women Who Run with the Wolves*. I cried. I broke apart. I mourned. I also came clean with my politics, my spirituality, and



my true nature. For the first time in my life, I knew who I was and committed to being known. Although difficult for my parents to understand, they accepted my difference. I began reconstruction. I danced. I finally healed.

My plan to be a homemaker and parent was blatantly unsustainable, and I needed a plan. I never thought I'd have to support myself, and yet I craved professional purpose. I've always felt called to make a difference in the world, and to this day I credit my parents for my determination. Even though they prioritized the role of wife and mother, they also told me I could accomplish anything I wanted if I dedicated myself. Somewhat conflicting messages—I tried the former, which was clearly unsuccessful. Now, I had an opportunity to attempt the latter, so I embarked on yet another academic journey.

### **Finding My Calling and Embracing Challenge**

After ruling out real estate as a potential career, I decided to apply to the Higher Education and Student Affairs Leadership doctoral program at the University of Northern Colorado in Greeley. At that juncture, my positive and negative experiences in higher education had culminated, drawing me toward that venue as a change agent. I thought admittance was a long shot, and after my interview, which I thought abysmal on my part, I was surprised and thrilled to receive my admittance letter. So, I moved my then 2½-year-old and myself to a euphemistically modest one-bedroom basement apartment in mid-winter in Greeley, where I spent vast amounts of time reading, writing, drinking quad-shot americanos, potty training my son, and sleeping on a broken futon. Although a challenging year, I greatly appreciated my educational opportunity and wholeheartedly committed to my professional path, despite the struggle.

I eventually received a graduate assistantship working for the cultural centers on campus and found great satisfaction learning from and serving less-represented populations. During my job, I was asked to mediate conflict between students and faculty, which felt very natural and rewarding. I was also offered an internship in the Dean of Students office, where I revamped our campus bias response process. The following year, I was offered another assistantship in the Dean of Students office as a hearing officer and conflict resolution practitioner. Finding a natural philosophical fit with our restorative and educational discipline model, I finally realized my calling. My strengths aligned with opportunity, and I was employed full time in the office. As a conduct administrator, I've engaged in reflective practice, witnessing aspects of myself emerge through serving students in the conduct process. I've experienced my story, epistemological journey, philosophy, spirituality, and education intertwine in my approach to student conduct administration. I acknowledge this as my source of inquiry and inspiration for embracing this visual narrative inquiry.

### **Chapter Summary**

This chapter began by introducing the theory of conflict transformation, discussing how its application to conflict situations minimizes hierarchy, emphasizes relationships, and seeks to understand all aspects of a problem. Applying conflict transformation theory to the profession of student conduct administration facilitates a shift from the dominant paradigm rooted in Western retributive justice emphasizing hierarchy, order, and independence to a newer paradigm with goals to expand and facilitate progressive conflict resolution practices and promote student development. Progressing to a newer, less hierarchical paradigm poses challenges given the power and responsibility inherent in

student conduct practice to determine student responsibility and consequences for behavior.

In addition to challenges of navigating hierarchy in conduct processes, student conduct administrators are responsible for understanding law and policy and managing high caseloads with varying degrees of institutional support. In addition, populations of students with mental health concerns are growing, creating a greater need to access disciplinary counseling through the conduct process when related behaviors violate codes of conduct. As mandated counseling is not typically welcomed by campus counseling centers and as student conduct administration moves toward a mentoring model that concentrates on education and relationship building, student conduct administrators are well situated to provide support to students going through the conduct process.

While education and development are included among professional expectations and building trust and relationships with students is essential, studies suggesting how these objectives are facilitated in conduct processes are rare. Therefore, the purpose of this study was to explore power dynamics between students and administrators in conduct processes and the profession of student conduct administration. As such, the research question guiding this study explored how student conduct administrators who support less hierarchical relationships with students make meaning of the conduct process.

This study promotes relevant, progressive discipline by viewing student conduct practice through a conflict transformation lens. Its significance is also observed as it provides implications for research and practice. Additionally, this study supports a paradigmatic shift from applying standardized, positivist student development theory and

research toward embracing constructivist, student-centered approaches when exploring the practice of student conduct administration.

Finally, to promote understanding and context within this study, the researcher's biographical story was shared. In revealing life experiences, family and cultural influences, and personal inspiration for pursuing a path of student conduct administration, greater understanding of the personal motivations and intentions for embarking on this study is illuminated. Chapter II explores a review of the literature.

## CHAPTER II

### REVIEW OF DISCOURSES

Literature on student conduct administration is substantial and includes a thorough examination of various topics from student perceptions of conduct processes (Heafitz King, 2012; Howell, 2005; Mullane, 1999) to student conduct administrator perceptions (Allen, 1994). Much literature explores due process rights of students (Bostic & Gonzales, 1999; Janosic & Riehl, 2000; Lowery, 2008), effectiveness of conduct processes (Emmanuel & Miser, 1987; Fitch & Murray, 2001; Mullane, 1999), and student conduct practices (Dannells, 1990, 1991; Lancaster, Cooper, & Harman, 1993; Lowery, Palmer, & Gehring, 2005). In an attempt to promote developmental, educational, and flexible approaches for student conduct administration, research regarding restorative justice (Goldblum, 2009; Karp, 2004, 2009; Meagher, 2009) and additional conflict resolution strategies (Geist Giacomini, 2009a; Meyer Schrage & Geist Goldfarb, 2009; Meyer Schrage & Thompson, 2009; Warters, 2009; Wilgus & Holmes, 2009) is increasingly prevalent. Another professional priority within the field of student conduct administration is an emphasis on applying principles of social justice and cultural competency within conduct processes to accommodate increasingly complex and diverse student populations (Geist Giacomini, 2009b; Holmes, Edwards, & DeBowes, 2009; Lopez-Phillips & Trageser, 2008).

As student conduct administrators must operate within an increasingly legalistic culture (Gehring, 2001; Lake 2009; Meyer Schrage & Geist Giacomini, 2009), contemporary students increasingly confront and navigate a variety of wellness and mental health concerns (Dickstein & Christensen, 2008). Professional expectations for student conduct practice are vast (Dublon, 2008; Fischer & Maatman, 2008). Administrators operate across a range of formality in conduct processes (Karp, 2009; Lowery, 1998; Martin & Janosik, 2004; Zdziarski & Wood, 2008) and attempt to provide effective measures, or sanctions, in response to student behavior (Howell, 2005; Kompalla & McCarthy, 2001; Mullane, 1999).

As conduct administrators must navigate complex realms of policy, law, ethics, and other interests to be effective (Fischer & Maatman, 2008), this chapter seeks to place contemporary practices, philosophies, and challenges in a broader historical scope, including discourse regarding justice development and three dominant forms of justice: retributive (Liebmann, 2007; O'Manique, 2003; Woolford, 2009; Zehr, 1990), restorative (Liebmann, 2007; Umbreit & Coates, 2000; Zehr, 1990), and transformative (Quinney, 2000; Wosniak, 2008). Retributive justice provided foundations of student conduct administration due to its prevalence in the United States, and restorative justice has recently resurged, influencing the direction of student conduct practice. Finally, transformative justice provides a philosophical lens through which to apply conflict transformation to current disciplinary approaches.

Within these philosophical contexts of justice, identity, moral, ethical, intellectual, and multiple and intersecting identity theories in student development provide direction for understanding the ways student conduct administrators may promote learning and

growth while serving students. Additionally, discourse regarding the nature of contemporary, traditionally aged students allows for better understanding of the populations participating in conduct processes. Further, acknowledging social justice and cultural competency considerations becomes paramount to intentional practice that considers power dynamics between students and conduct administrators. Next, conduct processes and professional expectations of student conduct administrators are explored to improve understanding of administrators' professional roles within a variety of contexts. Finally, ways in which physical space may impact student conduct administration are addressed to provide insight regarding various components at play during conduct meetings.

### **History of Justice Development**

Justice in ancient Western civilization emerged in Israel with the Code of Hammurabi in 1700 B.C. (Johnson, Wolfe, & Jones, 2008). Judicial matters based on Biblicism preceded parliamentary procedures in Athens, where citizens fully began to participate in matters of government. Following Athenian democracy, the Romans created a constitutional state based on balanced authorities of the people and aristocracy (Johnson et al., 2008). These societies laid the foundation for contemporary Western criminal justice. Evolution of justice relevant to student conduct administration, highlighting cultural aspects within aboriginal, Western European justice, and the movement toward victim rights is explored next.

### **Aboriginal Justice**

The Maori, and other aboriginal groups, including Native Americans, are thought to have first utilized restorative justice in addressing conflict within their communities (Goldblum, 2009; Liebmann, 2007). Pre-colonial New Zealand had a tightly structured

restorative judicial process, wherein Maori tribal elders and impacted community members would determine what harm was done and how it could be repaired. Central to their process were victims, and repair of harm was carefully weighed to represent the level of offense (Pratt, 1996). As England colonized the area, secular European criminal justice practices loudly clashed with the existing Maori system, illuminating theoretical differences between them. Maori justice typically involved victims as prosecutors and kin as the responsible party; whereas, Europeans valued the state as prosecutors over individuals. Further, European justice was held increasingly in private and utilized a penal code and judges to implement imprisonment and/or fines, while the Maori held public conferences where tribal chiefs had authority to determine how victims would be compensated (Pratt, 1996). To be fair, Maori chiefs might determine murder and village burning as appropriate repair to harm (Pratt, 1996); in this, and in all instances of early restorative justice practices, romanticizing indigenous culture should be avoided as it negates accurate representation of history.

With the recent popularization of indigenous rights movements, many post-colonial groups have reignited restorative practices with their criminal justice authorities. This resurgence may have been popularized as the Western European model of justice via colonialism and occupation particularly in the 19<sup>th</sup> century removed the right of self-governance to many indigenous communities. Once dependent on familial relations, Western law undermined core values of the Navajo, prohibiting medicine men and polygamy and mandating children attend distant boarding schools, where inexplicable cultural abuses reigned (Yazzie & Zion, 1996). The Navajo established peacemaker courts in 1983 that utilize restorative practices to resolve interpersonal conflict. Central



to their motivation in doing so is their belief in freedom, whereby one individual cannot tell another individual what to do (Yazzie & Zion, 1996). Additionally, New Zealand has seen a great revival in restorative justice, particularly for youth and in family group counseling programs (Pratt, 1996).

### **Western European Justice**

In England, the “era of victim disenfranchisement” started in the early 19<sup>th</sup> century when victims’ rights to address offenses individually or through prosecution societies on their behalf were replaced by the state (Dignan, 2005, p. 63). This transfer of rights coincided with the advent of professional police forces, whose duties included investigating offenses and prosecuting offenders. This occurred within a broader context of the great transformation where the advent of industrialism necessitated implementing social controls. In “common law based adversarial systems,” crime is seen as offense against the state; therefore two parties, the offender and prosecutor, emerge as participants in judicial processes (Dignan, 2005, p. 64).

In this system, victims had no legal right to access case information or investigation, address the offender, consult administrators regarding case procedures, and be provided special accommodations in judicial proceedings if present to testify (Dignan, 2005). Individuals were, therefore, often revictimized. As their personal experience of harm was ignored, they were denied a voice in proceedings except when essential to prosecution agenda, and substantive, tangible compensation for harm inflicted was denied them (Dignan, 2005). By the 1920s, Marjory Fry and additional women from activist groups began reforming the criminal justice system in England, particularly to promote victims’ rights and abolish capital punishment (Logan, 2008).

In Colonial America, after the presence of English Protestants became ubiquitous, communities, churches, and neighbors with no formal court system managed crime. Beginning in the 1820s, however, the United States government created the system we currently use, wherein police, prisons, parole, and probation dominate criminal justice (Walker, 1998). The state had considerable control before communities began to demand rights for victims.

### **Movement Toward Victim Rights**

In the mid-1970s, victims' rights became increasingly recognized as restorative justice re-emerged. The first recorded victim–offender mediation occurred in Kitchener, Ontario, Canada, in May 1974, when a Mennonite probation officer took two young males to apologize to 22 homeowners, whose homes were vandalized by the two (Liebmann, 2007; Zehr, 1990). Internationally, in 1985 the United Nations General Assembly adopted the United Nations Declaration of Basic Principles for Justice for Victims of Crime and Abuse of Power, which provided victim rights including the right to information, access to justice, and respectful treatment (Dignan, 2005). Further, victims were allowed to have their views considered on issues pertaining to their personal interests and to restitution, compensation, and assistance, when appropriate (Dignan, 2005).

In England, the publication of *The Victim's Charter* in 1990, and subsequent alterations thereof, paved the way for eventually adopting plans that focus on victim and witness rights through legislative reform (Dignan, 2005). In contemporary Western criminal justice systems, restorative justice is increasingly practiced and recognized internationally. Although most frequently seen in the United States, Canada, Western

Europe, Australia, New Zealand, and South Africa, restorative justice programs have more recently sprouted in Israel, Thailand, Hong Kong, Russia, and the Czech Republic, among others (McCold, 2008). Canada, England, and Wales have recently formalized restorative justice in national criminal justice programs for youth (Woolford, 2009), and in 2002 the United Nations provided a systematic approach for integrating restorative justice in criminal cases, thereby legitimizing and formalizing it as a strategy (United Nations, 2007). In Canada and the United States, restorative justice cases led to the creation of victim–offender reconciliation programs, which led to more restorative justice projects. In fact, by 2002 there were 773 state and local projects in the United States, and in 2005 there were 123 projects in Canada (Liebmann, 2007).

Judicial systems and processes have evolved over time, and philosophies informing them are vastly different. While changing in application, three unique philosophical varieties of justice influence systemic responses to aberrations of socially constructed rules and standards. The following addresses three primary philosophical varieties of justice appropriate to student conduct administration (e.g., retributive, restorative, and transformative), providing context for understanding how the history and practice of student conduct administration allies with and diverges from broader societal constructs.

### **Philosophical Varieties of Justice**

Justice is as old as time and as varied as any other societal or cultural attribute. As long as human civilization has existed, some form of justice has presented itself. Therefore, the following discussion broadly explores the definition, history, theory, and practice of justice by illuminating three different forms of justice: retributive (Liebmann, 2007; O'Manique, 2003; Woolford, 2009; Zehr, 1990), restorative (Liebmann, 2007;

Umbreit & Coates, 2000; Zehr, 1990), and transformative (Quinney, 2000; Wosniak, 2008). In exploring varieties of justice, context is provided for understanding judicial evolution within student conduct administration.

### **Retributive Justice**

Retributive justice in Western culture is deeply engrained in society, as competitive interests force an ideology of dependence on winners and losers (Woolford, 2009). Theoretically, the retributive paradigm arises from liberalism philosophy, where self-interest, reason, autonomy, and progress were esteemed as necessary for achieving self-realization and happiness (O'Manique, 2003). In traditional retributive justice philosophy, crime is viewed as a violation of the state, which represents society rather than particular individuals or communities (Liebmann, 2007; Zehr, 1990). Concentrating heavily on past offenses, retributive practices assume adversarial relationships are normal and inflict pain, shame, or discomfort on offenders to deter recidivism. Here, procedures are directed from state to offender, while victims are mostly ignored and offenders have little procedural involvement.

Retributive practices encourage competitive, individualistic values, wherein offences are defined in strictly legal terms disregarding the economic, social, moral, and political implications of the behavior. For example, driving a car into a building or distributing a controlled substance might yield the same legal and financial consequences, regardless of the impact created. Additionally, the stigma of crime is difficult to remove; there is scarce opportunity or encouragement for repentance and forgiveness. Retributive processes also depend upon particular professionals, who seek to explore what laws were broken, who is responsible, and what should happen to them as a result, rather than

communities, victims, and offenders determining outcomes together (Liebmann, 2007; Zehr, 2002). Retributive practices are most common in contemporary Western judicial processes, wherein attorneys compete to determine innocence or guilt, and judges and juries, in some cases, determine punishments with little discussion of how communities are affected.

### **Restorative Justice**

Often viewed as antithetical to retributive justice, restorative justice has six different principles informing its composition (Umbreit & Coates, 2000). First, criminal offenses are viewed as harming the well being of society rather than violations against the state. Second, the goal of justice is to repair harm, while restoring both interpersonal and community relationships to a balanced, healthy state. Next, victims are primary and receive benefits when provided freedom of participating in judicial processes that validate their experience as recipients of harm; when allowed to confront offenders; and when processes increase their sense of security, hope, and closure. Additionally, offenders benefit from opportunities to accept responsibility for causing harm, fulfill obligations to victims and the larger community, and participate in creating reparative obligations. In restorative justice, local communities, which can provide resources for victims and offenders, are essential in reducing recidivism. Finally, the formal criminal justice system can benefit from restorative justice when it ensures victim and offender participation, self-monitors its efficacy, and depletes judicial alternatives prior to exacting incarceration (Umbreit & Coates, 2000).

Restorative justice focuses on problem solving, liabilities, and future obligations; restitution is used to restore and reconcile both parties. Defined by right relationship

among participants, success is determined by the outcome of the process. Here, conflict is valued, focus is on repairing social injuries, and community participation is essential (Liebmann, 2007; Zehr, 2002).

Originally, restorative justice was considered drastically oppositional to retributive justice (Liebmann, 2007). More recently, however, many scholars suggest the two paradigms have certain similarities and argue a need for viewing them in a different light (Howard, 2008). Retributive and restorative practices do possess similarities and limitations, and benefits may be obtained by drawing from both traditions (Zehr, 2002). Extremely egregious crimes may be unsuitable for restorative justice processes, as offenders may not show a willingness to accept responsibility for harm done. Further, values inherent in traditionally Western criminal justice, such as due process, human rights, and organized development of law, must remain intact within criminal justice systems (Zehr, 2002). From such admission, a spectrum model with criminal justice (or retributive justice) on one end and restorative justice toward the other lends itself nicely to a discussion of how both models may, even symbiotically, co-exist to offer a broad range of processes that meet comprehensive conflict resolution needs (Zehr, 2002). A third type of justice, transformative justice, is best situated on the extreme end of the spectrum, advancing theoretically beyond restorative justice to concentrate on issues of power and social justice.

### **Transformative Justice**

Transformative justice emerged in the 1970s as Richard Quinney, a prolific criminologist and scholar, popularized both critical and peacemaking criminology theories (Wozniak, 2008). Critical criminology, based on Marxism, views societal power

inequalities as integral components of understanding crime. Here, crime is viewed as political in nature; what is illegal or legal depends on societal power structures. Additionally, it contends the criminal justice system is designed to benefit economically and socially privileged groups, while ignoring needs of less represented and socioeconomically disadvantaged individuals by promoting capitalistic systems, where “the human needs of the poor are ignored and a fertile environment is created for crimes by corporations” (Wozniak, 2008, p. 6). In light of this, critical criminology argues for manifestation of an equality-based social structure, which reveals the true nature of how capitalism influences victims and offenders.

Western emphasis on individualism and success measured largely by economic factors weakens and detracts meaning from the lives of citizens participating in such a structure (Napoleon, 2004). Individualistic assumptions of human nature thereby lend to blaming offenders exclusively, while disregarding the various societal flaws that contribute to the offense or offender’s nature (Clark, 2002). By concentrating on building an ideal world, rather than criticizing the existing one, peacemaking criminology seeks to create a non-violent world (Wosniak, 2008). Its main objective is to resolve questions surrounding how humans can co-exist without harming one another.

One scholar differentiates between negative and positive peace, the former describing the modern criminal justice systems’ responses to crime as anticipatory, punitive, if not violent, and deterrent-centered. In opposition, “positive peace exists when the sources of crime—including poverty, inequality, racism, and alienation—are not present. . . . There can be no peace—no positive peace—without social justice” (Quinney, 2000, p. 28). For example, a proponent of transformative justice would argue

that by diminishing the income gap among individuals in a society would reduce the need for prisons, as economic equality would promote peace.

With its foundation in critical and peacemaking criminology, transformative justice closely resembles restorative justice philosophically, but avers true reparation must entail consideration for victims and offenders, as well as the societal conditions contributing to crime (Wosniak, 2008). Peacemaking criminology is preventative rather than reactionary; it values non-violence, conflict resolution, and interrelatedness of individuals (Wosniak, 2008). Further, transformative justice is far more theoretical and less procedural than both restorative and retributive justice and is perhaps more suitably utilized as a philosophic lens rather than a method for practice.

Just as varieties of justice have evolved throughout history, administration of justice within institutions of higher education has also changed dramatically over time. The following section explores the progression of student conduct administration in the United States from early colonial colleges to present day. Examining the historic role of justice in student conduct administration allows improved comprehension of how different kinds of justice have influenced the evolution of student conduct administration.

### **History of Student Conduct Administration**

Discipline in early colonial colleges existed largely to control young, male student behavior in alignment with Protestantism (Dannells, 1997). Disciplinary sanctions, such as “rustication,” forced removal of students and their belongings to the wilderness for a duration of time deemed appropriate by administrators, while “degradation” forced students backward in their academic programs (Thelin, 2007, p. 64). During the Civil War era, colleges began housing and feeding students, who in the spirit of burgeoning



liberty, staged fitful, often violent protests. Faculty and tutors, and eventually presidents, were campus disciplinarians until chosen faculty, called deans of women and men, emerged in the late 19<sup>th</sup> century to address student conduct (Dannells, 1997).

In 1913, *in loco parentis*, meaning “in the place of a parent or instead of a parent,” was officially attributed to relationships between colleges and students in the case *Gott v. Berea College* (Dannells, 1997, p. 20). Until the 1960s, the assumption that colleges would essentially have vast, unfettered control over determining student discipline procedures allowed for its eventual demise as upholding such power became practically and legally tenuous (Dannells, 1997). This era eventually led to more progressive disciplinary practices.

During the 1950s and 1960s, judicial processes naturally evolved from prioritizing control and punishment to education and democracy. As the civil rights movement took hold in the United States, students demanded protection for constitutional rights of due process on campuses. Following *Dixon v. Alabama State Board of Education*, which began the end of *in loco parentis* and constitutionally provided adult status to students 18 and over, a heightened legalized system emerged, changing higher education dramatically and to this day (Bickel & Lake, 1999).

In an attempt to counter an increasingly litigious environment, conduct administration became overly procedural at the expense of fostering student development (Gehring, 2001). Additionally, in the 1960s and 1970s discipline programs took and adapted language and procedures from non-academic courts and began mimicking prosecutorial systems, wherein students were found innocent or guilty, as if tried in a

court of law (Fischer & Geist Giacomini, 2006, p. 50). At this time, discipline in higher education most closely mimicked traditional Western criminal justice systems.

Following the period of adopting legalist procedures, and in light of court cases wherein discipline programs were criticized for unfair practices, appeals on campuses were increasingly heard in courts. Consequently, the decisions made influenced student discipline programs, making them even less developmental and more bureaucratic. Ensuing was a system of adjudicating students to manage conflict rather than exploring root causes for behaviors at issue (Fischer & Geist Giacomini, 2006). Following this turbulent era between 1970 and the mid 1980s, student rights gained in the 1960s created greater independence for students; however, institutions of higher education, no longer operating from *in loco parentis*, took a hands off approach to student conduct (Bickel & Lake, 1999). As legalistic culture prevailed, higher education found it safer to aver “no duty” to students, thereby exonerating itself from responsibility in preventing harm to individuals on and off campus (Bickel & Lake, 1999, p. 49). Additionally, this era portrays a general confusion about the role of colleges and universities in non-academic service to students. From the mid 1970s to the present, much legislation was passed that directly pertains to institutions of higher education, specifically the relationship between student and institution.

### **Relevant Higher Education Legislation**

From this era on, several laws were passed to address privacy rights, increasing litigation, and unfortunately, sometimes, violent environments in higher education. The Family Education Rights and Privacy Act (FERPA) passed in 1974 to protect students’ privacy rights regarding educational records, and the Health Insurance Portability and

Accountability Act (HIPAA) was passed in 1996 to offer similar protection for students' medical records; understanding FERPA and HIPPA is necessary to determine how and when student conduct administrators may release educational records (Dickstein & Christensen, 2008). In addition to FERPA and HIPPA, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act in 1990 generated and extended standards for serving students with disabilities on college campuses (Gregory, 2013). Further, the 2011 "Dear Colleague Letter" issued by the Office of Civil Rights in the Department of Education (Gregory, 2013; Lewis, Schuster, Sokolow, & Swinton, 2013) and Title IX inform how student conduct administrators must manage proactive education, grievances, investigations, and responses regarding allegations of sexual misconduct and gender and sex-based discrimination for students and in cross-constituent cases (Lewis et al., 2013).

In addition, as issues of free speech run rampant at institutions of higher education, it is essential to intentionally operate within a framework that examines each case to determine whether restrictions on forms of expression are appropriate (Schuster, Bird, & Mackin, 2008). That said, student conduct administrators must be increasingly conscientious of violating students' First Amendment rights by incorporating speech codes in response to perhaps inappropriate, yet protected expression (Schuster et al., 2008). In addition to that listed above, much legislation has passed to address behavior related to student behavior and campus safety.

In 1990, the Jeanne Clery Disclosure of Campus Security and Policy and Campus Crimes Statistics Act was implemented as a response to the rape and murder of a Lehigh University freshman (Howard, 2008). The Clery Act requires colleges and universities to

provide timely notification of campus crimes and publish an annual crime statistics report for the Department of Education (Howard, 2008). The Campus Sexual Assault Victims' Bill of Rights originated in 2002 to desist revictimization and provide specific rights to survivors of sexual assault. Additionally, the Campus Sex Crimes Prevention Act of 2000 affords institutions of higher education rights to gather and share records of students or employees who are registered sex offenders (Howard, 2008).

Legislation greatly impacts recent procedural and philosophical developments within student conduct in higher education. As previously noted, traditional judicial processes in student affairs arose to control student behavior, and therefore were largely reactionary. After that disenfranchised, developmentally challenged era, conduct administrators, scholars, and students worked diligently to redefine the professional purpose of student conduct administration. Substantive and procedural due process requirements for institutions of higher education dictated that conduct administration be fair in both policy and procedure (Stevens, 1999).

In an attempt to merge fairness with flexibility, the revised Model Student Code of Conduct emerged in 2004 (Stoner & Lowery, 2004). Emerging to provide colleges and universities a guideline, the revised code supported developing conduct policies grounded in best practices and professional collaboration (Stoner & Lowery, 2004). The 2004 Model Code is a definite step away from legalistic language, and attempts have been made to promote its flexibility and breadth of application (Geist Giacomini, 2009b; Stoner, 2008; Stoner & Lowery, 2004).

As "many student disciplinary systems have lost their educational effectiveness, usefulness, and zeal" (Waryold, 2006, p. 39), creating civil campus cultures where

students actively engage in conflict resolution regarding issues that impact them becomes critical. Further, promoting discipline processes that equally value student development and due process rights also emerge as a priority (Fischer & Geist Giacomini, 2006). In order to incorporate education within disciplinary processes, communities must positively work together (Waryold, 2006).

### **Student Development Theory**

Dannells (1997) suggests three broad categories of student development theory lending well to the study of student conduct and discipline: identity development theory, moral development theory, and intellectual and ethical development theory. Additionally, applying social, multiple, and intersectional identity theories provides necessary complexities to understanding student development and how it is applicable to student conduct administration (Jones & McEwen, 2000). Next, foundational student development theory relevant to the discourse surrounding student discipline is explored. Identity development theory explores interpersonal relationships, issues of independence and interdependence; moral development theory broadly addresses how judgments and decisions are made and communicated; and intellectual and ethical development theory explores how individuals make meaning of learning and developing from dualistic to relativistic thinking. Once these foundational developmental theories rooted in positivist paradigm are discussed, newer constructivist developmental theories of social identity, multiple identity, and intersectionality are explored (Evans, Forney, Guido, Patton, & Renn, 2010).

#### **Identity Development Theory**

Interpersonal relationships are critical to student development as they foster commitment, communication skills, problem solving, and emotive connection with peers

(Chickering & Reisser, 1993). Students who accept interdependence, embrace the struggle to define themselves, and utilize their strengths to manifest learned values within their community are likely to succeed. Identity development theories explore how individuals determine their internal and expressed beliefs.

Erikson (1959/1980) studied identity development within a framework suggesting individuals develop on two simultaneous continuums: one internal and consistent to oneself, and one provided consistently to others. Further, identity development occurs on a continuum from birth to death with successful passing through stages of crises fostering increased awareness of self (Erikson, 1959/1980).

Josselson (1978/1991) longitudinally studied identity development of college women in three stages over 22 years, determining several factors that contributed to women's developmental pathways. In her findings, she determined that women associated with different pathways based on several developmental factors, but few successfully endured through crisis to develop identity achievement (Josselson, 1978/1991). Ultimately, Josselson (1996) found that women belonging to this pathway were able to consistently develop and revise their identity, given ongoing life challenges and change.

Chickering and Reisser (1993) created the seven vectors of development, outlining vectors students move through when developing their identity. In the first vector, developing competence, students develop academic, physical, and relational skills. Next, students move to the managing emotions vector, wherein they learn to accept and identify their emotions, developing appropriate outlets and support to enable emotional wellness. In the third vector, moving through autonomy toward independence, students learn to develop autonomy independently without the reassurance of others. In this vector,

students also learn to think critically and navigate systems on their own; but rather than viewing themselves as separate from others, they find themselves interconnected with others. The following vector, developing mature interpersonal relationships, involves valuing differences among people and having the ability to form personal, intimate relationships. Next, in establishing identity, students assume a level of comfort with their identity characteristics and cultural background. In the vector, developing purpose, students learn to identify values and goals; they utilize this knowledge to act intentionally and make plans for the future based on their values. Finally, in developing integrity, students develop “humanizing values, [which] involves a shift from a literal belief in the absoluteness of rules to a more relative view, where connections are made between rules and the purposes they are meant to serve” (Chickering & Reisser, 1993, p. 51). Additionally, at this vector, students should be able to affirm their personal views when confronted with different perspectives and apply formed beliefs to engage in socially responsible behavior (Lancaster, 2006).

### **Moral Development Theory**

Moral development is most often achieved by navigating internal conflict and moving from rule-oriented decision making to principled thought, considering multiple perspectives (Evans et al., 2010; Kohlberg, 1976). Kohlberg (1976) studied adolescent boys and adult males, concentrating on moral reasoning, or how people make decisions. Kohlberg (1969) suggested six stages of moral development ranging from morality based on acceptance and expectation to morality based on broad, applicable maxims. He further argued that individuals travel through concrete stages that appear in a certain order, each individual retaining the knowledge and judgment gained through each previous level they

successfully navigated (Kohlberg, 1981). For example, one college student who violates an alcohol policy in the first stage of moral reasoning may expect to be punished by an administrator whom they view as adversarial. Another student with the same alcohol violation, but in stage four of moral reasoning, may understand that while he/she believes the drinking was acceptable, he/she also understands the behavior violates a societal policy or law, and therefore, may view a conduct administrator more reasonably.

Rest (1986) expanded Kohlberg's theory by embracing a more flexible schema-based approach to understanding how students develop and by illuminating ways students may become aware of others' dilemmas, determine to take action on that awareness, and manifest that decision (Evans et al., 2010). By developing a quantitative measurement, Defining Issues Test, Rest (1979) expanded Kohlberg's theory to explore two main aspects of an individual's thought processes: how they balance interests, and how they know and share expectations about rules (Evans et al., 2010). Viewing schemas as continuous, unlike Kohlberg, Rest, Narvaez, Thoma, and Bebeau (2000) also believed individuals could simultaneously move through multiple schemas at once. Eventually, by utilizing the Defining Issues Test, Rest et al. led the development of three continuous schemas: personal interest, maintaining norms, and postconventional. As individuals move through these schemas, their moral reasoning improves (Rest et al., 2000). For example, a student in the personal interest stage might avoid smoking marijuana because it is illegal and they could get in trouble, while a student in the third schema may opt to avoid smoking marijuana after thoroughly exploring and critiquing the law and determine they will abstain for the benefit of both their health and their community. While Rest et



al. were measuring moral reasoning by using the Defining Issues Test, Carol Gilligan was taking moral development research in a different direction.

Carol Gilligan (1977) conducted research primarily on women, who were largely ignored in previous studies about moral development, and created a framework based more on care and relationships rather than adherence to rules and individual rights (Evans et al., 2010). Gilligan (1993) asserted, “the essence of moral decision is the exercise of choice and the willingness to accept responsibility for that choice” (p. 67), taking morality a step further to include accountability. Her research differed from Kohlberg’s, as it concentrated on relationships rather than on comprehending the morality of justice (Evans et al., 2010).

Gilligan (1977) developed a woman-centered moral development model that includes three levels and two transitions after conducting research on 29 women who were confronting the decision to have abortions. In the first level, individuals are primarily concerned with survival, which dictates their perceptions and behaviors. As their moral development progresses, women view morality as self-sacrifice before moving to a space where they equally weigh their needs with those of others. In the last level, women can apply an ethic of care while respecting and comprehending their place as a valuable part of the whole, considering others’ perspectives when making moral decisions (Gilligan, 1977). For example, a student in the first level may choose to drink alcohol to avoid the negative stigma placed on her by peers, while the same student at level three could determine not to drink because it is against her personal values while accepting that her peers may make different choices.

### **Intellectual and Ethical Development Theory**

Intellectual and ethical development begins with dualistic thinking and progresses to relativism, wherein students can assimilate divergent information from many perspectives while maintaining comfort in ambiguity (Lancaster, 2006; Perry, 1997). Ultimately here, students are capable of committing to relativistic thought and engage in well conceived decision making. Perry (1981) longitudinally studied both men and women attending colleges to understand how they experience and interpret teaching and learning processes (Evans et al., 2010). From his studies, Perry (1968) determined nine positions that students move through, from black and white thinking to more complex thought that considers contingent and differing values, from dualistic ways of viewing the world to ever-changing relativistic commitments (Evans et al., 2010).

Perry's work was highly influential, contributing to substantial research on assessment methods and teaching and learning theory and applications to career counseling and residential life, counseling, supervision, advising, among others (Evans et al., 2010). While hugely important to student development theory, Perry's theory has been criticized for quantitatively labeling, or categorizing students, while neglecting to empathetically honor diverse groups of students (Evans et al., 2010).

The reflective judgment model suggests in the earliest stage individuals view one observable, certain reality perceived directly through tangible experience (Kitchener, 1986). As some individuals move through subsequent stages, they are confronted with ambiguity and various interpretations of knowledge, opinions, and data. Resulting cognitive dissonance leads to ultimately developing, at the last stage, comprehension of a

flexible reality, or realities, based on synthesis and abstraction of viewpoints (Kitchener, 1986).

Students' ability to develop and defend beliefs given a vast range of perspectives operating in different contexts promotes understanding. When students can receive multiple viewpoints given complex subject matter in ways that promote inquisitiveness, they learn (Baxter Magolda, 2004). Additionally, mutually constructing ideas with others whose perspectives differ greatly urges students to examine their previously held beliefs, allowing them to either hone or clarify their views or adapt them to accommodate the new information (Baxter Magolda, 2004). This process promotes "self-authorship" among students or "the ability to collect, interpret, and analyze information and reflect on one's own beliefs in order to form judgments" (Baxter Magolda, 1998, p. 143). By focusing on forming judgments and internal reflection, self-authorship provides yet another helpful lens through which to view and make meaning of connections between student development and student conduct processes.

Identity development of college aged students stems from intellectual, moral, and ethical student development theories; although different, these indicate a progression from dualistic black-white thinking to a more discerning, aware, and complex way of intellectual engagement. The following section explores how social identity, multiple identity, and intersectionality add necessary complexity and authenticity to discourse on student development. Much like student development theory has paradigmatically shifted from positivist to constructivist exploration and application (Evans et al., 1998; Evans et al., 2010), student conduct administration has steadily moved from retributive to restorative. As constructivist applications have expanded the milieu for identities to be

expressed and understood, the following theories are essential to incorporating social justice perspectives into the art of student conduct administration.

### **Social Identity Theory**

Social identity theory originated from the 1960s Black civil rights movement, as African American scholars created identity models that contrasted pre-existing and prevalent models by and about White people (Evans et al., 2010). From there, several identity models emerged to address specific populations of less represented populations in the 1970s, including women (Gilligan, 1977; Josselson, 1973) and homosexuals (Cass, 1979), later referred to as lesbian, gay, and bisexual (Evans et al., 2010). In the 1980s, ethnic studies emerged to explore experiences of increasingly varied groups, including Asian, Latino, and White populations (Evans et al., 2010).

Central to social identity theory are the concepts of privilege and oppression, which provide ways of understanding social inequalities (Evans et al., 2010). Privileged populations were defined as the dominant group (e.g., White, male, heterosexual, Christian, middle class, without disabilities) who maintained power by dominating and perpetuating oppression of groups with differing social identities (Evans et al., 2010). The concept of privilege has been historically underexplored (Evans et al., 2010). Two kinds of privilege exist: unearned entitlements, those privileges that ought be possessed by all people, and conferred dominance, which provides one group of individuals power over another group (McIntosh, 1989). Given the larger umbrella of privilege, several social privileges were identified and explored over the past 15 years; White, social class, gender, heterosexual, ability, and Christian privileges were identified, allowing more thorough understanding of how each privilege lends to “unbalanced social structures”

(Evans et al., 2010, p. 238). Following research that concentrates on specific social identities, scholars began to expand the theory to include multiple identity and intersectionality.

### **Multiple Identity Development and Intersectionality Theory**

Originating from research in human ecology, social psychology, sociology, and developmental psychology (Torres, Jones, & Renn, 2009), identity development was formerly understood by dichotomously viewing aspects of social identities, such as race or gender, in isolation from other aspects of self (Josselson & Harway, 2012). Attempts to define and understand information about particular demographic groups has lent to shallow, misrepresenting categorizations of identities in research and the media, while viewing identities as multiple, fluid, self-defined, and contextual generates a more accurate representation of human complexity (Josselson & Harway, 2012). Postmodern and poststructural theories and critical race theory also contribute various lenses through which to perceive complexities critical to understanding identity development (Torres et al., 2009).

In applying multiple identity theory to student development, Jones and McEwen (2000) developed the model of multiple dimensions of identity. This model draws from findings indicating that while students possess various identities, they also determine their saliency; outside identities were often visibly identifiable to others, while coveted identities at the core were in motion influenced by a variety of contexts including present experience, family background, and additional societal forces (Jones & McEwen, 2000; Torres et al., 2009).

Introduced by women of color, specifically Black feminists critical of how dominant culture usurps the story telling of marginalized populations (Collins, 1990), intersectionality theory addresses systems of inequality (Torres et al., 2009) and promotes inclusion of identity characteristics, such as race, sexuality, and gender (Linder & Rodriguez, 2012; Weber, 1998). Intersectionality theory allows for a more thoughtful, realistic approach to understanding multiple privileged (dominant) and oppressed (marginalized) identities, acknowledging students possess an interacting range and combination of both (Jones & McEwen, 2000). Previous scholarship concentrating on identity and student development assumed homogeneity dominated moral, cognitive, and intellectual developmental processes for specific groups and individuals, neglecting to explore how power asserts itself among them (Torres et al., 2009). In opposition, the “new way of focusing on the whole student brings the field full circle from a two-dimensional student to a fully three-dimensional, developing person in an ever-changing context” (Torres et al., 2009, p. 590).

Understanding the foundations of student development theory enable student conduct administrators to intentionally serve the whole student. Broad knowledge of identity, ethical, moral, and intellectual development theories provides context; but contributions from research on social, multiple, and development and intersectionality theory richly complicate simplistic assumptions and standardizations of how and why students develop. Given the guidance of student development theory and the commitment of many student conduct administrators and institutions of higher learning to foster an educational discipline process, the present philosophy of student conduct is becoming more flexible and adaptive. The following section explores characteristics of contempo-

rary traditionally aged students to better identify their needs and traits. Appreciating that standardization often excludes the needs and characteristics of less-represented populations, social justice and cultural competency considerations are addressed. Next, different conduct processes are discussed to frame dialogue regarding the nature of student conduct administrators' professional lives.

## **Contemporary Student Conduct Administration**

### **The Students We Serve**

Students in higher education are more culturally and socially diverse than ever before (Waryold, 2006). Regardless, many issues students experience today are quite similar to those undergone for years. Academic dishonesty, roommate conflict, bias, mental health concerns, familial issues, conflict with faculty, and substance use and abuse have been a part of the student experience for quite some time. Students from this generation, often referred to as Millennials, are perceived as responsible, optimistic, and collaborative on one hand and entitled, materialistic, and over-pressured on the other (Waryold, 2006). Another scholarly perspective considers Millennials are incapable and unlikely to respond to codes of conduct, rules, and objectivity as they favor and respond more favorably to subjectivity, rewards, and relationships (Lake, 2009). Further, this generation responds far better to mentoring, transparent processes, and collaboration and will subvert conduct expectations by developing various methods of self-governing systems that serve their objectives (Lake, 2009).

As kindergarten–12 systems have adapted to individualized, relational mentoring based largely on rewards, students entering higher education are less likely to understand or be motivated by legalistic, deterrent, rule based discipline (Lake, 2009). Although

research on Millennials lends to a broad discourse regarding contemporary, traditional students, it is a label, and as such, should be used with caution. It references the dominant, often privileged population of students and may exclude less-represented students, who are already disproportionately absent within institutions of higher learning. As a result, it becomes necessary to explore culturally responsive practices and address the importance of incorporating social justice in conduct processes.

### **Social Justice Considerations and Culturally Responsive Practice**

As student conduct administrators become increasingly intentional in educating students about themselves, others, and the broader community, it becomes imperative to infuse social justice dialogue within discourse regarding student conduct administration (Geist Giacomini, 2009b; Holmes et al., 2009; Lopez-Phillips & Trageser, 2008). Rather than viewing education as hierarchical, wherein those with knowledge and power bestow their wisdom on less capable parties, it may be viewed as mutually empowering, teachers and learners critically co-creating thought and meaning to benefit society (Freire, 1970/2007). Not only does this speak to the necessity of leveling hierarchical relationships within conduct processes, but it also invokes conduct administrators to determine ways they may create broader societal change (Geist Giacomini, 2009b). Further, responsibility to educate from social justice within conduct administration includes incorporating opportunities for students to engage in dialogue regarding injustice and actively create more just cultures (Pettit, 2006; Rashid, 2009).

Drawing from social, multiple, and intersecting identity theories can assist practitioners in understanding how privilege and power are perceived, experienced, and expressed among individuals and groups depending on the culture and history of power at



play (Johnson, 2001/2006). As institutions of higher education are increasingly diverse and global, student conduct administrators must become increasingly aware of how social justice influences student identities, situations, and cultures and particularly how administrators, ourselves, understand and explore our own identities and privileges (Holmes et al., 2009). Further, by viewing student conduct administration through a social justice lens, awareness of power, hierarchy, and historical influences that dictate processes and language, student conduct administrators may create inclusive, responsive venues in which to serve students (Geist Giacomini, 2009b). Considering the complex interactions between students and conduct administrators and given the variety of conduct processes and situations addressed in hearings, exploring how the physical space influences conversation becomes necessary.

When engaging in dialogue, presentation of physical space, types of questions presented and/or avoided, and the process of facilitation greatly influenced perceptions of facilitators' values and awareness of social justice and injustice (Holmes et al., 2009; Wing & Rifkin, 2001). Additionally, an activity to understand how conduct administrators determine who should hear conduct cases based on identity characteristics indicated most administrators thought having a similar identity in common with the student made the conduct process more beneficial, which may be detrimental to the expectation that all administrators be adept at facilitating socially just conversations regardless of identities (Holmes et al., 2009).

Many of these conversations occur informally in one-on-one settings. As little research exists to suggest how conduct administrators might engage in culturally responsive dialogue, direction from scholarship in the field of professional counseling is

explored. Acknowledging a global, interconnected world, and in order to uphold professional ethics of care, counselors must comprehend individuals' problems or concerns and possess "an understanding of their cultural, ethnic, racial, and national identities, and their social locations, group associations, and places of residence" (Gerstein, Heppner, Ægisdóttir, Leung, & Norsworthy, 2012, p. 3). Counseling literature excellently explores reasons why cultural competency is important to effective practice. For example, gay, lesbian, bisexual, transgender, queer students may be moving through stages of questioning and navigating their sexual and/or gender identities and be confronted with different social dilemmas than heterosexual students (Robinson & Howard-Hamilton, 2000). Additional social identity layers, including social class, race, ethnicity, religious background, ability, and so on, further complicate individuals' needs and experiences, requiring even greater intentionality from practitioners.

In addition to navigating social, multiple, and intersecting identities, students come from a variety of cultural attributes that may influence "worldview, cultural ideology, and personal philosophy" (Robinson & Howard-Hamilton, 2000, p. 49). Both counseling (Fawcett & Evans, 2013; Robinson & Howard-Hamilton, 2000; Robinson-Wood, 2009) and student affairs professions (Pope, Reynolds, & Mueller, 2004) have developed and implemented cultural competency criteria to promote effective practice with individuals from a variety of backgrounds. Knowledge of one's cultural attributes, biases, and limitations; solid understanding of social justice, privilege, and oppression; and engaged, continual learning about and from individuals from a variety of backgrounds are key concepts in cultural competency (Robinson-Wood, 2009). While student conduct administration differs greatly from the field of professional counseling, both

processes involve exploration and disclosure of personal, often sensitive, information.

The following section explores the nature of conduct processes, providing insight with which to better comprehend the venue in which student conduct is administered.

### **Conduct Processes**

Like criminal justice, higher education is recently merging traditional and restorative philosophies, providing a wide array of conflict resolution services to address student development needs, while ensuring fairness and health and safety needs of campus communities. However, many higher education conduct administration programs still function from retributive philosophy and models, wherein sanctions given to students, such as probation, suspension, and expulsion, are designed to separate them from the campus community, rather than reintegrate them (Karp, 2004). To be sure, suspension and expulsion are necessary sanctions in certain circumstances, particularly when a student poses a threat to campus safety, rejects participation in the discipline process, or fails to comply with sanctions.

Although many conduct processes originate from retributive philosophy, developmental discipline is central to contemporary student conduct practice (Karp, 2004).

Given the guidance of student development theory and the commitment of many student conduct administrators and institutions of higher learning to foster an educational discipline process, the present philosophy of student conduct is becoming more flexible (Meyer Schrage & Geist Giacomini, 2009). The recent procedural evolution of student conduct administration, which must meet the diverse needs of students, operates within a highly legalistic culture (Gehring, 2001; Lake, 2009; Meyer Schrage & Geist Giacomini, 2009).

The recently introduced spectrum of the resolutions options visual model (Meyer Schrage & Thompson, 2009) offers conduct administrators a variety of ways to address levels of conflict. The spectrum ranges from no process, where conflict does not necessitate any specific practice, to a formal hearing for violent or other egregious offenses (Meyer Schrage & Geist Giacomini, 2009). The mid-range of the spectrum offers options including conflict coaching where professionals teach students to resolve conflict (Geist Giacomini, 2009a), to shuttle diplomacy, a suitable option when relations between parties may be too contentious for personal communication and a mediator serves to manage conflict (Meyer Schrage & Goldfarb, 2009). Discourse surrounding restorative justice is central to the spectrum model; however, certain limitations to its usefulness exist.

Restorative justice has lower recidivism rates and higher student satisfaction than traditional retributive justice practices (Karp, 2004). It can be extremely useful in addressing many student discipline problems, including drug and alcohol misuse and abuse, vandalism, theft, academic dishonesty, issues in Greek life, and even assault. As many of these indiscretions directly and indirectly impact campus and outside communities, several opportunities exist for students to repair harm done. Students who have gone through restorative justice programs are better able to articulate harm caused by their behaviors and determine the breadth of impact to self, others, and the broader community (Meagher, 2009). This is best achieved in conjunction with community members, additional campus offices, and local and campus law enforcement (Karp, 2004).

For restorative justice to be successful, both offenders and victims must be present for the process. Further, offenders must take responsibility for the harm done prior to

participating in the process, and victims, except in the case of integrity boards, must be willing to communicate their experience with the group (Karp, 2004). Bringing victims and offenders together can be particularly challenging, as many victims understandably have no interest in confronting offenders. Also, in many instances, particularly in substance use and abuse cases when no obvious harm to individuals or communities exists, behavior may be best described as self-harming, wherein the student is both offender and victim (Karp, 2004).

Due to limitations of applying restorative justice to a variety of conduct needs, restorative philosophy may be broadly applied to various disciplinary situations and referred to as restorative discipline (Amstutz & Mullet, 2005). Restorative discipline allows for incorporating restorative philosophy within more traditional conduct processes and is easily applied to informal one-on-one meetings between students and conduct administrators by focusing on concepts of harm and repair to self, others, and the community (King & Jacobson, 2011). While the spectrum model allows space for both formal and restorative processes largely rooted in retributive and restorative justice, respectively, conversations regarding conflict transformation, the oft-neglected philosophy with great potential for meeting contemporary student needs, may further facilitate social justice principles and level hierarchical relationships in conduct processes.

### **Nature of Conduct Practice**

The field of student conduct administration is young, with one established national organization created 20 years ago: the ASCA. Due to internal misperceptions by non-conduct administrative and academic campus offices, and often-strained relationships with external campus entities, student conduct work is often misunderstood and

underappreciated. In addition to the various demands placed on conduct professionals, the largest and most elusive goal may be bridging theory to practice. Upcraft (1994) suggests an 11-step model outlining what professionals should do to ensure discipline processes are developmental in nature. Although thorough, this model mentions nothing of constructing relationships with students, nor does it imply in any way, how conduct professionals should accomplish the many tasks it presents.

Many conduct administrators are overwhelmed with increasing caseloads and inadequate support (Waryold, 2006). As legal climates, institutional values, and campus cultures are constantly in flux, senior administrators are excessively burdened with navigating the complexities of their professional obligations, and therefore less experienced professionals are required to make complicated decisions independently (Fischer & Maatman, 2008; Waryold, 2006). Coupled with recent transitions from retributive processes to those with many conflict resolution options, this creates many challenges for student conduct professionals.

As 21<sup>st</sup> century students respond well to relational mentoring (Lake, 2009), conduct professionals who can establish a mentoring oriented relationship with students in discipline processes will likely be more effective than those who struggle with interpersonal communication skills. Further, recent scholarship around therapeutic jurisprudence, the study of how law may or may not benefit the emotional and psychological well-being of individuals (Wexler, 1999), suggests offenders who attentively engage in the hearing process and are treated with kindness and dignity are more likely to respect the process, have faith in the people administering the hearing, and have increased receptivity to hearing outcomes (Stevens, 1999; Wexler & Winick, 1996). Further, one

study found that when administrators showed genuine interest in, and concern for, a student's personal experience during conduct hearings, the process was more likely perceived as fair (Heafitz, 2008), thus reiterating the critical role conduct professionals play in effective student discipline. While research explores qualities essential to promote positive, developmental, and educational conduct processes, a need to discuss the environment in which conduct meetings occur becomes necessary. Next, how aspects of the physical environment may influence dialogue and disclosure in one-on-one meetings is explored.

### **Physical Environment**

Drawing from literature in education (Wollin & Montagne, 1981), counseling (Chaiken, Derlega, & Miller, 1976; Holahan & Slaikeu, 1977; Pressley & Hessacker, 2001), psychology (Gass, 1984; Gifford, 1988; Mintz, 1956; Okken, Van Rompey, & Pruyn, 2012), and student affairs/campus ecology (Strange & Banning, 2001) assists in understanding how physical space influences human behavior. Environmental aspects, such as lighting, furniture arrangement, color, room size, objects within the space, and privacy, have all been shown to create different reactions among individuals in counseling environments (Pressley & Hessacker, 2001). Additionally, literature on campus ecology describes the influence of aspects in physical environments on behavior by asserting, "the layout, location, and arrangement of space and facilities render some behaviors much more likely, and therefore probable, than others" (Strange & Banning, 2001, p. 15). Because people may be embarrassed to share personal information with a stranger (Okken et al., 2012), creating environments that increase the likelihood of disclosure and comfort are preferred. Student conduct administrators must consistently

encourage students to share information regarding incidents and the potential sources thereof, so building trust for disclosure is critical to effective practice (King & Jacobson, 2011).

Several studies have explored the influence of environment on disclosure (Chaiken et al., 1976; Gifford, 1988; Holahan & Slaikau, 1977; Okken et al., 2012). Generally, self disclosure increases substantially in warm counseling type settings rather than in formal, cold environments with bare, stark walls and fluorescent lighting (Chaiken et al., 1976). Additionally intimate conversations are more likely to occur in rooms with dim lighting (Gifford, 1988). Perhaps not surprising, one study found that when a third party entered a room, diminished privacy inhibited self-disclosure (Holahan & Slaikau, 1977). Further, in exploring the impact of space on self-disclosure, while partly dependent on conversation, generally, increases in physical distance between parties augmented psychological space, eye contact, body language, and positive response (Okken et al., 2012). All of these environmental forces are at play during conduct hearings.

Additional studies that explored preferred traits within environments suggest individuals preferred meeting with counselors who were dressed casually, rather than those wearing formal attire and seated behind a desk (Gass, 1984). Further, unattractive rooms were discovered to increase feelings of monotony, fatigue, headaches, irritability, and even anger (Mintz, 1956). One study revealed students preferred classrooms that are brightly colored, possessing plants, rugs, posters, soft lighting, and cushions (Wollin & Montagne, 1981), although personal decoration and accessories may imply power and ownership within spaces (Pressley & Hessacker, 2001). Understanding how environ-



ments may influence students' level of comfort and propensity to disclose information is essential to designing effective spaces wherein to practice student conduct administration.

### **Chapter Summary**

Literature on student conduct administration is vast and includes studies about student and conduct administrator perceptions, due process rights, effectiveness of conduct processes, and student conduct practice. Additionally, as the profession of student conduct administration perceptibly shifts away from retributive practices that mimic Western criminal justice systems, education, development, and social justice considerations are increasingly prioritized.

This chapter initially explored the history of justice development from three different cultural angles to provide context for a discussion of retributive, restorative, and transformative justice, which progressively become more flexible, community and relationship oriented, and victim centered. Aboriginal peoples initially utilized restorative practices, while the Western criminal justice system is rooted in retributive justice. Transformative justice suggests that resolution processes should not only resolve individual or group conflict, but should also seek to correct societal injustices at its core.

Following discussion on justice, the history of student conduct administration was addressed. The profession has demonstratively made a steady move toward student learning and growth, while navigating legislative situations that significantly influence student conduct practice. Campus safety concerns due to crime has led to the implementation of more recent legislation, which greatly influences student conduct administration.

To better understand how conduct practice may influence student development, several theories were discussed. Identity, moral, and intellectual and ethical identity

theories are foundational to student affairs practice; however, rooted in positivism, they neglect to generate meaning regarding individual student experiences. More constructivist in nature, social and multiple identity theories and intersectionality lend venue to personal voices of students, often from less-represented populations.

Finally, this chapter addressed attributes and traits of contemporary, traditionally aged students, ensuring that social justice and cultural difference were considered. With that context, various conduct processes were discussed, including restorative processes and conflict resolution practices. Additionally, components of conduct practice were explored, followed by a conversation of how the near environment and physical space may influence interactions between students and conduct administrators.

## CHAPTER III

### PARADIGMATIC AND METHODOLOGICAL PERSPECTIVES

This chapter begins by exploring the philosophical paradigmatic underpinnings informing this study. Next, the researcher's assumptions are addressed and methodology is discussed. Following, methods for data collection and analysis are explored, and finally, rigor is discussed and framed by trustworthiness and authenticity criteria. This chapter is designed to address the research question:

- Q     How do student conduct administrators who support less hierarchical relationships with students make meaning of the conduct process?

#### **Paradigmatic Underpinnings: Constructivist and Critical Cultural Worldviews**

Philosophical paradigm, or worldview, although defined differently by various scholars, “is rather consistently referred to as a set of interconnected or related assumptions or beliefs” (Jones, Torres, & Arminio, 2006, p. 9). Often viewed as the foundation upon which individuals gather, comprehend, and interpret knowledge (Guido, Chavez, & Lincoln, 2010), paradigmatic discourse typically includes a discussion of ontology and epistemology as filtered through the perspective of the researcher (Merriam, 2009).

This study draws from constructivist and critical cultural paradigms, which inform the epistemology, ontology, and methodology of the research process. Understanding philosophical underpinnings that guide rationale behind research decisions is critical.

The following sections explore constructivist and critical cultural paradigms in greater depth.

### **Constructivist Paradigm**

Constructivism originated from American pragmatism and experimentalism and concentrates heavily on individuals' experiences (Alkove & McCarty, 1992). Epistemology, or nature of knowledge, involves a relationship between the researcher and the researched, or the researcher and the knowledge that will be known (Mertens, 1998). Similarly, epistemology regards intimacy between the researcher and researched, which may be understood by duration and intensity of contact and collaboration and consequent relational impact achieved (Creswell, 2007). Constructivism views knowledge as an interactive process between researcher and researched, where values are revealed and shared, and findings are jointly created (Mertens, 1998). Furthermore, constructivists believe values and thoughts of both researcher and researched are equally responsible in searching for knowledge (Alkove & McCarty, 1992).

A component of a philosophical paradigm, ontology refers to the nature of reality (Merriam, 2009) and illuminates perspectives around the definition and meaning of truth. Ontologically, constructivist proponents recognize the existence of multiple realities or truths, believing perceptions therein may change throughout the research process (Mertens, 1998). In adhering to this ontology, constructivists believe that constructs, such as masculinity, are experienced and viewed differently by individuals. Therefore, the nature of reality is constantly changing and varied (Mertens, 1998). As opposed to being etic, or framed by the researcher's perspective, constructivism is more emic, or

framed by the researched perspectives; therefore, respective paradigmatic methodologies and methods vary greatly (Guba & Lincoln, 1989).

This research was informed by a constructivist paradigm, as the relationship between the researcher and participants was fundamental and ongoing to co-create meaning. Additionally, perspectives about student conduct administration were ontologically fluid and varied. This study was emic, allowing for researcher involvement, yet honoring participants' individual and collaborative meaning making process.

While constructivist, this study also sought to explore critical aspects of power between students and conduct administrators within the professional culture of student conduct administration. Viewing the reality of student conduct administration as a culmination of historical, social, economic, legal, and political forces that have shaped and directed the profession, this research is also well aligned with a critical cultural paradigm. It meets the clarion call for future scholarship in student affairs to incorporate multiple paradigmatic perspectives (Evans et al., 2010), allowing for augmented comprehension of and response to complex situations (Guido et al., 2010). The following section further explores rationale for also incorporating a critical cultural paradigm.

### **Critical Cultural Paradigm**

A critical cultural paradigm is ontologically and epistemologically similar to constructivism; however, critical cultural researchers often strive to reveal the impact of race, economics, politics, gender, society, ethnicity, and ability in constructing participant realities (Mertens, 1998). A critical cultural paradigm is blended from two different disciplines. The critical component originates sociologically from critical theory, which seeks to “critique and challenge, to transform and empower” (Merriam, 2009, p. 10). The

cultural aspect of the paradigm is rooted in anthropology and may refer not only to groups of people, but also to organizations, wherein socially constructed cultural norms may exist (Guido et al., 2010).

Distinguished from typical intentions of unearthing voices of oppressed individuals and groups, this study utilized a critical cultural paradigm to examine a reframing of the relationship between student conduct administrators and students. Once culturally hierarchical in mimicking Western retributive justice, student conduct practice is shifting to embrace student development, education, and social justice. This shift is not only perceptible in practice of student conduct administration, but also in student development theory, which has progressed from positivist oriented studies to more constructivist approaches, which favor understanding the individual experiences of students over drawing standardized conclusions to large populations based on quantitative data (Evans et al., 1998; Evans et al., 2010). These evolutions require thoughtful examination of how student conduct administrators adapt to leveling hierarchical relationships while serving students in conduct processes.

### **Methodology**

Methodology refers to the way an entire research design is approached, determining how data are gathered, analyzed, and interpreted. Further, the methodology provides “context for understanding or judging the research findings” (Jones et al., 2006, p. 16). For this study, narrative visual inquiry was chosen and is best understood in context to traditional narrative inquiry.

## **Narrative Inquiry**

Narrative inquiry explores experience deeply, thoroughly, and has grown out of several disciplines including education, psychology, anthropology, and philosophy (Clandinin & Connolly, 2000). Narratives, or stories, are increasingly used in qualitative studies and allow participants to communicate their experiences, perceptions of those experiences, and how their worldview is shaped (Mertens, 2009). Rooted in personal histories, experiences, and perceptions, narrative inquiry takes a fluid approach to understanding the interconnectedness and complexity of social interaction and construction, embracing concepts of chaos and change as integral aspects of life (Clandinin & Connolly, 2000).

Created collaboratively between and among researcher and researched, narratives unearth ambiguities and explore identities (Bathmaker, 2010). Referred to as “retrospective meaning-making,” narratives not only tell stories, but also provide context for the story’s significance and situation (Chase, 2005, p. 656). Narrative inquiry views life experiences on a time continuum, individually, collectively, and systemically past informing present and future perceptions (Clandinin & Connolly, 2000).

Further, narratives are described as “socially constrained forms of action, socially situated performances, ways of acting in and making sense of the world” (Denzin & Lincoln, 2005, p. 641). Essentially, narratives exist in the realm of reality for the narrator and are shaped by various cultural, social, organizational, and identity-based attributes (Chase, 2005). By honoring each narrative uniquely, researchers may explore shared and diverging experiences among participants, developing a meaning-making framework with which to approach research (Chase, 2005). In this study, incorporating personal inter-

views that unearthed participants' stories as they made meaning of their experiences aligned well with narrative inquiry.

### **Visual Narrative Inquiry**

Under the umbrella of narrative inquiry, this study embraced visual narrative inquiry (Bach, 2007) through the use of still photographs, allowing another dimension through which to understand participant lives through stories. Visual narrative inquiry is “an intentional, reflective, active human process in which researchers and participants explore and make meaning of experience both visually and narratively” (Bach, 2007, p. 281). Additionally, visual narrative inquiry allows not only another way to collect and analyze data, but also a different, creative way for participants to share their stories. In utilizing photographs, researchers facilitate participant story telling expressed through an image, itself, and participant interpretation of that image (Bach, 2007).

As society becomes more visually oriented, the practice of observing, looking, or seeing becomes, for most, a powerful way to make meaning in the world (Sturken & Cartwright, 2009). Additionally, looking at images conjures emotions, memories, and responses: “[people] engage in practices of looking to communicate, to influence, and to be influenced” (Sturken & Cartwright, 2009, p. 9). By embracing the dual venues of visual and narrative for story telling, the meaning of the phenomenon for participants, researcher, and audience is augmented.

While developing this constructivist, critical cultural research and in anticipating receiving visual and narrative data from participants, it became necessary to explore ways my assumptions and perspectives may influence the information I received. The following section discusses my attempt to preemptively address my thoughts and conceptions.



In doing so, I remained mindful of ways my past experiences and inner narratives filtered the narratives I received from participants.

### **Researcher's Assumptions and Perspective**

As a practicing student conduct administrator, I bring my own story to this study (see Chapter I). I am acutely aware of how my past experiences play out in the work I do with students and may assume other conduct administrators have pre-examined their own practice in a similar manner prior to entering this study. Although it was assumed that conduct administrators participating in this study are critical thinkers, I diligently reflected throughout the research process to mitigate personal assumptions that their process of self and professional exploration was similar to mine. To further combat this potential roadblock, I processed my feelings, thoughts, and perceptions with a fellow advanced doctoral student peer reviewer who had some knowledge of student conduct administration and qualitative research and could, therefore, reflect thoughtful feedback and questions in our conversations. My peer reviewer was selected because she had a solid understanding of qualitative research and had completed her dissertation process. In addition, she knew me well enough to understand my perspective and had previously helped me process thoughts more completely in different situations. We engaged in dialogue consistently throughout the research process and especially when I wanted to explore my assumptions of student conduct administration with information participants shared or when I felt my inability to maintain perspective was compromised for any reason. For example, when one participant shared a thought I felt incompatible with my idea of progressive discipline, my peer reviewer helped me to process my thoughts in a way that reconciled our differences of opinion.

To this study, I also brought a philosophy and existing perspective regarding issues related to student conduct. For example, my view of fairness is perhaps different from others, so being open to those participants whose views differ from mine was critical to ensuring their openness and safety within this study. Further, because I have developed my own approach to diminishing power dynamics with students in discipline processes, I tend to think my way is the correct way to go about administering discipline. In truth, my practice likely stems from who I am individually, my personal experiences in the world, and my observation and perception of efficacy with students. The greatest challenges as a researcher occurred when participants constructed and defined terms and values differently than me; I was able to process these discrepancies with my peer reviewer, which enabled me to remain open and mindful. Most importantly, I learned immensely from participants by honoring the relevance and worth of their practice and stories. I am personally and professionally indebted to participants for remarkably influencing the depth, intentionality, complexity, and effectiveness of my practice.

I philosophically gravitate toward conflict transformation, which emphasizes conflict as healthy, relationships as critical, and challenge as opportunity for growth. Additionally, I have been trained in the art of, and am deeply committed to restorative discipline, which concentrates on identifying and repairing harm to individuals and communities. While I originally thought this assumption might impede my ability to hear opposing viewpoints, all of the participants expressed similar beliefs verbally and in sharing their stories. At first, I believed this resonance would make for a smooth process, but in a couple instances, I felt participant beliefs were slightly incongruent with their stories and practices. Through journaling, processing with my peer reviewer, and

continuing to listen to participant voices, I came to understand that at times my practice is also incongruent with my beliefs. Reflexively understanding this has generated compassion for participants, student conduct administrators, and me as we are all inherently imperfect.

Given the critical cultural perspective of this study, I had a responsibility to diminish power differentials within the research process and concentrate on participants' experiences. Therefore, when I chose to discuss my personal philosophy of student conduct administration while collecting data, I was mindful of not forcing my position, but rather remaining participant focused. As a result, the determination to share my story with participants was made thoughtfully, balancing necessity to create openness through honest dialogue with respect for potentially differing perspectives. Instead of offering my perspective upfront, I prioritized hearing from them first. In all of our conversations, once participants shared and I determined sharing my thoughts would not impede the dialogue, the energy of the conversation ebbed and flowed, our openness reciprocating.

### **Participant Selection**

This study used a combination of convenience and snowball approaches to purposefully select "information-rich" cases for study (Patton, 1990, p. 181). Purposefully selected participants "offer useful manifestations of the phenomenon of interest" and provide insight to the study's inquiry (Patton, 2002, p. 40). Four conduct administrators who think critically, are aware of power dynamics in their practice, possess an interest in taking photographs, and have access to and knowledge of digital photography tools provided the foundation for exploring this phenomenon.

Convenience sampling saved time and effort when determining participants (Patton, 1990). After approval from the University of Northern Colorado Institutional Review Board (see Appendix A), participant selection began by utilizing convenience sampling through networking and relationship building at the 2010 and 2011 ASCA national conferences. There I was immersed in conversations and observations regarding administrators' approach to, and philosophy of, student conduct. I deliberately chose participants who administered conduct in informal hearings, had a restorative justice perspective, and/or worked at institutions where restorative programs exist. As I began contacting individuals via e-mail, I implemented a snowball sampling approach, asking if prospective participants knew of others who fit the criteria for this study, thereby enhancing the likelihood of gathering quality, relevant information (Patton, 1990).

I contacted individuals working as student conduct administrators in public four-year research institutions in the same Western region of the United States, who were prioritized by fit for the study, until four agreed to participate. Individuals were contacted by e-mail to explore their willingness to participate and given a summary of the research purpose and question. Additionally, I described the visual component of the study to participants, determining their interest in photography and access to a digital camera. Originally six individuals were interested, but after e-mailing me back to gather more information about the visual component of the study, two chose not to participate. Two participants contacted me prior to the e-mailed invitation to express their interest in participating because we had previously engaged in conversation about this study through professional networking. After determining participants, I sent them an electronic copy of the informed consent, which included a description of the study and rights of confiden-

tiality to be signed at our first interview. I also sent participants a list of interview questions that guided the first interview. Provided the opportunity to review and reflect on material prior to the first interview, some participants mentioned feeling more comfortable and prepared to share their thoughts and stories. Throughout the data collection process, I remained open to adding more participants; however, there were no others who emerged with interest. Further, when all interviews were concluded and after consulting with my research advisor and peer reviewer, it was concluded that I already had an abundance of information rich data.

### **Data Collection Methods**

Constructivist and critical cultural methodologies seek to diminish distance between the researcher and researched. Since goals are to construct meaning, methods often include personal interviews, participant observation, journaling, field notes, and focus group discussions where researchers may find deep and meaningful information (Mertens, 1998). Additionally, contemporary constructivist methods may expand to include creative and expressive means such as photography or dramatic interpretations (Guido et al., 2010). Consistent with the paradigmatic underpinnings of this research, this study utilized multiple data collection methods, including unstructured, informal interviews, photo-elicitation interviews, visual representation, and a focus group.

### **Interviews**

Interviewing in qualitative studies typically utilizes open-ended questions, granting participants freedom to share their stories and thoughts freely (Merriam, 2009). This study utilized in-depth, unstructured, informal interviews, which allowed the researcher to explore meaning conversationally while utilizing flexibility within the

conversation with participants (Merriam, 2009). Further, unstructured interviews promote intimate conversation between researcher and researched and broaden the possibility of responses by avoiding prescriptive outcomes and information (Punch, 2005). Data obtained in interviews are vastly impacted by the way researchers approach them; decisions around questions selected, reaction given to responses, and behaviors presented during interviews inevitably alter outcomes (Clandinin & Connolly, 2000). Additionally, interview data varies, stipulated by setting, decorum, mood, and the relationship established by the researcher (Clandinin & Connolly, 2000). Therefore, I strove to create an interview environment conducive to trust, safety, and disclosure. Most of the interviews for this study occurred in public places chosen by participants where the environment was noisy enough to feel comfortable sharing without being overheard, yet subdued enough to remain comfortable. I once chose a venue to meet and the participant requested we move to a more private location due to the proximity of the location to the institution where the participant was employed. This was a valuable learning moment for me, as I had not considered that participants might encounter students they had worked with while being interviewed.

Two in-depth interviews lasting approximately 90 minutes each were conducted and audio recorded for data analysis purposes. I deliberately selected questions that illuminated the research question, but thoughtfully spaced questions that might potentially invoke emotional responses so the flow of conversation felt comfortable. Further, I remained mindful of creating a safe environment for disclosure; participants did not express, nor did I observe, experiences or thoughts that triggered them during the interview. To promote trust and collaboration, I maintained a friendly and engaged

demeanor and found humor to be a useful tool in relating to them and easing the flow of conversation. Further, I reflected back what I heard participants say for clarification, when needed, and used shared language to enhance openness; I also engaged in receptive, relaxed body language and tone of voice to ease communication (Fontana & Frey, 2005).

During the initial 90-minute interview, I first reviewed the purpose of the study and obtained informed consent (see Appendix B) from participants, which outlined the purpose of the study, timeline for participation, information regarding confidentiality, and conditions and rights regarding participation. The informed consent also addressed information pertaining to the use of photographs by including a release and waiver component. Also, as an ethical consideration, participants were provided additional photograph release and waiver forms (see last paragraph of Appendix B), should they have decided to take or share pictures of additional individuals in order to ensure their confidentiality.

After ensuring participants felt comfortable proceeding, I began to address interview questions (see Appendix C), which guided, but did not determine, the interview process. Interview questions were added, altered, or eliminated as the process ensued, stories emerged, and tacit knowledge was revealed. Following the conversation of ethics and taking photographs, participants were given a guide (see Appendix D) to assist in creating and taking still photographs and informed that photographs could be literal, symbolic, or based in the perspective of their choosing. The researcher chose these perspectives to highlight the diversity among participant perspectives and add meaning to the topic. I went through the guide and took photos myself, sharing my experience with my peer reviewer to determine any needed adaptations prior to giving it to participants.

Creativity was encouraged, but some participants mentioned feeling nervous about their creative ability. I reassured them that they could take and present their images in any way that made sense and felt comfortable to them.

I requested participants electronically send their pictures to me following a two-week period and detailed how they could label the photographs so I know which photos correspond with each topic in the guide. I then intended to have the images printed on photo paper, mail a set to participants, and retain a set for myself to be used for both data analysis and as talking points for the photo-elicitation interview. For various reasons, this plan was altered. Only one participant e-mailed photos to me; the others requested to bring them to their interview. Some brought old photos they had previously taken that held significance to them in relation to their perspective. One participant brought photos on a zip drive, and we looked at them on my computer; another used Dropbox to share photos during the interview. Two participants took more photos than requested to share their stories, and one only took or shared a third of what was requested. The majority of participants took more than two weeks to acquire or take their photos, and on two occasions participants requested to postpone their second interview because they were still gathering images. I was accommodating of participants' individual requests and process in gathering and sharing images, understanding the demands of their professional lives enhanced the potential challenges of utilizing a new, visual method of data collection and meaning making.

### **Photo-Elicitation Interviews**

By allowing participants to take their own photographs, accurate personal information is often derived, which promotes depth within a study and improves meaning



for participants (Samuels, 2004). Several benefits of incorporating visual material in interviewing practices exist. In addition to promoting richer description, photo-interviewing promotes researcher–participant trust, while diminishing uncomfortable situations by providing a conversational piece with which participants share personal stories (Orobitg-Canal, 2004). Moreover, photographs may serve as reference points for initiating conversations, augmenting participant memory, and allowing people to tell their story spontaneously, therefore decreasing anxiety and tension in the interview process (Collier & Collier, 1986).

During the 90-minute photo-elicitation interviews, participants and I looked at the photographs as we went through each question in the photography interview guide, conversing about the individual photos themselves and their place among the additional related photos. One participant deviated from the guide and provided few images, so that interview deviated from the plan. Instead of going through each photo in relationship to the interview guide, we went through each photo individually and the participant explained why they took each photo. During that interview, I kept the original guide in mind when asking questions to provide consistency with other interviews, while still allowing presented images to speak for participants’ stories.

Every interview had a give and take conversational tone, and I encouraged participants to freely tell stories and share perspectives uniquely through voice and personal style. Overall, the related material obtained from these interviews illuminated the nature of each photograph, motivation for creating each shot, and what each image means to the participant in light of the pertaining objective presented in the guide.

General questions that informed this interview were used to generate additional meaning-making opportunities for participants (see Appendix E).

I intended to ask participants for their availability to participate in a focus group following the photo-elicitation interviews, but several factors made that process unfeasible. The second interviews were spread out over an extended amount of time due to scheduling issues and participant availability. Once all four photo-elicitation interviews were completed, the focus group was scheduled. Even then, bringing all four participants together was a huge task, mostly due to proximity to one another and extremely busy professional lives.

### **Focus Group**

Focus groups, or group interviews, serve as potent venues for collecting data in qualitative studies (Punch, 2005). Emphasizing social construction, focus groups allow for conversation among individuals with shared knowledge and/or experiences and are powerful components of constructivist studies (Merriam, 2009). Focus groups commonly occur in groups of 4 to 12 and “provide insights into the attitudes, perceptions, and opinions of participants” (Kruegger, 1994, p. 19). Additionally, focus groups encourage interactive discourse, surfacing richness of information unavailable in one-on-one interviews (Greenbaum, 2000).

In this study, after the second photo-elicitation interviews, I facilitated and mediated an unstructured, informal focus group with all four participants. After gathering time and location preferences by e-mail and telephone, I determined a meeting space, date, and time for the focus group, which was e-mailed to participants. While participants were all in the same region and within an hour’s driving distance to the focus group

site, one utilized the videoconference technology program, Skype, due to an inability to leave work. I originally envisioned the focus group occurring in the evening, but most participants were more comfortable meeting over the noon hour, so I provided lunch while we conversed.

The focus group interview guide evolved from themes and patterns revealed in prior interviews, and was e-mailed to participants a week before the group met. Additional probing and/or clarifying questions emerged to guide the conversation, but maintaining ethical considerations as a facilitator, I was mindful of asking participants to share personal information in the focus group setting (Gabo Ntseane, 2009). Further, as participants knew each other due to convenience and snowball sampling, we explored confidentiality concerns together before we engaged in dialogue topics. As a moderator, I was mindful of encouraging equal participation, maintaining neutrality and promoting clarity and elaboration of ideas to create avid, lively discourse (Kruegger, 1994).

While the focus group went extremely well, some unexpected challenges emerged, which altered my plan for a perfectly smooth conversation. My then 7-year-old was sick that day and could not attend school. I was unable to obtain care for him, so he needed to come along to the focus group, where he sat at a different table and watched a movie on a laptop. The Skype technology took awhile to work, so the focus group started about 15 minutes later than planned. While all of the participants were graciously accommodating, I felt rushed and stressed at the beginning of the focus group. Thankfully, I quickly recovered and things progressed beautifully, better than I planned.

## **Data Analysis**

Data analysis involves exploring and understanding data, and involves “consolidating, reducing, and interpreting what people have said and what the researcher has seen and read—it is the process of making meaning” (Merriam, 2009, p. 175). In addition, qualitative data analysis seeks to understand a wide variety of sources and is inductive in nature, meaning the flow of meaning is constructed from more detailed and specific to thematic and abstract (Creswell, 2009).

For this study, narrative and visual data were analyzed in an ongoing, reflexive process, allowing for insight to be revealed spontaneously throughout the research process. By utilizing an emergent approach to data analysis, meaning was co-constructed organically with participants. The following sections address how both narrative and visual data were analyzed to generate themes and patterns.

### **Narrative Data Analysis**

For this study, narrative data were analyzed through two techniques: biographical and psychological frames (Mertens, 2009) and crystallization (Ellingson, 2009). Biographical frames analyze stories by examining participants’ family backgrounds, histories, life events, and identity characteristics, while psychological frames explore motivations, perceptions, and meaning making (Mertens, 2009). As this study began with questions related to participants’ experiences, identities, and professional path, this broad, initial step was critical to understanding the foundation of who they are, which informed and illuminated deeper questions about power dynamics in conduct processes. While asking broad questions allowed participants to self-identify individual characteristics salient to their identities, I found it necessary to engage in continuous exploration of information

useful to understanding biographical and psychological frames, as many provided limited information about certain aspects of their identity upfront. Asking more specific initial questions may have allowed a deeper exploration, but it would have impeded their discernment to choose what to disclose and how to self-identify. Overall, biographical and psychological frames were helpful in providing backdrop and context for analyzing data; however, crystallization allowed a thorough, multi-angled, and more resonant approach.

Crystallization allowed data to be viewed organically from multiple angles, supporting both the emergent nature of qualitative research and my personal style of thinking and meaning making (Ellingson, 2009). In this form of data analysis, researchers are urged to “listen to [their] data,” embracing intuition and insight as critical guides to comprehending, organizing, and making sense of their data (Ellingson, 2009, p. 80). Further, crystallization promotes the notion of balance, which requires researchers to intentionally “show and tell, talk and listen, move forward and step back, portray the personal and the political . . . [provide] a range of perspectives—group, societal, group, dyadic, critical, appreciative, and so on” (Ellingson, 2009, p. 80). As such, reasons for incorporating a crystallization process were twofold. First, viewing data from multiple angles naturally incorporated tenets of constructivist/critical cultural paradigms by making connections from participants’ stories to systemic dynamics of power existing in the field of conduct administration. Second, crystallization liberated me from data analysis methods that dictate how and why data must be approached, allowing for more authentic, emergent exploration and revelation. In using a crystallized approach, I was able to understand how elements of participant stories and identities, societal influences,

and the nature of student conduct practice come together to provide a more comprehensive meaning making process.

Copious amounts of time and effort were spent hearing, reading, and analyzing the data. I initially listened to the data repeatedly in my car on my commute to work before transcribing it, as I gained added insight and meaning from listening to participants' voices rather than solely reading transcriptions. I allowed time for processing each audio recording before moving to the next, providing time to illuminate connections and perspectives from various angles. Words, phrases, intonation, and emotion presented in audio recordings were explored, intuitively processed, and documented. Further, I reflected after my interviews with my peer reviewer and/or by journaling to identify and process my initial reactions and excitement.

After audibly exploring the narrative data, I personally transcribed each interview and the focus group and read and reread transcriptions to assist in developing themes and patterns from expressed language and perceptions. I color coded the font differently for each participant as I transcribed, which later helped organize themes and patterns and promoted balance in representing voices. This fulfilling, yet laborious, process illuminated participants' voices, allowing new understanding and meaning to surface while synthesizing the salient aspects of the visual and narrative collected data.

During the focus group, I invited participants to collaboratively explore their interpretations of the interview processes, facilitating a co-constructed meaning-making process. As a result, data manifested in ways that opportuned both researcher and participants to reveal patterns, discover relationships, develop themes and explanations, and co-interpret meaning (Jones et al., 2006). Following this co-construction, data

gathered in the focus group were analyzed in a crystallized process similar to that used to analyze individual narrative data. I also provided another opportunity for participants to meet or speak with me individually to explore a summary of themes and patterns, obtaining their feedback to ensure credibility. I originally hoped this might occur in a second focus group, but because themes and patterns were co explored and processed thoughtfully, I determined a second meeting was not necessary.

### **Visual Data Analysis**

As photographs were a critical component of this study, particular attention was given regarding their place in the data analysis process. As with the narrative data, I took a crystallized approach to analyzing photographs, viewing them from multiple angles and perspectives, allowing for emergent and thoughtful meaning (Ellingson, 2009). I explored my perceptions of the images in contrast to what participants shared about them and in light of the particular question they represented. Intentional planning in the research design phase allowed for greater ease in analyzing photographs.

While analyzing photographs, researchers are remiss in assuming images represent reality; instead, they are better analyzed as two-dimensional representations of an individual's perspective of a three-dimensional world (Stanczak, 2007). For example, a photograph of an open prairie in springtime might appear to be a mere nature scene to a viewer, but to the photographer the field could symbolize freedom or a particular memory from childhood. Therefore, to comprehend a more accurate story within the images, photographs were analyzed for meaning they hold for participants, rather than accuracy of physical representation.

Images are best placed in context of the mind and eye of those taking them.

Access to and understanding of images is truly authentic to the photographer, as interpretation undoubtedly shifts among viewers (Stanczak, 2007). For this reason, my personal interpretation or analysis of photographs in this study relies vastly on participants revealing the context and meaning of each image they take. As such, “it is more useful to examine how people’s uses and definitions of the visible content and form of photographs . . . attach them to particular ideologies, worldviews, histories, and identities” (Pink, 2007, p. 125). In keeping true to these suggestions, every inclusion of an image in this study is accompanied by the narration participants shared while they presented it.

My role as image analyst emerged more potently in deriving themes and patterns between and among photographs. Historically, photographs were translated to written words and analyzed similarly to other written data (Pink, 2007). Contemporary visual analysis considers images as both separate and connected to other forms of data, enhancing and providing context to the collective data analysis process (Pink, 2007).

In this study, I intended to examine photographs and explore perceptions about the images prior to the photo-elicitation interview to gain one layer of potential meaning (Bach, 2007). There was only one occasion to review images prior to the photo-elicitation interviews as most participants did not e-mail their images ahead of time. In that one instance, I found little to no benefit in viewing the photos in advance because the meaning and interpretation truly were dependent upon the participant describing their intention for including the images.

During the photo-elicitation interviews, participants and I determined and co-constructed meaning, although their perceptions, descriptions, and motivations remained



focal to the conversation. For example, when participants shared about why they took a particular photo, I would ask clarifying questions and share my thoughts, and they would further clarify how they made meaning of the image with greater detail and depth.

Following the photo-elicitation interviews, each image was viewed while listening to participants' narratives around them to more fully grasp their meanings. After obtaining clearer understanding of added meaning granted by the photographs, I processed how the images contributed to or altered salient themes and patterns, weaving them into the findings by both directly incorporating narrative information derived from images and by embedding and describing images within the text.

In analyzing photographs, I encountered some unexpected difficulties. For example, some participants truly enjoyed sharing their stories visually and provided many images from which to analyze and include, while others provided far fewer, preferring to share additional narrative instead. Additionally, every participant chose to take images that may obviously or subtly identify themselves, their place of current or past employment, or colleagues, if shared. Some of those images were altered with Photoshop and included because they were a powerful addition to the narrative, but most were excluded as inessential to making meaning of the phenomenon. In some cases, the narrative participants shared regarding a particular image was included, but the image was not; these photographs were withheld at the request of participants, who did not feel comfortable sharing them publicly. Further, some participants included others in their photos but did not provide photograph releases, so those were also excluded. As the researcher, and in consultation with my peer reviewer, I chose to address these issues by concentrating on global meaning across the narrative and visual data, rather than focusing on specific

numbers of photos versus narration to include. In balancing a desire to represent equally each participant with an intention to honor individuals' self-representation, I developed and redeveloped themes and patterns through an organic, crystallized process.

### **Research Rigor**

Authenticity criteria emerged to apply the concept of validity to constructivist models, while formerly, trustworthiness was commonly utilized to transfer positivist validity criteria to constructivist research (Lincoln, 2001). For the purposes of thoroughly establishing research rigor, this study applied both authenticity and trustworthiness criterion. What follows, is a discussion of both criterion.

#### **Authenticity Criteria**

Five authenticity criterion are addressed to ensure rigor: fairness, ontological authenticity, educative authenticity, catalytic authenticity, and tactical authenticity (Lincoln, 2001). Fairness implies the research achieves equilibrium and transparency in portraying each participant's contributions and constructions of meaning within the study. Further, when accomplished, fairness accurately and openly reveals all salient perspectives equally to combat bias and misrepresentation of data (Lincoln, 2001). In this study, fairness was achieved by exploring and openly communicating researcher assumptions and perspectives and by thoroughly depicting participants' individual and collective voice throughout the research process. I deliberately sought participant reflection on themes to ensure fair representation of data and utilized a peer reviewer to provide additional insight regarding balance in reporting findings.

Ontological authenticity refers to the ability for research to transparently reveal how participants become increasingly cognizant of their own thought processes, thereby

promoting reflexivity and increased self-knowledge (Lincoln, 2001). In this study, I sought to achieve ontological authenticity among participants by asking thoughtful questions, reflecting back to participants what I learned, utilizing photographs to add insight, and clearly articulating the purpose of this study. Further, I encouraged reflexivity in participants not only throughout the interview process, but also through member checking, as I valued and facilitated their reflection of their own voice, thoughts, and stories.

To ensure ontological authenticity as a researcher, I maintained a personal journal throughout the research process, documenting my experiences, history, motivations, and emergent changes that occurred during this research (Jones et al., 2006). Additionally, I explored my own responses to interview questions, developed a thoughtful reflective narrative, and used the same guide and took photographs like participants to better understand myself as a researcher and student conduct administrator and to promote shared experience. Finally, I repeatedly sought the assistance of a peer reviewer who understood my background, passion for this work, as well as my philosophical leanings, whose primary responsibility was to ensure I maintained balance between my personal beliefs and accurate representation of data.

Educative authenticity refers to the degree to which participants become aware of the thoughts and constructions of others within the research process (Lincoln, 2001). To accomplish educative authenticity, I conducted a focus group wherein participants could learn from one another. They will also receive a copy of the completed study, which will allow another opportunity to gain knowledge. Further, I hope to present the findings at a national ASCA conference and if given that opportunity, will notify participants so they

may choose to attend. I was pleased to hear the majority of participants mention how much they learned from being part of this study.

Catalytic authenticity occurs when studies identify relevant problems, suggest possible solutions, and inspire action on the part of participants and readers (Lincoln, 2001). This study sought to address catalytic authenticity by describing a real dilemma within student conduct administration and offer several routes for addressing solutions to the dilemma through suggested implications. Further, creative, well-analyzed findings will strive to compel action among readers, and reflexive participant centered research methods will provide opportunities for participants to explore their own professional practice. Participants mentioned they appreciated the relevancy, uniqueness of this study, and felt it would benefit the profession of student conduct administration.

Finally, tactical authenticity occurs when researchers are invested in improving the community for those it studies, especially when participants are unsure of how to enact change themselves (Lincoln, 2001). Although I felt participants were fully capable of creating change within the profession of student conduct administration, I was more than willing to facilitate dialogue and training around the importance of sharing power within student conduct practice.

### **Trustworthiness Criteria**

In qualitative research, rigor is established through myriad avenues (Lincoln, 2001). Trustworthiness is addressed through meeting criteria of credibility, transferability, dependability, and confirmability, therefore, ensuring integrity and rigor. The following discourse explores how this study meets trustworthiness criteria.

Member checks, peer reviews, and reflexivity were combined to achieve credibility, as they sought to create consistency within the research design and agreement among stakeholders in the research process. Readers can experience and interpret conclusions about how closely their stories and personal experiences align and resonate with research findings. Readers may also apply all or part of the findings to their situations, and hence, decipher whether they are transferable to similar contexts (Lincoln & Guba, 2000; Merriam, 2001). Rich, thick, descriptive narrative supported transferability criteria by striving to ensure audiences related to and perhaps resonated with findings presented.

To ensure dependability and confirmability, this study included multiple methods of data collection. Interviews, photography, observations, and a focus group assisted in making meaning of participants' experiences, thereby strengthening dependability. To promote confirmability, researcher journaling provided an opportunity to identify and explain motivations regarding research decisions and emerging changes within the study as it progressed.

### **Chapter Summary**

Initially, this chapter addressed how constructivist and critical cultural paradigms blended to inform the research process. Constructivist paradigm was selected, as this study sought to diminish barriers between the researcher and participants, while co-creating meaning. Critical cultural paradigm was incorporated because the research focused on exploring the critical issue of power between students and conduct administrators within the culture of the broader profession of student conduct administration.

Incorporating visual narrative inquiry as the methodology allowed participants to share their stories in dual venues. While using traditional narrative inquiry to unearth

participant stories allowed for necessary context and significance, adding the visual component of photography provided another way for stories to be shared. Further, including visual data allowed for an additional way to collect and analyze data, improving meaning for the researcher, participants, and the audience.

Next, my perspective and assumptions were explored to promote transparency about the thoughts and meaning I brought to this study. Being mindful of the differences between the ways participants and I constructed meaning allowed for a more thoughtful research process. In addition, a peer reviewer was useful to process situations when I felt unable to maintain perspective in the research process.

Four participants, serving as student conduct administrators at four-year research institutions in a Western region, were purposefully selected using convenience and snowball approaches. Participant selection criteria included ability to think critically, awareness of power dynamics in their professional practice, and interest in engaging in visual research. Participants thoughtfully gave their time and energy to this process.

In alignment with the blended paradigm, research methods included two informal, unstructured 90-minute interviews. The initial interview was designed to gain perspectives and stories regarding participants' identities, background, history, and philosophy regarding leveling hierarchical relationships in conduct processes. The second photo-elicitation interview was designed to augment data collected in the initial interview by examining photographs participants had taken to represent their perspectives and stories. Lastly, a focus group was held to promote group dialogue and generate additional perspectives.

After gathering data, biographical and psychological frames were used to explore the experiences and backgrounds of participants. Additionally, it provided context for a crystallized, emergent approach to data analysis. Crystallization allowed for data to be understood from multiple angles, creating an insightful and authentic process for revealing findings.

Finally, research rigor was ascertained through applying authenticity and trustworthiness criteria. Chapter IV introduces participants through narrative and image, illuminating individuals' identity and background, path to the profession, and philosophy and approach to student conduct administration.

## CHAPTER IV

### PROFILES OF STUDENT CONDUCT ADMINISTRATORS

In this chapter I re-share stories of four student conduct administrators, who have varied backgrounds, but work in similar roles at their respective institutions. They all practice student conduct within informal, one-on-one hearings with students and address a variety of conduct situations, including suspension level cases. I have known each of them as colleagues in the field of student conduct administration. Some were barely acquaintances of mine prior to being participants, while others engaged me in philosophical dialogue that allowed insight and rationale for requesting their participation in this study. Regardless of previous relationships, our encounters have deepened my appreciation for each of their unique approaches in minimizing power differentials in student conduct administration.

Every participant mentioned they appreciated the opportunity to engage in dialogue regarding power dynamics in student conduct administration; some thought this subject was under explored within the profession and articulated a need to elevate this conversation to a status collegially equal with that of law and policy. Two participants were unsure about their ability to express perspectives through photographs; although in this chapter, I re-share each participant's story of identity and background, professional journey, philosophy, and approach to student conduct administration.



Co-created conversation in initial informal interviews, participant generated photo-elicitation interviews, and a focus group allowed each participant to reveal pieces of themselves that inform Chapters IV, V, and VI. Additionally, photographs taken by participants saliently contribute to stories within Chapters IV and V. Some participants generated more photos than others, so I strive to promote fairness by balancing text and image while also considering how each felt drawn to contribute his or her perspectives. In some instances, I substitute information about photographs not included.

Student conduct administrators in this study perceived power dynamics differently at times, although all corroborated their existence. The following material provides context to illuminate how participants identify themselves, both personally and professionally. I attempt to illuminate their voices, through word and image, accurately and thoughtfully.

### **Anna: Everyone Has a Story**

#### **Background and Identity**

Anna grew up in a large city in a Western state and belongs to a larger family, having three siblings. She attended a local university where she studied art and political science. Anna mentioned the importance of art to her identity on many occasions. She took a photo (see Figure 1) of a ceramic art project she made and described its importance:

I made those at some point in time in my college career. I was a ceramics major . . . that's a big part of me, and I feel like this also kind of describes my family in some ways, too, and I don't think I did it intentionally when I made it, but there's six columns in the top one and I think it, in a way, represents my family of six and just the way that everyone interacts with each other. I think there's a lot of metaphor in that piece, and it's one of the few pieces I actually hung on to out of the hundreds of pieces I made in college.



*Figure 1.* Anna: Ceramic sculptures.

Anna went on to describe the Figure 2 image:



*Figure 2.* Anna: Morning glories

So this is telling a story about who I am. I love morning glories and flowers and personally just started really enjoying gardening, and I feel like it's just part of my growth. It really fits in with who I am right now. Growth, yes.

She also took a photo of her journal saying, "I love to journal, I journal a lot and so it's important to me and I think it's just a part of me again that represents growth." In describing other aspects of her identity, she shared a photo of her kitchen stove, saying,

Food's always been a very important part of me. . . . I love to have people over, I cook for myself or 10 people. It's so important to me and has been a huge part of my life for a very long time.

Additionally, she mentioned her health as being very important to her. She took a photo of her gym bag and also showed me one of her yoga mat, saying, "that's my yoga mat rolled up, which is a huge part of my life. I go crazy without doing yoga for more than a few days." Anna took many photos to express her identity. As an artist, she mentioned appreciating the opportunity to share her perspective through images.

### **Professional Path**

Anna describes her path to the profession of student conduct administration as non-traditional, saying: "My path to this profession is different from most people; I came into conduct the back way. Most people I know who are doing conduct have their master's in higher ed., so my perspective is very different sometimes." The Figure 3 image and narrative describe how Anna first embarked down her path:



*Figure 3.* Anna: The house where I got in trouble.

That's the house I lived in my sophomore year of college, that's the house where I got in trouble when I was an undergraduate student. I got an MIP [Minor in Possession], an underage drinking ticket, and my ticket was routed differently than most. For some reason mine went through the municipal court, whereas most peoples' were going through the county court, so because mine went through munie court, the restorative justice program was where they sent all the munie tickets that year. So I went through the university's RJ [restorative justice] program, not wholeheartedly. You know, I said, "I have to do this, sure, okay I'll do it."

As a result of going through that program, Anna said, "I had to do 12 hours of volunteer work so I thought maybe I could volunteer back at the restorative justice program because it was really cool, so I volunteered for that program for a year and facilitated for it." She continued sharing her experience in restorative justice, saying:

Then, my last year of undergrad I was a case manager for the RJ [restorative justice] program and got to know my current boss really well and graduated, needed a job, was trying to figure out what to do. They needed an intern in my office so I went to my supervisor and said I'd like to be an intern. Four months into the internship three of our five staff members left so then I went full time and I've been full time ever since. And I just always find it really ironic that I'm doing this because I never thought I would work in student conduct. As a student I didn't have a very positive view of my office, and I think it was okay to feel that

way. They were known as being hard-asses. There was a two-strike rule and I thought, this office has a terrible reputation. So I've seen the philosophy of the office change over time since some people have left and others have been hired. It's a lot more restorative now and that's what's kept me there.

During the research process, Anna was employed full time as a conduct administrator hearing all levels of conduct cases at the institution where she completed her undergraduate education. Now she is working on a master's degree in social work at another college in the Eastern United States.

### **Philosophy and Approach**

Anna's experience in the restorative justice program not only led her to this profession, but also informs her philosophy and approach to student conduct administration. When asked why restorative philosophy resonated with her, Anna replied:

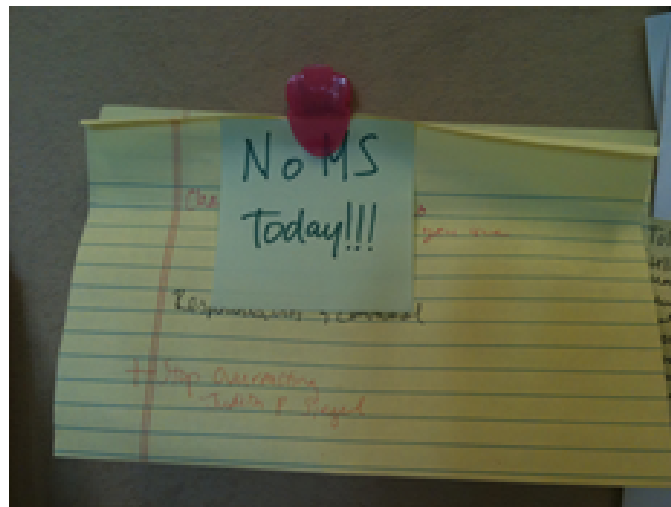
I like that it gives the offender a say in the process and it gives the offender a voice because everyone has a story no matter where you come from, what side you get on, everybody has an experience. And I think it's important for the offender to be able to voice that experience in a safe setting and also you get to hear the voice of the victim as well, and that's what I really appreciate, everyone being able to work together to make things right. And then also the use of the language is not as harsh. Language is huge. I struggle with the word, sanction, but I don't have a better word for it.

She continued:

I definitely take a restorative approach and I try to make it very individualized as well. "So maybe this is your first incident but I want to hear your story" . . . to relate to them . . . I want to know their background, where they're from, what they study, what they like to do, brothers and sisters, how's their living situation. I always start out a hearing that way because I can at least find something they can expand on and that way they learn a little bit more about themselves. I'm also not afraid to ask some of the harder questions. So if someone says, "oh my mom passed away," and I'll say "how?" and they always seem to appreciate that because they tell me most people don't ask. I always let them know that I care and I always tell my students, yes you're sitting here because you got in trouble or did something wrong but ultimately I can't explain it, only you can make meaning of why you're here.

I asked Anna how she thought students perceived her style and she said, “I’ve been told that they appreciate that I’m very personable and they feel very listened to and they feel cared about.”

Anna describes an aspect of her philosophy through the Figure 4 image and narrative.



*Figure 4.* Anna: No MS [multiple sclerosis] today!!!

So I think that this, for me, is when I first started having my MS (multiple sclerosis) diagnosis, I wrote this sticky note that says no MS today and I’ve had it on my wall for a year and a half now and it’s something that I look at to just kind of remind myself that I’m not gonna let this get me down today and it kind of takes me into my philosophy with working with my students that first off, I can’t let one person’s behavior get me down, but then also to kind of remind them that they can’t let what they did get them down either. That’s something I’ve kept up there for a really long time and I think it’s a really big driver of my general philosophy of life. So whatever “this” is, doesn’t define me or them today. I’m not gonna let this control me today, or get me down. I’m gonna try to take that elsewhere, cause it’s easy to beat yourself up over it, and think about it every day- what’s gone wrong.

In addition to this image, Anna took another photo of a quote that offers saliency to her approach and philosophy (see Figure 5).

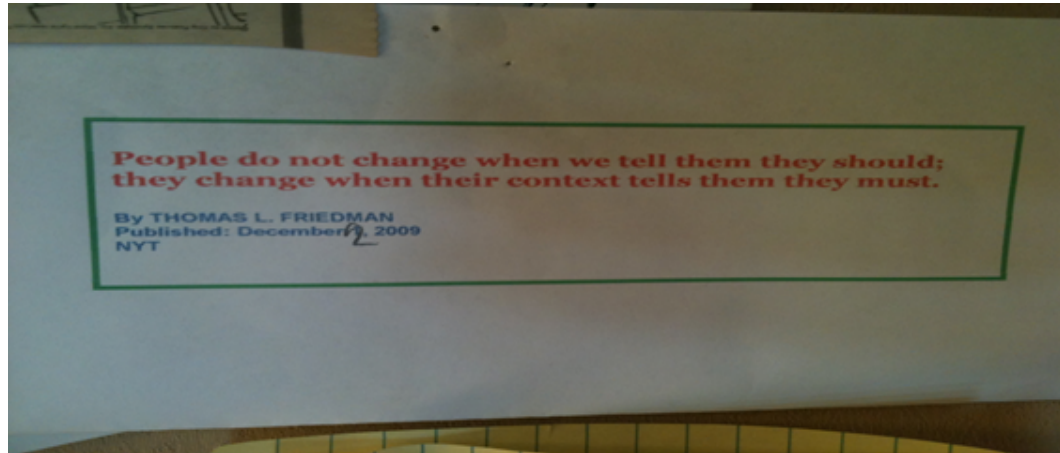


Figure 5. Anna: Thomas Friedman quote.

I really like this quote. This is a quote that I picked out of an article that Thomas Friedman wrote in an article for the *New York Times* back in December 2009 that I keep on my desk. My supervisor uses this quote really readily and I think its really poignant because I feel like a lot of people want people to change because we're telling them what they should change, but really, people have to come to it themselves.

### **Mo: Rain and Sun on the River**

#### **Background and Identity**

Mo is originally from a small town of 1,200 located in a Western state. He identifies as coming from a privileged background and was influenced by the work of his father, who was a high school principal. As a child, he described having a lot of energy and need to be precise in his behavior, so his parents thoughtfully provided him opportunities to develop his skills of discipline and patience through healthy avenues.

When asked how he identified himself, he stated:

So I'm a White male—I'm all the stuff in student affairs you're probably not supposed to be (laughter). Yeah, I'm all those privileged identities, I'm not first generation, I'm straight. I'm just the worst student affairs professional profile. But I think there should be professions where that's the case because that's not the case in every profession, that's for sure.

Throughout my conversations with Mo, he was very mindful of how his privilege influences the way he serves students and how they may respond to him in his role given his identities.

The Figure 6 image is of Mo holding an enormous fish.



*Figure 6. Mo: Fly fishing.*



While he spoke about his professional life as being a big part of his identity and purpose, he also stated, “I think that sometimes I work to be able to live instead of live to work. At least that’s kind of the model I like to follow. My passion for work may be related to being able to go do what I want after work sometimes.”

Mo also considers his faith to be an important aspect of his identity. The Figure 7 image and description speak to the significance of his spirituality to his worldview.



*Figure 7. Mo: Sunset in Hawaii.*

This is actually a picture I took in Hawaii. So I went to Hawaii [the] summer between my sophomore and junior year of college. I didn’t know how many people would probably get religious on you in this or not and I’m definitely not like a Tim Tebow (laughter), but my faith is pretty important to me and I didn’t want to like put crosses or pictures up or take pictures of those. But spiritually, Hawaii means a lot to me. I spent three months out there and I got personally close in my faith and I think the mentality in that state is so much more laid back. I always remind myself not to take things too seriously or too literally. I mean, they had speed limits for how slow you could go, not how fast you can go. And then you show up on a beach like that, and you’re like, “oh, I get why it’s not that important.” Hawaii for me is a symbol of all that, and it’s also a symbol for remaining calm, thinking big picture.

In speaking of his spiritual identity, Mo expressed he felt reluctant to discuss it in his role with colleagues and students. Having had negative reactions from peers in his graduate program when he had previously shared that aspect of his identity, it is something that drives him powerfully, quietly.

### **Professional Path**

Mo went to a local state college for his undergraduate degree, where he did “all kinds of pre-med work.” He mentioned, “I had good enough grades to get into chiropractic or PT [physical therapy] or something like [that, but] I was thinking I hated chemistry, I hated biology, it wasn’t a good fit for me.” Because there were no male resident assistants at his undergraduate institution, Mo procured a resident assistant position that paid for his tuition and fees for three years while employed. After that experience, Mo realized that student affairs, “felt more natural to [him] than chemistry class.” Following undergraduate graduation, Mo worked for a year at a juvenile hall as a security guard and managed an apartment complex. During that year, he saved up money and applied for graduate school in student affairs higher education.

During graduate school, Mo worked in residence halls for a couple of years before becoming an academic coach to students on probation. While in his program, he did a couple of practicum with the student conduct office for a drug and alcohol program, which informed his intuition that student conduct administration was a professional path he wanted to pursue:

The drug and alcohol program in the conduct office came into my experience about three months into grad school, and I remember sitting around in the meeting with clinicians, police officers, and student affairs, and they were talking about people who had substance abuse issues and what felt like to me really mattered about risk, about someone’s future in school, and about drugs, alcohol, violence—things that are really tough topics to talk about.

He continued:

When I was in residence life where I was doing my assistantship, I felt like people couldn't ask questions . . . but for whatever reason when I was in those meetings and talking to hearing officers on campus, I felt like those were the people I could relate with the most, and those were kind of jobs and conversations that I wanted to be associated with and be a part of, more than talking about programming, more than talking about event planning, or more than the other folks and conversations that I interacted with on a day-to-day basis that didn't feel as real or rewarding to me. So that's how I gradually progressed toward that idea, and that's when I kind of immersed myself in practicum and assistantships and tried to just do everything I could to be part of that office and get a feel for it.

After sharing specific reasons why he chose to pursue the field of student conduct administration as opposed to any other area within student affairs, I asked Mo if he ever envisioned doing this work when he was younger. He replied:

I think there's part of me who thought I might be doing something along these lines throughout my whole life because my dad was the principal of my high school. So I saw him do high school stuff in the same kind of role in some ways, but subconsciously I felt like I was struggling all the time between wanting to totally distance myself from my dad and his footsteps and then at the same time, feeling naturally inclined to be able to do what he did in working with people and feeling drawn to people that make mistakes and wanting to help them and see them overcome their own struggles, so I was kind of fighting that throughout my whole life.

Prior to his position as an academic coach, Mo was offered a full time position as a conduct administrator and presently hears 10 to 15 cases a week for mostly high-level, off-campus behavior.

### **Philosophy and Approach**

When asked to describe his philosophy, Mo thoughtfully relayed:

The foundational stuff I've been taught that resonates with me is that I'm thinking about the university, the student, and the community, so I'm trying to make all three of those match whenever I can. On a personal note, I love to help people that have made mistakes and give them every opportunity to reverse the direction they're headed or to readdress some of the issues they haven't yet and try to help them do that. That's why I like the work, is when I get to see someone who's really done that and not necessarily thanking me for what I've done in regards to

talking to them or anything like that, but giving them that extra opportunity if I can to right the wrong that happened.

In elaborating on how he gave students that extra opportunity, he stated:

Sometimes it's in the conversation, I would say most meetings I have, I'm probably planting seeds more than I'm changing lives. Every once in awhile I feel like you have that conversation that really does make people go, "what am I doing with my life?" and "I want to change." So those moments are awesome. Outside of that it would be through sanctioning and sometimes it's, "do this and this and this and come meet with me at the end of the semester and I'll revisit your probationary status or what else you'll be required to do."

When asked how he thought students would describe him and his style or approach, Mo responded:

I would say fair is one, and I would say real or authentic would probably be what I'd hope the most for. And I'll either give people compliments when I really feel they deserve them or I'll call em' out when I think that they are screwing up, and not in an authoritarian police officer way, but just point out discrepancies between what they're saying and how they're acting and ask them to think about it, you know? So, fair and authentic.

The Figure 8 image and description portray how Mo views his approach to student conduct administration.

This is a really cool picture of something I took on a fishing trip, and it was raining and it was sunny and it was right on the river. And I thought it had a lot to do with my approach to work in that I can be in the middle of a rainstorm one minute and the next minute get an awesome e-mail or an awesome phone call or an awesome staff member calling me and saying, "Thank you so much. No one else could've handled it that way. I'm so glad you're here," and you're like, "Yay!" And then in the next minute someone's like, "you're ruining my life! This is what you do for a living? Okay, this is what you do? Okay, man." But I do feel like it feels like a roller coaster, where you have good and bad and I just wanna get right in there without the big ups and downs. This is really a good picture of how it feels at work sometimes because at times, I'm right in the middle of a rainstorm, but on the other end . . . it's sunny over there.



*Figure 8. Mo: Rain and sun on the river.*

Mo excellently described a reoccurring phenomena in student conduct administration expressed by participants; most agreed there are unpredictably significant highs and lows in this profession. I have known Mo for three years and his presence in this study reinforced my understanding of him as an extremely thoughtful, dedicated practitioner.

### **Liz: Bring the Color Back**

#### **Background and Identity**

Liz primarily identifies herself as a North Westerner who grew up in a very diverse area of the United States. She also identifies as a woman of color who attended a high school that was 40% non-White; her transition to a predominantly White region was a huge shock. In addition to calling a culturally, racially, and ethnically diverse area home, she also spent four years with her family in Saudi Arabia during the Gulf War. During that time she traveled to 32 different countries, which she felt gave her “a

different worldview than a lot of U.S. Americans. I like to think of myself as less ethnocentric than many of the other citizens in this country.”

Liz took two photographs of images representing her home city that hosts her favorite baseball team with which she has a longstanding relationship. When speaking of home, she said, “My family’s there, it’s where I grew up, I have friends there . . . and when people hear that I’m from there, they say, ‘oh, that makes sense’.”

Liz mentioned the importance of her family as being central to her identity. When talking about a photograph she took of her wedding ring, engagement band, and her husband’s wedding ring, she said, “I think, secondly, I identify as somebody’s partner . . . that’s a huge part of my identity. We’ve been married for four years today.” She also included two images of her “fur babies,” a cat and dog and shared about how important they were to her happiness.

As a musician who has a bachelor’s degree in music performance, Liz spoke affectionately about the role of music and education to her identity. She is a pianist, sings in a local symphony, and does “a lot of musical gigs on the side.” When describing the photo (see Figure 9) she took of a piano with sheet music, she explained:

I’m not a religious person, so I look at music as my religion. The thing that fills my soul, that keeps me whole, that can calm me if I’m upset, or that can bring me a lot joy if I’m not feeling very good. Playing piano is a huge part of my life; singing is a huge part of my life. It fulfills the part for me that I think religion does for other people.



*Figure 9.* Liz: Piano with sheet music.

After learning more about Liz’s background and identity, her path to student conduct administration made perfect sense to me; she, however, like the majority of participants in this study, came upon this path by surprise.

### **Professional Path**

Like all participants in this study, when beginning her undergraduate education, Liz never anticipated eventually becoming a student conduct administrator: “I did not grow up thinking, ‘I want to be a student affairs professional, cause no one does that, right’?” Although she completed her bachelor’s degree in music education, she decided she did not want to be a music teacher and identified several experiences in her undergraduate years that contributed to her desire to pursue the student affairs profession. She describes her journey:

In undergrad, I needed a job, so freshman year was involved in residence hall council and sophomore year got a job as a peer health educator through the wellness center. Taught about condom use, alcohol and other drugs, sexual assault. People viewed me as a student leader, and I was encouraged to run for student government, so I did that. And the following year, I was selected one of





This is the brick wall photo, it's from an event from my undergraduate experience called "writing on the wall project." Everyone in the community was invited to paint a brick with something that they felt was detrimental to their community, to their existence, to pop culture, or language—cause if you can see the language on the bricks, it's very harsh. And so then the project was to bring down the wall, so um there were ropes attached all over it and symbolically everyone that participated grabbed a hold of the ropes and tore down symbolically the things that tore them down, which was fantastic. So this photo through the chain link fence represents barriers, represents social change, social justice, and it was one of my first experiences that impacted me so much that I realized how much of an impact was possible.

Following her undergraduate experience, Liz mentioned her internship and experience chairing a campus judicial council as a senior helped her obtain a graduate assistantship in an office of student conduct and conflict resolution. While in that role, she ran an academic integrity workshop and taught some for-credit courses. As a result of that experience, Liz explained the next steps in her career:

I decided out of grad school that I wanted to find a student conduct position. My first job out of my master's program was coordinator of judicial affairs at a large Tier I research institution, a school with a lot of privilege, a lot of out-of-state students, a lot of White students, and I started to become very burned out as a lot of my colleagues in that role had before.

While challenging, Liz also describes the highly privileged institution as,

the place that I probably will have ever learned the most on my professional journey. Doing that many conduct cases per semester really taught me a lot about myself and my style, and what I want out of a professional position.

In addition to describing how her education and related opportunities influenced her decision to pursue a career in student affairs and specifically student conduct administration, Liz explained how affiliation with a national association impacted her professionally by discussing a photo she took of palm trees:

So, this picture was taken from a hammock in Florida at a professional conference that has changed my path to the profession in so many ways, like the most influencing professional experience that I've had out of any part of my training. I've been a member of that organization since 2005 as a graduate student, have

been to intensive week-long trainings, gone to multiple national conferences and without the guidance of this organization, I don't know where my career would've gone or what I'd be doing. So this is a representation of the refreshment, the professional recharging that happens every time I hit the beach in Florida, and I think all my colleagues would say the same.

Every participant has been or remains a member of this association, but Liz articulated the benefits of affiliation as critical to her professional identity and development. Liz is currently serving students at an urban, public four-year university in a Western state, where she coordinates the student conduct and wellness program. She presently hears all levels of student conduct cases.

### **Philosophy and Approach**

Liz mentioned she does her best to “try to meet the student where they're at,” and operates from a restorative justice philosophy. While in her first professional experience, she got the opportunity to be heavily involved in an restorative justice program and was trained as a facilitator. She also served as a community member for restorative justice programs, both in the community and on campus, and said, “that has really impacted my student conduct work.” She explained:

While I can't do a full RJ [restorative justice] circle for every student I work with, I can use some of those same principals talking about harm and repair instead of talking about what you did wrong. We can talk about who was affected, how they were affected, how their community was affected . . . and try to get to the actual learning moment, take away some of that blame and shame and instead actually reach for that educational teaching moment . . . if it's there, and it's not always there, or you know sometimes I miss it, I'm a person too.

The Figure 11 image and narrative describe a metaphor that further explores Liz's philosophy and approach:



*Figure 11.* Liz: Pink and purple sunset.

So this photo is one that I took in Boston and it is a beautiful pink and purple sunset, but it's very cloudy and the only way you can see the sunset is because the clouds exist. So the metaphor that I chose here was that in the student conduct process my goal is to find light for the student, find the reflective, the silver lining, if you will, but I don't like the term silver lining, so find the place that will tunnel them out of whatever they're in or lead them to a new connection or something like that. So I chose this photo because a lot of people see clouds as dreary or signs of depression, like if you see a Cymbalta commercial, they're like in the rain. Um, so I chose the photo with the clouds because when students come into the process, that's probably where they are. So my goal is to help them bring the color back, bring the reflection back, bring back the things you can't see or maybe you haven't been looking for.

Liz also discussed how her philosophy inspires her work by taking the Figure 12 image.



*Figure 12.* Liz: On top of the mountain.

This is from the top of a National park looking into a valley. And one of the things I always say about why I'm in this niche of student affairs, cause people are like "Why don't you want to work with student leaders, why don't you do the quote unquote fun stuff?" Because to me, this is the fun stuff. Because for me, these students are in a valley of some kind and our role is to pull them back up and put them on top of the mountain so they can get perspective, they can see what's going on, they can look at long range trajectory, they can see immediate impact, but they also often are in a place where they may never be connected with another student affairs office ever. This is our opportunity to not have them stay in the valley; this is our opportunity to put them on top of the mountain.

Liz's passion for this profession is evident in her philosophy. Knowing Liz as a colleague and participant in this study, I have witnessed her dedication to excellence as a conduct administrator and have been challenged to think more deeply about my own practice as a result of our conversations.

### Sean: Picture Three Scales

#### Identity and Background

Sean was born in the same town where he presently works. He grew up there prior to moving to a nearby urban area where he attended high school and completed his undergraduate degree at another nearby institution. He identifies as growing up with his sister in “a lower middle class family, but a pretty good environment.” Sean shared that his family experiences have impacted his practice as a student conduct administrator in various ways that will surface in Chapter V.

The Figure 13 image and story speak to aspects of Sean’s nature that emerged strongly throughout the interview process, his personality and sense of humor:



*Figure 13.* Sean: Gorilla suit.

So a couple of years ago on the Friday before Halloween, I actually brought this gorilla suit and this university T-shirt to work . . . so I brought it to work, I just had it there, and I worked normally during the day not dressed as a gorilla, but then I had blocked off a couple of hours in the afternoon, I was like, “eh, I’m gonna go screw around,” so I, um, put on this gorilla suit, put on this T-shirt and part of it was . . . I just get bored . . . so it was good for me to go do this and part of it was just my little experiment to see where on campus can a guy in a gorilla suit go without anyone questioning him.

So I had a big bucket of candy and I would just walk around to different offices and I wouldn’t say anything, and just let people take candy and I went to all sorts of different offices on campus. I went to the academic advising center and actually, a couple of advisors who I knew who were in meetings with students I just walked into their office, interrupted their meeting, wouldn’t say anything and they would just look, and I would hand them the bowl of candy—they would take the candy, so people were like, “who is that?” and I was like, “I don’t know.”

He continued:

So I went around campus doing that. I actually walked into the administration building, went into the vice president’s office. It’s amazing what people will do with a guy in a gorilla suit like they don’t ask any questions. Like I walked into the president’s office and people were just like, “oh, hey!” and I think they just assumed because I had this T-shirt on that I was okay. And I was just handing out candy. . . . It was just funny—there was actually one person, one vice president who knew it was me and I don’t know how he knew, but I just walked up and he went up and was like, “oh candy,” and he grabs a piece of candy, looks at the gorilla and said, “Hey Sean,” and walks off, and I was like, “What the hell?” But um, so then actually, we have on Fridays our drug and alcohol program’s open case review meetings, which is like a very serious thing—all the students in the treatment program come and stand in front of the judge. So all the students come and sit in this area so I actually went in the gorilla outfit and sat for quite awhile and everybody’s wondering where I was, but then Matt, my counterpart at the time, he and I were both judging that program and he knew it was me and he goes, “Hey gorilla suit, come up.” And I’m standing there, and everyone’s like, “Who the hell is that?” and I took the stuff off and all the students were like, “Ohhh, okay!” Um, so I don’t know it was just my way of having fun and I think just not taking myself, or my job, too seriously.

While Sean did not share additional photos regarding his identity, he mentioned he is married, straight, and identifies with the majority of students with which he meets: White males who grew up in a similar geographic and demographic region.

## Professional Path

Sean began his professional journey in a residence life program. As an undergraduate, Sean was a residence assistant. After moving to a large city for a year, he returned to hold several positions including assistant hall director, hall director, and area coordinator while obtaining a master's degree in higher education. After that, he took a full time position as a residence director in another state. He recalled, "that student population was 20% White, 40% spoke English as a second language, just a neat experience, I was an advisor to a pan African theme hall, it was just really cool." He planned on staying longer, but moved back to his home state to be nearer to his partner who was accepted to a graduate program there.

Sean then worked as a retention coordinator for students on academic probation at a community college and shared:

I definitely started realizing that I like working with the students who are in trouble, who aren't doing so great. I had done some conduct in housing too, but I'd also done a lot of advising of the really successful high achieving students and thought, those students are going to make it with or without me.

While in that role, Sean was called by a colleague at his current institution who told him there was an interim assistant director for conduct position available. He assumed the interim role, applied later that year, and accepted the position permanently. When asked if he felt called to do this work, Sean replied:

I think so. There are other things I could see myself doing, there are other things I like, uh, and so no, I'm not gonna say for sure I'm doing conduct the rest of my life cause I know that's not the case cause I never thought I'd be doing student conduct. But at the same time, of all the jobs I've had in student affairs, this feels the most right for sure, without a doubt. And I feel like it's a good fit, I feel like I'm good at it, so it works well.

Like Liz and Anna, Sean never envisioned a professional future as a student conduct administrator. During the time of the interview, Sean stated, “I’m starting my sixth year here and love it, I definitely found a niche in student conduct for sure.” He currently serves as an associate director of a student conduct and conflict resolution office where he hears all levels of cases and trains campus conduct administrators.

### **Philosophy and Approach**

Sean shared his philosophy of student conduct administration by saying:

I think I always have a philosophy of unconditional positive regard, you know what I mean? . . . and just trying to see the best in people, which is difficult to do in student conduct, but knowing that students aren’t out getting arrested to piss me off, or whatever. And that no matter what it is that’s going on, there’s definitely good going on there with that student. One of the things I like about student conduct is being able to help students overcome mistakes and learn from the mistakes they made while maintaining a safe environment and community for the rest of the campus, and I think 95% of the time we can do both.

He continued:

My other philosophical lens or approach would be . . . and I use this all the time, I think about what’s best for the student, the university, and the community and trying to balance those three, if you picture three scales. And sometimes it works out good, make a decision that’s good to the student, the university, and the community—other times I think, “boy, it would be really good for this student to stay in school or to stay in this residence hall or whatever, but it’s not so good for the community or the university, and I just can’t take that risk.” But I usually feel like I’m making a good decision if I’m at least weighing all those things.

When asked how students might describe him and his style, Sean shared:

Um, well you know we have voluntary evaluations we do in the office after every meeting and I’ve got some of those back and I have read ones that they’ve filled out about me where it asks if they felt like the hearing officer cared about you, and almost 98% say, yeah I felt like they were concerned about my well-being, and pretty much any student that I meet with would get that I was concerned about their well-being. And, also I’ve had students tell me that they felt like I was just real with them, I’m not gonna pull out the student conduct code and start quoting policies and stuff, I’m gonna talk realistically about drugs and alcohol . . . I’m real, respectful, concerned, and fair. I think fair is a good one because I also don’t



think anyone would say I'm a pushover—I will definitely hold students accountable, but I usually will give them the benefit of the doubt if I'm on the fence. So I don't feel like I'm really going to the extreme to hold people accountable if I don't have the information to do it. I'd like to think anyway that that's what students would say. I mean, I think some students might even say that I'm cool.

Like every participant, Sean shared the importance of his own wellness in relationship to maintaining a successful approach to student conduct administration. The Figure 14 image and narrative speak of the value Sean places on having balance between his personal and professional lives.



*Figure 14.* Sean: Backpacking and work–life balance.

And this one is just, um I think just keeping perspective for me—this was a backpacking trip I took a few weekends ago and um, I don't know, as important as work is, time outside of work is so much more important and valuable. I think in student affairs [generally], there's a nasty, "I care more, the more hours I work, kind of culture." It's always been that way, I think, since RA [resident assistant] level, it's like, "the more you work, the more you give a crap." I completely

disagree with that. And um, I think it's easy to get really busy and to just kind of go through the motions, and I mean really, when I look at a report and there's a couple of questions I just want to ask someone—it'd be really easy to get in to it, like, "dude, what's the problem?" You know what I mean? But to take the time, get to know them, "why you're here, what's your major?"—all those things that you talk about takes some slowing down . . . I don't think I can come to work and do that if I'm not fulfilled outside of work with things that I like to do and living my life . . . I don't care what your job is; I think you should enjoy a day off more. There are times where it's like, "well something just needs to get done before I leave today and I don't mind staying," but to me I'm like, "no, you got it wrong. If I care about students, I will go do something fun this weekend and come back and be cool to students on Monday." And I think it may be also different and more important in what we do with conduct. Maybe in other jobs when you're working with student leaders, student government, I don't know—maybe it's easier.

Sean's philosophy and approach speak strongly to his relational skills as a student conduct administrator. I originally met him at ASCA a few years ago and have borrowed and applied many techniques and kernels of wisdom he has shared as a participant; he also makes me laugh until I cry pretty much every time I'm in his presence.

### **Chapter Summary**

Throughout this chapter, four participants self-defined and shared salient aspects of their identities, described their journey to the profession of student conduct administration, and discussed their philosophies and approaches to student conduct administration. Images and narrative united to present a more complex frame with which to understand their experiences, motivations, and perceptions.

A musician, partner, pet owner, and educator, Liz has strong ties to her home, family, and friends. Liz shared how her natural ability in leadership positions and opportunities to explore her professional aspirations led her to student conduct administration, where she can utilize restorative philosophy in supporting student growth. Her

approach helps students find their own voices, share in safety, evaluate choices, and explore more positive ways of navigating life.

Mo shared how he, somewhere, in the back of his mind, thought he might eventually be doing this work. After eschewing a career in science and serving in residence life and advising, Mo found an excellent fit in student conduct administration. He views fairness and authenticity as critical to his work with students and genuinely cares for their struggles.

An artist, cook, and yogi, Anna came to this profession through the back door. After ticketed for underage drinking, she participated in an restorative justice program, where she found a natural philosophical fit. She eventually secured a position as a conduct administrator, where she provides reflective, mindful, reciprocal growth with students.

Sean grew up nearby his current place of employment, identifying with the White, suburban males with which he meets in the conduct process. His approach entails balancing the needs of students, the community, and the institution. A concerned practitioner, Sean possesses strong relational skills, allowing him to positively navigate relationships with students.

Each participant authentically shared their identities, history, beliefs, and practices to improve the art of student conduct administration. As effective, progressive practitioners leveling hierarchical relationships with students they serve, participants gave wholly of themselves to this study. Chapter V identifies and explores themes and patterns, further identifying ways participants make meaning of their work.

## CHAPTER V

### FINDINGS: THEMES AND PATTERNS

The purpose of this constructivist study was to explore power dynamics between students and conduct administrators within conduct processes and more broadly in the student conduct profession. The research question guiding this study was:

Q     How do student conduct administrators who support less hierarchical relationships with students make meaning of the conduct process?

This chapter explores two primary themes and patterns that emerged from the data as a response to the research question. The first theme explores how participants make meaning of leveling hierarchical relationships within conduct processes, and the second theme illuminates participant identified barriers to that process.

#### **Leveling Hierarchical Relationships**

Relationships that level hierarchy involve building trust and safety in conduct processes. In equitable relationships, students view conduct administrators as allies and mentors, which allows space for students to concentrate on their own attitudes, beliefs, and level of accountability without depending on assumptions of authority in conduct meetings. Five sub-themes and patterns emerged as participants discussed how they level hierarchical relationships: mentoring and creating relationships, relating to students in the conduct process, contemplating self-reflection and mindfulness, empowering students, and welcoming spaces.

## Mentoring and Creating Relationships

Participants seem to agree with the assertion that this generation of students is responsive to mentoring, transparent processes, and collaboration (Lake, 2009). Every participant mentioned the value of supporting students through the conduct process and shared many stories of how the relationships they established were like mentorship, ongoing beyond the disciplinary hearing. Anna shared:

I've gotten e-mails saying, "thank you for what you've done; I really appreciate it. I felt very heard, and you're the first person who's done that for me in this situation," so I think that's huge. I have students come back all the time to ask questions [and seek] support. Some come back just to say hi and update me about what's going on in their life. Some students are needing counseling and don't know where to go, some have questions about their academic situation. I think they see me as an ally instead of an adversary.

Mo shared the Figure 15 photograph and narrative describing an experience with a student he had previously met within a conduct hearing.

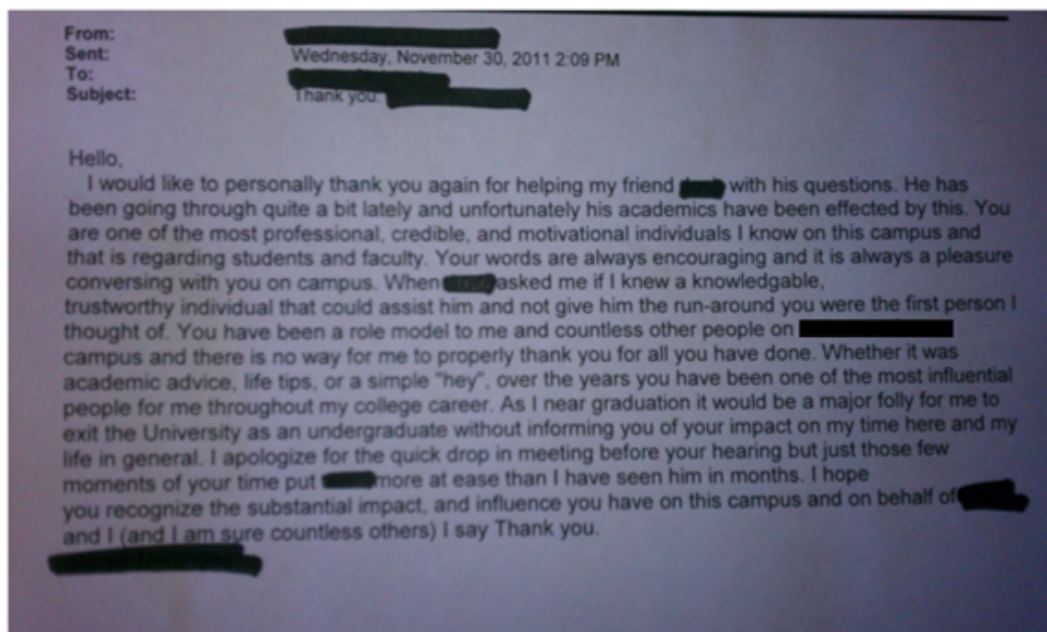


Figure 15. Mo: Letter of appreciation.

So, I just took a picture of an e-mail that I redacted from a student who just basically thanked me so much for my work and said how much he respected me and it came on a really good day when I needed it and I wrote him back and said, "I have a file in my e-mail inbox for these; this one's number one." He was a really cool dude, and I truly didn't even know I was a role model for him for four years; he said I was, and it actually came right after he brought one of his friends in to talk to me about school, and I thought, "it was so cool that he thought he could come up to the conduct office to talk to Mo." When he wrote that e-mail, I was saving it, but students are why I like to do my work, and I like to help people especially when they're struggling.

When I asked Mo if he had the chance to meet with his students on an ongoing basis, he replied:

No, a handful a semester but it's those people that I feel like I've had a pretty good conversation with that I want to see change and then revisit it at that point. I also feel like our intensive drug and alcohol program is a good way. I think one thing I've struggled with as a hearing officer versus an academic coach or some other job, is that before this job, I would get to meet people and follow up all the time. I'd get to follow up weekly or bi-weekly or monthly, but in this job it's like, "Well, see you later" after an hour, you know what I mean? And I really struggle with that. I think, man, if I was working in another school I wouldn't have the intensive drug and alcohol program because [in that process] I'm judging every Friday and so on those Fridays I get to see those folks that I saw before, and I can see their progression from one month, two months, three months, five months, six months. You really know their story and you really get to feel like you see them and see the changes they are or aren't making. Those are really rewarding feelings because you can see there really is hope, there are changes, and that's part of fulfilling the void of the follow ups I don't get to have.

Sean shared the following account of how some the students he has met with behave when they see him after a conduct hearing:

And my favorite thing too, is seeing them out in public then a couple weeks after the hearing, and some of them are really great, like, "Hey Sean, how's it going?" and others are just not sure, particularly if they're around their friends, they kind of look at me like, "We're cool. I would say hi to you but I'm with my friends, I hope you understand."

After realizing students were struggling to get through the conduct process from beginning to end, Anna decided to start a support group for them:

I'm creating a group right now on campus partnering with one of the counselors from the counseling center and it's to support students who are going through the conduct process. So, it's for students who are overwhelmed going through the conduct process, or for students on probation who are like, "oh my gosh, if I get in trouble again I might be suspended, I need some support." We're hoping to start it at the beginning of the year. We can't mandate it, but we're hoping we'll get a lot of students.

Anna continued to describe a student's story that supports this aspect of her philosophy of honoring students' own journeys:

There was this student who I worked and worked and worked with, and I had to suspend her last semester. She e-mailed me a week ago and then e-mailed me again today to share how great she's doing now. She's back in the area and going to a community college, doing well, making friends there, working a full time job and just feels she's come so far . . . and she wishes she could talk about it, especially about what she did last year. And for me I think that's true; I could see what she could do, but it really needed to come from her.

Interestingly, the images (see Figure 16) highlight the key concept of this study. Here, images of chairs physically represent administrator–student relationships that possess zero hierarchy. Anna and Liz took nearly identical images to express an equitable power dynamic with students.



*Figure 16.* Liz (left), Anna (right): Identical chairs.

While describing the photos, Anna said, “and so this is, um more of an equitable process, just two chairs, the same chairs: equal.” Liz shared, “This is gonna be the two chairs that are directly facing each other on the same level, there are no barriers between them, they’re on the same level, they’re existing harmoniously in a lot of ways.” Both images contain chairs of identical size, shape, and color that are facing one another. The fact that two participants took nearly identical images speaks loudly to the significance they place on creating equitable relationships with students.

### **Relating to Students in the Conduct Process**

As conduct administrators, relating to students is essential, as mentorship encourages transparency and disclosure of personal knowledge and experience (Schmidt & Wolfe, 2009). Every participant mentioned relating to students as critical to building trust and leveling hierarchical relationships in the conduct process and spoke of empathy, compassion, and vulnerability as they shared personal stories of ways they identify with the students they serve. Some participants also mentioned the importance of relating to students socially by understanding mainstream culture and vernacular language. All four shared stories of how their past behavior and experience help them identify with students in the conduct process and shared thoughts on self-disclosure during hearings.

To discuss the importance of relating to students, Sean chose to bring a photo of himself as an adolescent. In the photo, he’s wearing a baseball cap, white T-shirt, and an expression of indifference. While sharing the image with me, he said:

So that is quite an awkward, dorky picture of me when I was like, I don’t remember how old I was, I must have been like 13, 14 maybe . . . that awkward puberty stage. So I’m a little self-conscious of the picture, but I’ve always looked at this picture and thought, “god, I just seem like such a dork there,” and it’s that age where your ears are growing big, you know, and so I put that in there because it



reminds me a little bit of um, like as I meet with students, knowing that there might be other stuff going on, insecurities that they have, not feeling confident in who they are. There might be some mental health stuff going on or whatever. And, so just knowing [that], when I look at that I just think, “wow I thought I was so cool back then, but I was probably the dorkiest I would ever be in my life at that point, um, and just knowing we’ve all been there.”

He continued to share how his past behavior fosters empathy now:

I was also a real jackass at that age. I said things I shouldn’t say, I acted in ways I shouldn’t act, I was really cocky, but I think it was a front for maybe some insecurities and stuff like that, which I think you see in conduct a lot, so I don’t know, it just reminds me there’s a lot more to . . . you just never know who’s gonna walk through that door.

Sean’s statement suggested students may possess powerful internal stories and dialogue that influence their behavior, yet be manifesting outwardly in dramatically different ways.

Acknowledging depth in students’ stories inspires Anna to practice and promote compassion for students in the conduct process. She explained:

I was reading this quote the other day that said, “when we go deep inside, it’s tough. It brings out all of these emotions that are very difficult to deal with,” and so I think just acknowledging that and being aware of that . . . because we sometimes make students go deep inside and talk about things, so we need to be compassionate about what they’re going to experience when we bring up these issues. I think there’s a lack of compassion in our profession.

She continued to share: “being vulnerable is such an important characteristic in what we do, and it’s hard because our society doesn’t want us to be. We’re taught to be tough, have a hard shell, not cry. I’ve been thinking about this stuff a lot.”

Liz shared about the importance of empathy in being able to relate to students who are going through a conduct process:

When I was hiring my replacement as a graduate student, one of the questions we asked was, “describe a time when you’ve done something unethical or made a bad decision, what was it? And how did you learn from that? Which is an awful question for conduct officers when they’re getting hired for jobs, but it also helps

us learn, can you identify with a student? Are you a person who's never made a bad decision that got you caught or got you put in a situation like a student's gonna be." Empathy's important.

Sean echoed Liz's belief in the importance of empathy and readdressed the importance of looking beyond a student's behavior to explore its root sources. To illustrate this perspective, he shared the Figure 17 photo and story of how his familial experiences with drugs and alcohol help him relate to students struggling with similar issues.



*Figure 17.* Sean: Picture of me and my sister.

So this is a young picture of me and my sister a long time ago walking up dangerously close to a deer, and that's a whole other story too, as actually this deer punched me in the ribs. But, ah, so that's a whole different story but the reason I was just trying to find a picture of me and my sister and mostly just a picture where you wouldn't be able to see my sister's face. So my sister struggled for about six years with a nasty heroin addiction and it was really difficult on the

family, it was just horrible, and uh, being very closely involved with that and seeing . . . you know we grew up in a lower middle class family but a pretty good environment—it's not something that I think most people would look at and go, "oh yeah, well, for sure someone was gonna end up in trouble from that family." Um, but still she ended up in quite a bit of trouble and just seeing what addiction did to her and to our family, it was really difficult.

He continued:

Most of the hearings I have, substance abuse is involved, you know I'd say at least 85 to 90%, and just knowing that there are good people behind the bad things that happen; it's because of these substances. And that, you know, maybe stealing books from the bookstore isn't the problem. The problem is the addiction behind needing to get that money, you know what I mean? Which then it might be mental health behind the addiction, you know, some things that you need to get figured out. So, that's actually played a big role I think—my personal experience with that, with her, has played a big role in my, I guess, passion for helping students through wherever they might be at on the continuum of substance abuse and addiction or whatever and trying to get them to the right resources. So I picked that picture for my relationship with her and that's, I think, been informative in me being able to empathize with people and understand sometimes that their repeated behaviors make no sense at all, but it's because of other things that are going on.

While relating to students by using empathy, compassion, and vulnerability was considered essential to leveling hierarchical relationships, participants also shared the importance of relating socially to the students they serve. Keeping up on mainstream media and using humor and student-centered language emerged as ways to relate socially.

Sean shared his attempts to relate to students by describing a conversation he had with his partner:

I think [it's important] just relating to students on a humorous level about things in conduct hearings, whether it's a T-shirt they're wearing, TV show, whatever, I think it helps a lot which is why I watch a lot of crappy TV shows . . . my wife is like, "What are you watching?" (I'm like watching *Jersey Shore* or something), and I'm like, "It's research, honey, it's research, gotta stay up on this stuff."

Sean added the following:

I think we use the term, meeting students where they're at, but usually that's just a phrase people say to mean developmentally, not socially . . . when I feel like I can relate to a student on their level, I do a lot better in a conduct hearing than when I come off as kind of a dumb-ass administrator.

When probing for a definition of dumb-ass administrator, Sean and I agreed that it would likely be someone who cannot and does not want to relate to students, someone who is power hungry and out of touch. For most participants, relating socially meant using language familiar to many students. Anna, Sean, and Mo all mentioned using informal language around drug and alcohol use to relate better with students. Mo easily shared how he might talk with students about using marijuana:

I feel like I'll say blunt, or I'll say, "how much do you smoke? An eighth a week?" And they be like, "ah, yeah" . . . and they're just like, "oh, okay, you seem like an okay guy, you seem like you're not totally judging a college student's behavior with alcohol and drugs." It really, in my opinion, helps. It fits my style. It definitely helps with the style that I use to relate to people.

Sean shared:

I know our housing and residence life staff probably hates this, but I'm never saying the word residence hall in a hearing to a student because it's totally disconnecting language, I'll say dorm every time . . . I'm not gonna say marijuana, I'm gonna say weed. I feel the more vernacular you use that's common with them, the easier it is.

Sean and Mo both shared they use discretion with language when relating to students, mentioning it may not be appropriate in all cases. The following provides another way participants shared they relate to students.

### **Previous Conduct History and Self-Disclosure**

Perhaps the reason participants found value in using language to relate with students regarding substance use is because every participant disclosed either having a

conduct history and/or previously engaging in similar behaviors to those of the students they meet in conduct processes now. An aspect of relating, participants mentioned they are able to identify with students due to their previous choices and shared experiences.

Mo shared the Figure 18 image and narrative to describe how his undergraduate experience allows him to identify with the students he serves:



*Figure 18.* Mo: Halloween party.

That's me in college. Sorry if it's really inappropriate or unprofessional. That's a handle of vodka—it was a crazy Halloween. Part of why I put that in there, I'm not trying to say I had a crazy alcohol problem or I was like that guy in *Animal House*, but in college and even a little bit in high school, I've had some good times partying, drinking, smoking, doing whatever I could do. And I really feel like that experience helps me in my job . . . I just feel like I can relate pretty well to a lot of your run of the mill college students who are struggling trying to fit into social groups and struggling trying to know what's experimentation and what's a

problem and struggling to put down the bottle after 8 when their friends put down 12.

He went on to discuss how his experiences likely differ from other conduct administrators in the field:

But you go to the national conference for student conduct administration and see a lot of people and it's like, "whoa, you never did that, you've been a rule follower your whole life and you never got written up by RAs [resident assistants], you never pushed limits," and so I can just imagine in those hearings how difficult it would be to relate to somebody versus when I'm having a hearing. My previous history with drugs and alcohol makes me feel more comfortable in those conversations, if I didn't have them, I'd have to have a much different approach—I guess that's the best way I can put it.

Anna expressed similar sentiments as a result of getting a Minor in Possession and going through the conduct process as an undergraduate:

I think for me, having had an MIP [Minor in Possession], I can completely understand what it's like to sit literally in their chair . . . I think I can really understand the anxiety they feel and sometimes, and not with all my students, but sometimes when I see them really beating themselves up over an MIP, I let them know, "hey it's not the end of the world. This is what I took from this experience," and I let them know that I know it's scary. So for me that's huge—I can really relate to the student experience, and I feel like I understand a lot of what's going on.

When asked if she ever identified with a student going through the conduct process, Liz shared the following story:

Oh, there are so many actually, ummm, but I think there's one particular student that reminds me of myself to such a large degree it was frightening almost. The student was an RA [resident assistant], who had been entrusted with a lot of responsibility, had always gotten good grades, had always been looked at like a model student who made one really bad choice and was just beyond devastated, and she was so self-punishing that anything I would've done didn't even matter . . . because she was embarrassed, her welfare had been threatened, her reputation had been threatened, and she knew that she had done it to herself and it was terrible to watch her self-destruct in that way. She's back on staff now, actually because we felt she had learned so much from that experience and she would be able to relate to those students she was confronting and documenting. Sometimes it can be really powerful. I've been there; I've made poor choices too.

Interestingly, in this story, the student was re-employed for her ability to identify with other students struggling with choices, reiterating the value of shared experience.

Sean felt like he could identify with the experiences of students on many levels. Like other participants, he also went through the conduct process as an undergraduate. He stated, “my freshman year I partied my ass off and I got in trouble. We had a keg in our room and I had to go talk to my RD [resident director].” He also mentioned he could relate to students struggling academically as he was on academic probation for a couple of semesters as an undergraduate student.

While all participants expressed their shared experiences with students made them more effective practitioners at leveling hierarchical relationships, they viewed the issue of disclosing their pasts when working with students differently. Anna and Sean felt disclosing personal information helped to build trust with students. When asked if she disclosed personal information including her conduct history with students, Anna said:

I do actually, when I think it’s helpful to building rapport, trust. When I explain to them, “hey, this is what I’ve done,” I think it’s helpful to tell them that I’m not perfect. “These things that I’m telling you are things that I’m working on myself.” I would talk sometimes about my family history—My dad is an alcoholic and I’ll share what that’s been like, and sometimes I’ll share about my health, too, with some students. It helps for them to realize I’m a real person, too, and I have my own struggles. Putting myself out there helps build rapport in my experience. It’s not right or wrong, it’s just been my experience.

Sean also shared he sometimes chooses to disclose personal information during conduct meetings with students:

I’ve had a lot of addiction in my family, and I’m not shy about saying when students start divulging that, saying well here are some of my concerns with that, and I’m telling you not to lecture you but as somebody who’s had the same thing going on in my family, so I’ve definitely identified with students in that regard who are struggling with some of that with their family members.

When I asked him if he thought sharing that information fostered trust in the conversation, he replied:

Without a doubt, yeah, because that's probably not something most students really talk about with many people or even really think about—how what their family members do with alcohol or drugs impacts them. But if I can tell them research shows you this and this and this, and I can tell them personally some things about me and, “I’m just talking to you adult to adult that yeah, here’s how it can affect you,” and just empathizing, saying, “I know it can be tough, it can be hard to have to navigate that.”

Sean also shared he thought it was helpful for students to see an example of someone who had navigated difficult times and accomplished success. He shared:

Most students I see aren’t doing well academically, so “let’s talk about academics and here’s how I got in trouble and I had to come up with some things that worked for me, and here I am, I ended up getting a master’s degree of all things, but I was about to get kicked out academically,” and I think students relate to that, like, “oh, wow, okay.” So I think that’s pretty helpful.

While some participants found disclosure helpful, others mentioned it was not something they felt necessary. When asked if she ever disclosed personal information in conduct hearings, Liz explained she did not. When I asked why, she stated:

I think there is an element of where does this cross the line, and I don’t know. Professionally, I think that would be an interesting thing to talk about at ASCA, what is too much, where is the line. Some conduct officers that I know over disclose and that really bothers me, and some conduct officers don’t disclose anything and it makes them a little less accessible to some students.

Mo also stated that while he found his past behavior helpful to identifying with students, he neglects to mention it in conduct hearings. He felt his use of vernacular speech allowed students to understand he held shared experiences without needing to further disclose. Sean also mentioned sometimes he does not feel comfortable sharing, particularly “if there’s a parent or attorney in the room.”



### Self-Reflection and Mindfulness

Participants shared several examples of self-reflecting and using mindfulness in their professional roles. Some mentioned these skills were deliberate and intentional, and others, while not mentioning it directly, shared reflective, self-evaluative practices in their stories. Many of these narratives arose when I asked participants about what triggers them in their professional roles and how they address those feelings when they arise.

Liz discussed her ability to reflect and ground herself in perspective as she shared the Figure 19 image and narrative:



*Figure 19.* Liz: The ocean and the beach.

This is the ocean, the ocean and the beach. One of the other things that always puts me in my own perspective is seeing the ocean. I think in life we can get very self-absorbed, like anyone can, and as we look at what's important and look at how we perceive our own problems and our own situations; anytime you look at the ocean, you have to look out there and realize that you're very small and I think it always helps bring things back for me.

Sean also shared the importance of grounding oneself and self-reflection as essential to effective professional practice, given the nature of the work he does with students: “I know that to see students who are in trouble, and not in a good place, and sometimes rude, or whatever—I think you’ve got to be pretty deliberate about making sure you’re in a good place first.” Anna felt similarly, sharing the following narrative when I asked about what triggers her:

I know things trigger me, but I think a lot of it has to do with where I’m maybe at on a certain day because some days maybe I’m really tired or something difficult is going on in my life in some regards that may trigger a reaction in me, and I try to always be aware. If I’m not able to give that student my full attention that day, I’ll try to reschedule. I won’t tell them why I’m feeling that way, but that way I can deal with making a decision when I’m in a better place. I don’t feel like it’s appropriate to make a decision that day.

Sean added similar insights indicating thoughtful and honest self-evaluation of his practice. He shared:

and sometimes I look back and think, well I think we did right by the university and the community, but I think we could have done something better for the student there. And I think those are good learning situations.

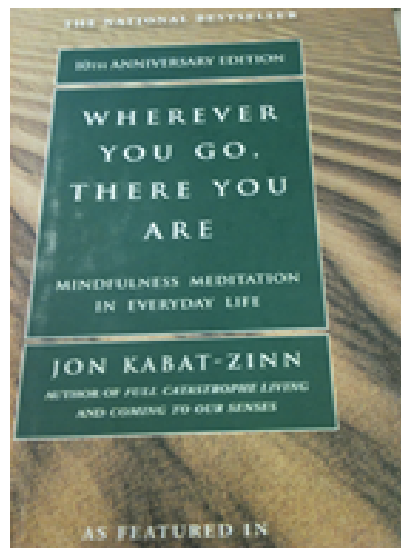
When I asked him if he has observed other conduct administrators who did not level power hierarchy in their meetings, he responded:

Oh for sure, I’ve seen other peoples’ or have had days or a hearing where I’m like, “oh, man I wasn’t on my game,” you know? I was maybe more abrupt, or maybe I played that card when I didn’t need to or something—and you automatically see students shift, they back up, defense goes up, and its over.

Sean’s ability to evaluate the difference between leveling and upholding hierarchy in his hearings suggests he effectively evaluates how his behaviors as a professional impacts students. Mo similarly mentioned the importance of being reflective and self-aware by sharing about his own bias:

I think that one thing I have to do I think about what my bias is going into every hearing and really going, like in a domestic violence case and it's a female that's been arrested, am I thinking of it in the same way if I would for a guy? You know initially I'm thinking he probably hit her so many times and she finally hit him and then that's when it all blew up, so that's where my bias is going.

While some participants practice reflexivity by staying grounded, maintaining perspective, and self-evaluating, Anna also described how she incorporates mindfulness into her practice when she meets with students for a hearing by sharing the Figure 20 image and narrative.



*Figure 20.* Anna: Mindfulness book.

This is part of my philosophy of life and I tell my students when we're talking—I talk very philosophically with a lot of them—and it's not that I know all, but I say, “these are some of the things I'm thinking about today,” and I say, “I hope you take something from my conversation with you,” because I take something from every single student who comes through my office and I think it's being mindful about that conversation with them and just mindful about what's going on. I keep that book in my bag, and I try to read an excerpt from it every day.

When I asked Anna to elaborate on how she incorporates mindfulness in her conduct hearings, she responded:

For me, it's always taking a few seconds to always look at things, what's going on around me, and what's going on in the moment. How I may be reacting to what someone's sharing with me or what I might be saying to them. Taking a few seconds to just listen. Sometimes I will talk about Jon Kabot-Zinn and I'll pull out my book and sometimes that's what some of them need, they want to talk about that.

### **Empowering Students**

The following pattern supports research suggesting that when administrators show genuine interest in, and concern for a student's personal experience during conduct hearings, the process was more likely perceived as fair (Heafitz, 2008). When I asked participants how they empower students, they mentioned creating an informal, trusting environment, utilizing motivational interviewing, collaboratively creating restorative sanctions, and informing students of their rights.

All participants mentioned the importance of creating a trusting environment wherein students could share thoughts and perspectives. Liz shared:

I start all of my conduct meetings with at least 5 to 10 minutes of getting to know the students . . . I frame it as, "the only thing I know about you is what's in this incident report, and I know this doesn't represent you as a person and a student, so would you mind telling me a little about yourself, why you came to school here and what you hope to get out of your college experience."

When I asked what it meant for her to have that conversation, she explained:

I think it sets the tone for the entire meeting depending on how open or closed they are to that experience. I think it opens the door for them to talk if they want to do that. When they're open, it's way easier for me because I have to do way less work, realistically. With those students I can ask one or two open-ended questions and get the entire story about the situation. When you have to do more work in the beginning, if it's very difficult, the rest of the meeting can be like pulling taffy, very taxing, difficult. I've come out of certain meetings, just exhausted and emotionally drained and I've come out of other meetings feeling

really uplifted. I think that initial conversation is super important to establish the culture of what that relationship is going to be, the culture of what that meeting is going to be like, and I try to keep things as informal as I can.

Like Liz, Anna concentrates energy on building trust upfront in the hearing. In addition to asking students to share about themselves, she uses a strengths-based approach, focusing on what students do well and enjoy. When asked how she incorporated that approach, she said:

Sometimes I think it's about talking to them about what they like to do and going from there. Because that way you get to know them, what they can do, how they can do things really well and help them build on their strengths that they may have to keep moving forward.

In addition to creating a supportive environment, Mo mentioned he empowered students by providing them with information about the process and their rights. He stated: "I think it starts with them being well informed going into the hearing—I really put some time and effort into being patient, explaining the process, and getting confirmation from them that they're ready to go." He also mentioned that he allows students the majority of hearing time to self-disclose and evaluate:

The bulk of my hearing is usually get to know your stuff for 5 to 10 minutes, then it's discussing what the hearing is . . . and then allowing them to talk about the incident, so I feel like it's really their show. The first half or two-thirds of that hearing is giving them the opportunity to project who they want me to think they are and [for me] to let them know that I'm not allowing this incident to define them as a person. You know, "this is not you, why are we here?" And then they get so screwed up and it's so fun (not in an antagonizing way) but to allow them to really define that; it's powerful.

Mo continued:

And I think a lot of it is hearing them out and letting them tell their whole story before I'm really asking questions about it and then really affirming throughout the whole conversation. So, I try to allow them to really talk about how this made them feel versus what really happened. I try to let them know I'm really hearing

them and try to allow them to understand that I would be able to empathize with them in that situation or experience.

Sean shared how he uses note-taking techniques in his hearings to build trust and empower students to share more openly:

I don't tend to write that much when I'm meeting with a student. Even when I do write in a hearing, I usually only write when I ask them, "why don't you tell me what happened?" I write then because I think they feel listened to and heard when I'm writing down what happened. But when I start getting into more detailed questions about alcohol and drug use, I intentionally put my notebook and pen away—move it out of my physical space. And then usually during the hearing at some point I say, "well I know this about you, this incident, your conduct history, but I don't know about a lot of the other things, about you as a person, so brag about yourself a little bit—tell me about the other things you're involved in," and when they do that, I grab my notes back and start writing again.

He continued:

Now, they don't know that I'm writing down all of the drug and alcohol stuff they just told me, but they don't need to know that—and I'm writing down both, but I'm making sure I remember you know, "he told me he drinks five to six times a week or whatever," and I see them physically look different when they start talking about themselves and it makes a huge difference. And I mean, you could say it's a little manipulative or whatever but to me, it just creates an environment that says I'm listening to them. And it doesn't seem so clinical, like, "so how many times a week do you smoke marijuana?"

In addition to empowering students by building trust, most participants mentioned they use different questioning techniques, including motivational interviewing, to remove their perspective and power out of the conversation and allow students to seriously consider their own behavior through a personal lens. Liz shared:

I've developed different questioning styles over time figuring out how to integrate different counseling techniques even. I'm not a licensed counselor, but use some open ended question techniques and motivational interviewing in my conduct meetings now, which feels really awkward at first but is super effective in the long run. I try to do that the entire way through—from that balancing act of getting to know them. I feel like that's really empowering for them, but I don't know because I'm not in their chair.

Sean and Mo also mentioned utilizing motivational interviewing techniques; Mo explained why he feels this empowers students:

I do a lot of motivational interviewing where I'll have them weigh pros and cons about drinking or smoking or whatever they want to do, and it's not like a magic trick where I feel like I flip a switch and they leave and they want to quit. I think they're thinking, "I don't even know why I'm doing what I'm doing it, but I'm doing it and that's really weird," and that's where I want them to be. If they're leaving in that way, I think when they go into that counselor, they go into that assessment, it's going to be more powerful versus like "fine, I'll do whatever you tell me to do."

By encouraging students to evaluate their own behavior, Mo believes students will derive more meaning from their sanctions.

The concept of sanctioning emerged strongly among participants as empowering to students. Restorative justice provides opportunities for offenders to benefit from opportunities to accept responsibility for causing harm, fulfill obligations to victims and the larger community, and participate in creating reparative obligations (Umbreit & Coates, 2000). Most participants agreed that sanctions are more beneficial when co-created or student generated and that restorative philosophy played a large role behind effective, meaningful sanctioning.

When discussing the importance of empowering students, Sean shared that students buying into the sanctioning process was the most critical component in a successful hearing. Mo agreed, saying, "I just want to create buy-in for the sanctions." Liz shared, "they [students] are more likely to complete them [sanctions] when they pick them themselves." Anna explained how she addresses the issue of generating student buy-in:

What I really want to explain to the students is "I want you to own this as well, because you're gonna care and take so much more from it when there's

ownership,” versus they’re just doing it because I’m telling them to. So I really try to explain that to them from our conversation—this is what I notice you’re telling me, so this is why we’re putting these ideas on the table to think about it, and they rarely say, “I’m not going to do this.”

Most participants shared they felt students were empowered by co-creating their sanctions. Liz shared:

I think the most empowering piece of any conduct meeting that I try to do is working with them to co-create their outcomes. “What do you think you need to do as a result of this incident in order to remedy things for yourself and the university?” And a lot of times I get a really shocked reaction like, “I get a choice in the matter, holy crap!” I don’t offer that for every student, the students who are clearly trying to take advantage of me throughout the hearing, I will maybe make it a multiple choice situation instead of an open ended question.

Liz further explained how restorative philosophy is directly connected to her sanctioning approach by sharing the Figure 21 image and description:



*Figure 21. Liz: Partnership.*

The hands for me symbolize the restorative piece I talked about in my first interview. Creating partnerships with students to co-create sanctions, to co-create how the process is run. Because for me, the equity piece is owning your behavior,



but also being willing to repair the harm. So for me the hands are about the partnership between the administrator and the student.

Anna also uses restorative philosophy when co-creating sanctions and shared this narrative about applying restoration to students who have been harmed in some way by their own behavior or situation:

If a student is expressing an interest in maybe trying to do yoga we'll talk about it in sanctioning. "Okay, you should go look into a couple of different yoga classes and learn that way, get inwards in the reflective process." I have students go take a day for themselves and they have to set an intention for the day to go repair the harm that they've done to themselves, or just repair themselves, whether it be a hike or something else—and I encourage them to be disconnected from maybe their cell phone, so they really have an opportunity to be with themselves.

Sean discussed how he empowers students by removing his own power and focusing in conversations with students about repairing harm:

I'm not going to tell students what to do and what not to do, I'll tell them here are the consequences if they do, but maybe empowering them to come up with their own plan. "So if you are gonna drink, what's the plan to stay out of trouble, how are you going to stay out of this office? Contact with the police?" So empower them to come up with some of their own solutions to that. I think some of our programs and services, RJ [restorative justice] and mediation help empower students.

He continued to share how he uses restorative philosophy when addressing how students may repair harm caused to others:

I can say well, "yeah there's still a relationship problem here—your relationship with your RA [resident assistant], or your relationship with campus police, or whatever." Asking them, "if it weren't my decision, what would you do to make things right?" And they're goin', "oh, maybe apologizing." Cause I'm like, "you're going to have that faculty member—you cheated in his class—you still have to take classes from that faculty member—that's gonna be awkward for a couple of years," or, "you're gonna see that police officer at a football game again," um, so kind of empowering them to say, "yeah, maybe a conversation would be helpful." So it's more than just paying a fine or something like that. I think that can be empowering rather than me just saying, "take this class. You are going to play an active part in making this right for yourself," and I think some of those things are sanctions they choose. I'll say, "well, here are the things I'm

going to require, so you're doing this no matter what, but I think that meeting with this police officer or your professor or whatever to repair that relationship might be wise, but I'm not gonna require it because I'm not going to put them through that if you don't want to sit there and do it." But, a lot of times students will say, "no I would like to do that," so I feel like they've basically chosen another sanction for themselves which is probably the most meaningful one out of all of them—so I do feel like that's empowering.

Participants also shared they empower students by explicitly informing them of their rights. Mo took a picture of the conference room at his institution, where appeals of his decisions are heard, to illustrate how fairness and transparency empowers his students:

So, if a student appeals my decision, a group of students and faculty and staff meet at that table and see if my decision was fair or not. And, I actually feel way better when I know someone can appeal my decision, because it's not just me, you know? There are checks and balances, it doesn't just stop with me. I say, "just so you know, if you feel like you're not gonna be heard today or you feel like I made the wrong decision, an appeals board hears this. It's completely out of my hands and we try to keep it as fair as possible, so I want you to know that." And I do honestly feel like when I make a decision, I try to make it as fair as possible, but at the end of the day, if the student wants to appeal and have someone else look at it, we provide it.

Anna echoed Mo's perspective on students exercising their rights by sharing, "If they want to bring an attorney with them, I encourage that. It's their right to exercise those options." In addition to discussing ways they empower students, participants mentioned how welcoming physical spaces and atmosphere in their offices serve to level hierarchy.

### **Welcoming Spaces**

Participants described the importance of holding conduct meetings in a welcoming place where warm atmospheres make students feel more comfortable. In mentioning ideal spaces for hearings, Liz shared the Figure 22 photo of her hearing space and described why she feels it levels hierarchy by removing physical barriers:



*Figure 22. Liz: Comfortable hearing space.*

So this photo is of my hearing space and while I do have a table for paperwork, the one most important thing for me when I'm meeting with students is to remove as many barriers between one another as possible. I want to bring myself down out of that power dynamic to being a human being. Physical space is a big, big piece of my philosophy because I think that it's like body language. A lot of things can go unsaid just by the way that you carry yourself or by the way you're sitting with someone.

Liz continued to share that she felt her meeting space contributed to students reporting, "they felt listened to, they felt they understood why the university was concerned about their behavior, and that's really what I'm going for." Sean mentioned the lobby in his office was really student friendly. When students arrive for their conduct hearings, they have magazines to read, and the front desk staff always offers them coffee and water. Sean also shared that before his office relocated, he met with students in his personal office, they "might ask questions about pictures I had on the walls or whatever which was

cool—it kind of humanized me a little.” When Anna was asked to describe the characteristics of an ideal conduct office, she responded:

Definitely not white walls. I would want the opening area to be friendly, maybe magazines or books and maybe water or something with a peaceful sound that says this is a safe place and not have it be so industrial looking. Maybe a small table, not a big table. When I have a hearing, actually I don’t sit across a table, I always sit in a chair that looks at the student because I don’t want it centered around a table, I want it centered around an open space.

Words participants used to describe welcoming spaces conducive to balancing power dynamics were personal, comfortable, warm, informal, and open. They described how these spaces were conducive to generating a positive relationship, trust, and empowerment during conduct hearings.

To summarize, participants made meaning of leveling hierarchical relationships in the conduct process by openly sharing images and narrative that highlight perceptions and approaches they find effective as administrators. Participant voices commingled, resulting in five patterns that illuminate ways they empower, mentor, welcome, and build relationship with students. The following theme inversely addresses ways in which participants identified and made meaning of barriers to making relationships more equal in the conduct process.

### **Barriers to Equality in Relationships**

Barriers to equality in relationships naturally emerged as a second theme as data were analyzed. Participants identified identity dissonance, lack of student accountability, nature of offence, safety and surveillance, retributive expectations and experiences, and appearance and environment as barriers that reinforce hierarchy in relationships between conduct administrators and students. Participants expressed these patterns made

techniques, philosophies, and approaches, such as building trust and mentoring, far more difficult to implement.

### **Identity Dissonance**

Students in higher education are more culturally and socially diverse than ever before (Waryold, 2006). Participants discussed their own identities and those of their students as potential barriers to equality in relationships, especially when actual or perceived dissonance existed between them. Some shared stories about negative experiences with colleagues in relationship to their identities, while others mentioned the inherent difficulty of professional identity as a barrier.

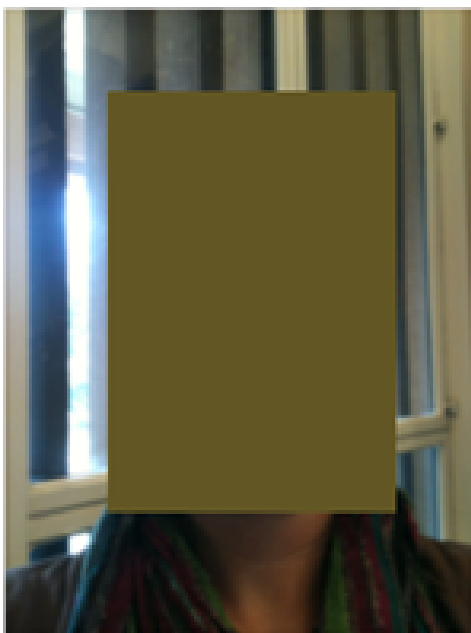
Two administrators took photographs of themselves when discussing barriers to diminishing their own power during conduct hearings. Mo shared the Figure 23 image and narrative.



*Figure 23.* Mo: The White guy in a power position.

Just me. That's me. The White guy. The White guy in a power position (laughing), I know that's way too literal but when you see that guy, I've gotta break down all the stereotypes about that from the beginning to the end of a hearing, I really do, and I think I gotta be really self-aware of that.

Anna shared similar sentiments about how the power inherent in her professional identity serves as a barrier. She also shared the Figure 24 image of herself, saying:



*Figure 24.* Anna: I can be a barrier.

Automatically there's a power dynamic going on because you're a hearing officer and they're a student so that's difficult from the get go . . . I can be a barrier in some ways just because of the position I hold. The best way I had it explained to me was I had a student bring a lawyer in to renegotiate the sanctions that I was going to negotiate with them. The attorney said, "Anna, you're the nicest person, you're one of the nicest conduct officers here and you're always willing to work with students, but it's not you that they're intimidated about, it's the position you hold that intimidates them." Because we do. We hold a lot of authority and a lot of power with these students; we control [aspects of] their livelihood, so I think just me as who I am, I know that I am a barrier. . . . They have to trust us that we're gonna do the right thing. And I struggle because we can change their decisions, but they can't change ours. It's a slippery slope sometimes.

Mo similarly shared: “On a foundational level, I think the authority is always going to be there and just the fact that you’re going to be the person that addresses the behavior and could potentially suspend them—you can’t get away from that.”

While participants explained how professional identity can be a barrier, they also shared how additional identity characteristics may influence hierarchy in hearings. Liz spoke about the importance of being culturally competent when working with students. After sharing ways that she uses direct contact to build relationships with students, she paused, explaining:

That direct contact is so important for the success of the process, but at the same time it makes me think about cultural competency in student conduct, and how we’re being appropriate with the right type of student. There are a lot of high context communication cultures where it’s not appropriate to make eye contact, it’s not appropriate to address someone directly. We have a lot of students at our institution from Beijing, and China happens to be one of those very high context communication cultures, so when we have to meet with a Chinese student, how do our North American values and expectations come across to a student who has a very different cultural understanding? Trying to figure it out is difficult . . . is it a language issue? Is it I’m being rude? Is it that I’ve done something that I’m not aware of that’s totally offensive? Are they just afraid?

She continued to explain the importance of acknowledging identity characteristics may be misperceived and that hidden identities are always present:

I identify as a woman, I identify as a woman of color, I identify as someone who appears to be younger, I identify as a conduct officer, as an educator, as a musician, as a wife, as a dog and cat mom. But another big part of my identity because of my outward appearance of color is that I’m an adoptee and I’m a transracial adoptee, so my ethnic identity does not match my racial identity. They’re very incongruent, and so that’s really interesting to me when I work with students who are of the same racial appearance as me, because they assume that I have their common experience and I don’t. So, that’s a big experience that helps me in my approach because I also think about what identities are they not sharing with me, what hidden identities can’t I see? You know, is it an ethnic thing? Is it a religious thing? Is it an ability thing? Is it a sexual orientation thing? What are you carrying with you today that I can’t see that is influencing how you’re talking to me?

Sean mentioned how his identities improve his work with those students who appear similar to him:

I think being a White kid growing up in [a large Western city in] suburbia helps me relate to a lot of our clientele. Okay so this went down with campus police in a university setting where you ran from them and they just gave you a stern warning and sent you to our office. Let's picture you're a Hispanic dude in [the city] running from the cops, what happens? You know? And they can conjecture about how that might have gone down, so we talk about the privilege of being White and on a college campus. I feel like I can relate on that level pretty well.

He went on to share his experiences working with students who appear racially and/or ethnically different from him.

I also think when I was beginning at this and even just being a younger professional, my being a White guy made me uncomfortable talking about race and ethnicity with people of color when there were clearly aspects of that in the incident and I was always like, I don't know how much they want to talk about it, you know? But, now I feel like people do want to talk about it and that if I'm comfortable asking the questions, they're more comfortable going there.

Mo explained he tries to combat ways his privilege lends to perceptions that he's similar to other authority figures. He thoughtfully shared:

I also think that students from a less privileged background will see someone like me and suddenly view me as another form of police and me being a White man and an authority figure, that dynamic is going to make it really difficult to break those walls and barriers down in an hour. There is a good chance they are there because a White police officer wrote them some kind of citation. And, I think that it feeds into the power dynamic. When I sit down, I'm thinking about all of those things and I'm trying to be aware of them and I think that's just something you have to maneuver around or address so they feel like they're heard.

He also shared that as a man, he sometimes struggled to hold women accountable due to their behavior during the hearing. He explained his uncomfortable experience:

In my previous jobs in higher education, I do not recall having the same types of interactions with female students. In this job, I have had many interactions with women who wear revealing clothing in a hearing. I have even had moments where I felt like they were attempting to draw my attention to their revealing



clothing, and it has made me uncomfortable. And, I try not to give them attention for that and try to avoid the fact that that's going on.

He continued:

More times than not if I am meeting with a female student, and I am confronting her on concerning behavior, she will cry throughout much of the conversation. At the same time, when I share what my decision is going to be, such as a deferred suspension, female students stop crying and start questioning my decision in an aggressive manner. And they'll just be like, "are you serious?" and become really angry. I have just been really surprised that so many female students immediately stop crying once they realize that it isn't necessarily helping them get what they want.

Sean also mentioned that holding women accountable was different from holding men accountable.

Liz spoke about how student privilege influences barriers to leveling hierarchy in hearings, referencing dynamics when serving first generation students. She mentioned:

I think the barriers exist a lot more with those first generation students than they do with the privileged students, not to say that first generation students aren't privileged, but if I were to make overall sweeping generalizations, they don't experience power in the same way. So, bringing myself down to that human level is a big barrier for those students who just want to say yes . . . I think the biggest barrier is in how the conduct officer presents him or herself.

In addition to sharing about how identity dissonance creates barriers, Mo and Anna mentioned how aspects of their identity impact their relationships with colleagues and, therefore, their work with students in the conduct process. When asked about how her identities influence her practice as a conduct administrator, Anna shared how she perceived being a woman influenced how a male colleague treated her:

I struggle with it and I really experienced it this past spring semester. Same student came in who had multiple sanctions and then she had another incident and I was being told that I had to suspend her from her hall director. And I refused to because I felt she was targeted the first two times around, she didn't have any violations for a long time, and then I think she was spied on because an RA [resident assistant] said that they saw her smoking pot but all her drug tests came

back clean, so I said, “she’s not smoking—why are you saying she’s doing these things?” And I struggled with this power dynamic because the hall director was a male and I’m a female. He thought I should suspend her, but I wasn’t ready to do that, so that was challenging because I’m sure they were saying that I was soft. And other females have had similar experiences with this man because he doesn’t think we make hard enough decisions. And if it would’ve been a male making the same decision, it’s pretty clear to my office that he would’ve been hands off.

Mo also shared a story about how his peers and colleagues in his graduate program judged him when he shared his religious beliefs in a small group setting, telling him he should not talk about God in social justice conversations. Since that experience and in being mindful of his religious privilege, he shared how his faith identity impacts his work with students:

I can’t talk about my religion or faith in a hearing . . . but at the same time, my knowledge or awareness of that stuff [faith perspective] helps me get down to the nitty gritty in a hearing and helps them feel heard, like I’m really listening to them. And I know I’m in the majority, religiously speaking, and I know that there’s definitely privilege, but it’s weird in hearings when I can tell that a student believes in the same values that I do—do I really bring that up or do I just let that go over? Is that even supposed to be talked about at work or not?

Given the complexity of privilege and how perceived, disclosed, and hidden identities co-exist among administrators and students in the conduct process, it is easy to comprehend them as inevitable barriers to equality in relationships between conduct administrators and students.

### **Lack of Student Accountability**

The Millennial Generation is perceived as responsible, optimistic, and collaborative on one hand and entitled, materialistic, and over-pressured on the other (Waryold, 2006). Perhaps identifying with the latter part of this statement, participants agreed that students who do not take responsibility for their behavior serve as barriers to leveling hierarchy. Throughout the data, words including, entitled and privileged, were used to

describe students who resist being held accountable. Participants shared stories of frustration while working with entitled students and their enablers. Sean shared the following account of frustration in working with this type of student:

Students who are just super entitled, they are having everything paid for, they are not taking any responsibility for their actions, their parents are encouraging them not to take any responsibility for their actions, totally enabled, those early on, I just wanted to be like, “dude, what the #\$%^\*% is going on?” I feel like I’ve gotten better at different ways of talking with those students. Still though, every now and then I’m just like, “dude, you are not getting it,” and I’m probably quicker to dismiss a conversation with that student than with a lot of other students cause I’m like, “maybe the most educational thing for me to do right now is lay down the law, hold you accountable, and send you on your way,” you know?

Mo also shared struggling with lack of student accountability by describing an example of working with an entitled student:

Yeah, the super privileged guy with the attorney for the lower level thing, huge problem for me, big time bias. I struggle so much with that. I just had a hearing with the guy for the second thing in two semesters and it’s just this ridiculous incident that has escalated so much because he won’t take any responsibility for it, and so I’m personally getting frustrated with the situation and I really gotta be able to detach, I really gotta be able to address the behavior. And so, I just don’t think you’re gonna make the same dent that you could with someone who’s really open and willing to reflect and has a certain level of humility in their own mirror, with someone who has never been held accountable, that has never been in trouble before—that’s gonna be a really difficult conversation.

Anna shared the Figure 25 image while addressing her thoughts on student accountability:

This one is just a daily struggle . . . it’s a comic that I got years ago—it says, “have you seen me?” and on the back of the head it says “personal responsibility,” and I think its just great, because that’s something I struggle with—people not taking responsibility for their actions. I don’t know where I came across it, but I love it.

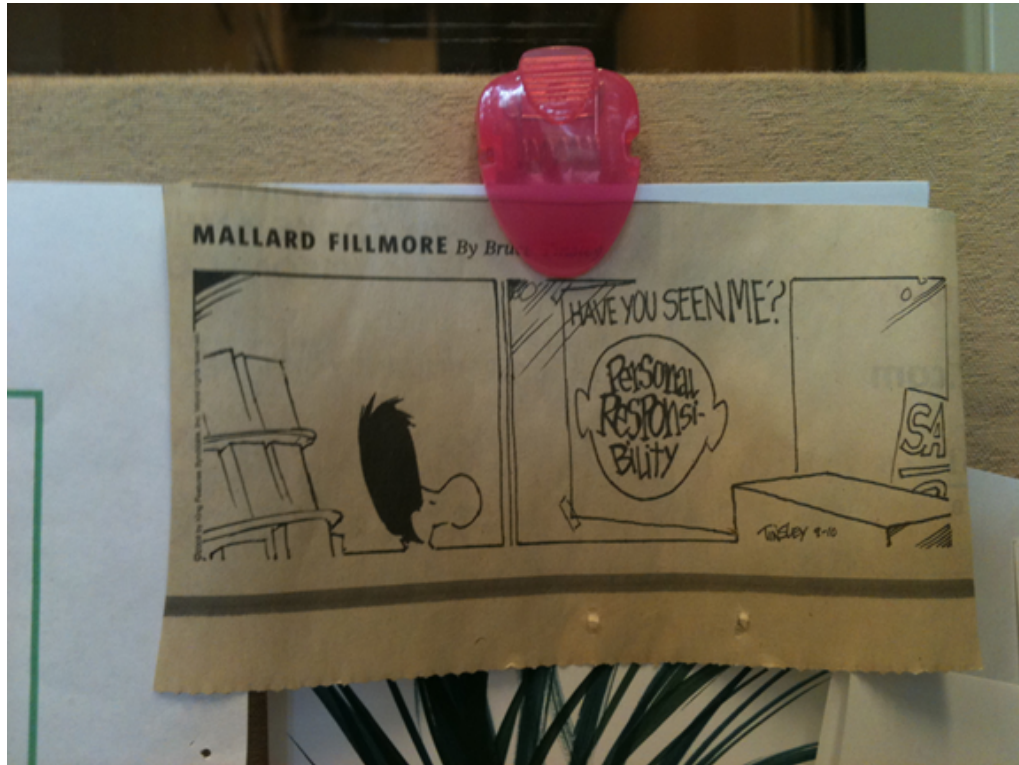


Figure 25. Anna: Personal responsibility comic.

Sean and Liz shared frustration regarding working with individuals who support students in not taking accountability. Sean expressed that while he tries to be understanding of parental involvement, sometimes it is still challenging:

I definitely find myself having to be more patient with parents because my mom would never have come to a disciplinary hearing of mine, and in fact, you know I had a student throw a cell phone on the table and be like, “Call my mom. Call my mom and tell her you just suspended me. Tell her what you did!” And as he was doing that, I was thinking, “man, if I got suspended, the last person on earth I want you to call is my mom, she would’ve been on my ass so fast.” So, then trying to get on board with parents who are coming and making excuses for their kids and that stuff, but knowing that it’s just a different family dynamic and it’s not necessarily good or bad or the other, they’re just trying to protect their kid, trying to make sure the system isn’t going to be biased against their kid. So I’m trying to learn how to respect that because it wasn’t my experience. Some people just have a more enmeshed family, where with my mom it would have been like, “you are going through this conduct hearing,” whereas with those enmeshed families, it’s

like, “we are going through this, we’re at college and now we are in trouble, and now we need to figure out what needs to happen next.” So I’m trying to be more patient with that because sometimes I’m just like, “really, mommys coming to this one? You’re 23? Okay.” Yeah sometimes it’s like, “my kid wouldn’t have shit in the RA’s [resident assistant’s] room if the locks on the doors were better.” I’m like, “really? We’re blaming this on the bad lock on the door? How about your kid breaking in?”

Mo shared a similar example of a parent who intervened to protect their student from getting in trouble:

So I had a student who had an MIP [Minor in Possession] who had a beer in his pocket at a football game with his parents. When they were coming in, the police officer takes the beer can, starts writing the student an MIP, dad gets in the face of the police officer, says, “oh, it’s my fault, I asked him to carry it in,” and tries to talk the police officer out of the MIP.

Anna described similar frustration in working with parents, who, on a couple of occasions tried to bully her into making a decision she did not agree with. Liz mentioned that entitled students, students with privilege, often require her to take a more authoritative approach. She also shared a frustrating component of working with privileged students’ attorneys. She said:

It really triggers me when students use their attorneys as a shield. I’ve worked with great attorneys who understand education law, but most of them don’t. And when the attorney comes in to argue with me about my ability to administer the student code of conduct, that really triggers me too, because then instead of talking with the student about the educational experience, I’m talking with the attorney about rules of law.

In addition to lack of student accountability creating a barrier, participants mentioned the nature of the offense greatly influences their ability to level hierarchy.

### **Nature of Offence**

While all participants shared they normally feel confident in their ability to level hierarchy within the conduct process, they, too, mentioned how certain cases, particularly

suspension level, serve as a barrier. In those more difficult cases, most participants mentioned they may change their approach depending on various factors including recidivism, egregiousness, and student behavior during the hearing. Mo described the differences when working with students with multiple or serious offenses versus those in a first time, lower level incident. When I asked him if he changed his approach given the nature of the incident, he responded:

In a lower level hearing I can be more of a mentor/advisor where I can talk about academics and I can talk about an MIP [Minor in Possession] and I know it's not a suspension level hearing. The worst possible consequences aren't gonna come from this, it's more like they just have to get their life together. That's mentorship; it's not as authoritarian.

He continued:

But when it's like DUI [driving under the influence], domestic violence, second DUI, multiple MIPs [Minor in Possession], and it's like, "I've seen you before, this is your fourth thing, it's a pattern of behavior, it's a year and a half in, what are you doing with your life?" That's more authoritarian because suspension, or my decision, has more of a punitive feel to it probably because they've been given multiple chances to reverse that behavior or pattern of behavior. So, I adapt to the dynamic of the hearing, but I also kind of feed off of what the student's giving me. I feel like in high level hearings, I'm not having my heart to heart with the student, I feel more like the administrator. When the behavior's more serious, typically they're disputing, they're not accepting charges, so it's more adversarial and it's more figuring out if they're lying or being honest and the intent behind the behavior. And there are more guards up in those hearings than there are for an MIP or a lower level DUI because they don't feel like all that's on the line, right? So it's a lot tougher, tougher dynamic. I don't know how you can really fit in the mentorship piece with those.

Liz shared she may alter her approach when handling high level suspension cases, stating, "sometimes sweating for a student is the biggest place for learning." She also explained how challenging informal dialogue can be depending on the egregiousness of the behavior:

That [informal conversation] can be very difficult when the student is potentially facing removal from the university, and also with those students, depending on the level of egregiousness, they are going to be more difficult or less difficult.

Liz also mentioned she may intentionally take a more formal position physically when hearing higher-level cases. Sean also spoke about how his approach may change when hearing difficult cases. He shared:

I think sexual assault and DV [domestic violence] cases are difficult depending on the student I'm meeting with cause I've actually met with some really nice guys who have made some really terrible, terrible mistakes, you know? But the ones that you get a really bad sense about, it can be really difficult at times to have the same developmental approach in the conversation, not try to judge people, not try to interrogate, and that kind of stuff. Because I should be going about that conduct hearing the same as I would with a straight A student who had a beer in his dorm room.

He continued:

So I pretty much have the same approach—there are times occasionally when I'll change that up, for really difficult cases sometimes where I've already met with a couple of people and everybody's lying . . . I may just start totally different with one person, "first of all I'm gonna tell you what I know," or before we get at it, "just know that I know a lot more about this case than you think I do and I'm gonna give you a chance to tell me everything, but if you leave things out, it's not gonna be good for you, ya know?" I don't like being adversarial like that, but if there are times when I really need to find out what happened, I'll do things like that, but it's like one in 50.

When asked if she used the same approach regardless of the case's severity, Anna explained:

I try to. Granted there are some students who need a little bit more of my attention than others. I try to stay the same but when I have that resistant student, I have to be a little firmer than I normally am, and to me, that's probably been the biggest challenge that I've experienced—actually being firm in what I'm doing.

Discussion with participants around managing egregious cases naturally led to a conversation about personal safety at work.

## Safety and Surveillance

When delving deeper into a conversation about safety, participants shared thoughts about how video and audio recording hearings serve as barriers to equality in relationships. Some offices utilized video surveillance for safety purposes, while some administrators used audio surveillance to ensure detailed information was allowed to potential appeal readers. While many participants thought surveillance was essential, they also shared the potential negative impact on building trust with students. Liz took the Figure 26 image, sharing a story of personal safety.



*Figure 26. Liz: Surveillance.*

So this first photo is of the security system in my office. And I think a true barrier to being engaged in student conduct work is being fearful of safety. And so every hearing space is on camera, there's always someone monitoring, which makes me feel safer, but I think makes the student more on edge. It's hard to balance especially with the carry and conceal stuff that's going on in the state. I love my



work; I don't want to get shot for my work. We have surveillance and that came about from me having a very traumatic experience with a student when I was alone. There was no one that knew this was happening to me and it was terrifying and I actually felt very victimized by this student. It [the video] only shows the student, it doesn't show me. Sometimes they see the camera, but I don't tell them it's there. We actually have a code phrase in our office if something looks like its going wrong, the person monitoring the meeting from the front desk will call to determine if I'm okay. So having to develop personal safety measures . . . but when I was victimized by that student, you know, it also in some ways re-victimizes every student who comes in because they're on camera now.

She continued to share with the Figure 27 image and narrative, adding perspective on what it means to be a conduct administrator in an urban setting.



*Figure 27. Liz: Lockers.*

This is lockers. So again, we're talking about the personal safety issue. We do not allow students to bring their personal belongings into their hearings—all of their belongings go into a locker prior to coming in to a hearing space for the safety of the conduct officer. It's kind of the same issue I have with the security cameras and panic buttons. They're there for my safety, but it makes them feel like crap. I don't want to operate afraid, I don't usually operate afraid, but we've

had guns discharged on campus, we've had a number of students who have carried concealed illegally, and we know these things. I guess it's a fine line between paranoia and reality. I feel like if there's going to be an angry student who's going to fly off the handle, it's going to be at a conduct officer. I'm surprised that none of us have been seriously injured by a student. It sucks, but it's the world that we're operating in—especially in an urban setting.

When I asked if she thought the cameras impacted student behavior during the hearing,

Liz explained:

It depends on if they see them or not, realistically. It depends on if they notice the camera's there. But when they do, I've seen physical reactions and body language change. I've seen people ask why they're there, and I think for the ones who do ask those questions, it's because they already think that we as administrators view them as wrongdoers, so how much more of a wrongdoer can they feel like when they're being surveilled like a criminal?

When I asked Liz if she thought surveillance inhibited students from being as honest or forthright, she paused, looked me in the eye, and replied, "Mmm hmm." Sean shared a similar perspective when I asked him about whether or not he perceived safety measures to be a barrier:

I think it can be a barrier; we have a sign that says no backpacks from the front desk point, so I think that automatically it's like "dang." It's a fine line, we're trying to be developmental, but then we have a safety audit, and that's part of the reason we moved because they wanted us to have a safer place to meet with students.

Sean continued to describe how he mitigates the discomfort students sometimes feel as they notice the safety measures:

So now we've got security cameras and we've got the no backpacks rule, so usually when a student grabs their backpack or long board or whatever to take it back to the meeting room with us, I'll say, "oh, why don't you just leave it here; the front desk staff'll keep an eye on it for ya," and then I'll make a joke about the cameras, "and even if someone does steal it, we've got cameras right there so we'll be able to at least go back and see who it was," so I just kind of make it seem like it's no big deal.

Sean mentioned his office also audio records meetings when students are disputing the charges, so if the case goes to an appeal process, those individuals have accurate information with which to make a decision. I asked Sean if the audio surveillance influenced his hearings, and he readily replied:

Yeah, for sure. And it's definitely a barrier. For the most part, I feel like I've been able to make it okay and get it to the point where the student doesn't think about it, but there have been hearings where I can tell the student is on the verge of wanting to tell me something and is uncomfortable and they will glance down at the recorder. So I'll ask them, "do you want me to turn the recorder off so you can talk more about this?" And they'll say, "yes." And I say, "alright, we do this for you, this is your right, but do you want me to turn the recorder off?" and they'll say, "Yeah." Then I turn the recorder off and then they start talking about, either they tell the truth about something they just lied about or they start talking about some mental health history or whatever else that they were just afraid to say, so I think it's absolutely a barrier. I don't know if it's related to power or not or if it's just fear or whatever, I don't know. If you watch the non-verbals they sometimes just keep glancing at the recorder when they're uncomfortable, so it's pretty obvious to me.

Liz also mentioned she uses a pen with an audio recorder in it. When I asked if it impacts the hearing process, she paused before responding

I think it can play in to the power dynamic in terms of comfortability when talking about certain subjects. I don't always know if my students are really honest with me and my recording device is pretty unique; it's actually my pen for taking notes, so it becomes diminished over the course of time but I think that largely plays a role in the communication power.

Mo and Sean also shared that their behavior may be more inhibited in conduct hearings when audio recorders were present. When I asked Mo if he spoke about his faith with students who held similar beliefs, he readily said:

Not at this level. In my old jobs I could, but I feel like my conversations are being recorded, my decision could be appealed. And you don't know where it's a safe place. And so then, what that makes me do is cave up, just be professional, and pick and choose where I get to talk about it.

Sean shared a humorous story about a hearing that was audio recorded:

It's funny because I know that I talk casually with students, and I'm fine with it, and I think it works. But I had a student one time appeal the decision of mine, and they had their attorney write the appeal letter, and we record our conversations if a student's disputing the charges, so we have it recorded. So, they got a copy of the recording and listened to the hearing and all this, so in the appeal letter they had three different quotes from me, saying [Sean] said, "what do you think she was feeling when this was happening, man?" Um, and then there was another quote that ended in, "man," you know? So, on paper I'm looking at this, and it's on this attorney's letterhead, and it's going to our appeal chair, and it just looks so stupid. It's like Keanu Reeves is having a hearing, so I'm just like, "ahhhhhh."

While safety and surveillance surfaced as a barrier to equitable relationships, the following pattern explores how retributive expectations and experiences also influenced ways participants made meaning of their professional role.

### **Retributive Expectations and Experiences**

Concentrating heavily on past offenses, retributive practices assume adversarial relationships are normal and inflict pain, shame, or discomfort on offenders to deter recidivism (Liebmann, 2007; Zehr, 1990). Participants spoke passionately against retributive philosophy and practices, explaining how societal influences like public education, mass media, and Western criminal justice uphold expectations that student conduct administration in institutions of higher education will be punitive. They also spoke of retributive practices in their professional realities and of observing negative approaches used by fellow administrators; adjectives used to define them included intense, scary, authoritarian, hostile, linear, hardcore, and fearful.

Participants shared they believed it was difficult to acclimate students to a restorative, educational conduct process due to their past experiences in kindergarten–12 public education. Liz confidently shared:

I feel like there's no previous model in their lives for what we do. So, if you're sent to the vice principal's office in high school, there's an expectation and social construct around what that means, so I think when they get to us, that's the only construct of student discipline or being held accountable that the students know, and therefore, automatically assume that's what we're going to be.

Sean added:

Yeah, and a lot of the rules in high schools are zero tolerance or strikes or whatever so they're just expecting there's not going to be any process of how we figure this out. It's just, "if I do this, this is the outcome," because that's probably the way it was in high school.

In addition to students transferring retributive expectations from their public school experiences, Sean and Mo perceive mass media to be an additional barrier. Sean stated, "I feel like they're just expecting *Law & Order*. You know, they're expecting like, what time did you leave the house? Where were you? Who were you with? Why did you do this?" Mo presented the Figure 28 image and narrative as he shared about barriers to leveling hierarchy:

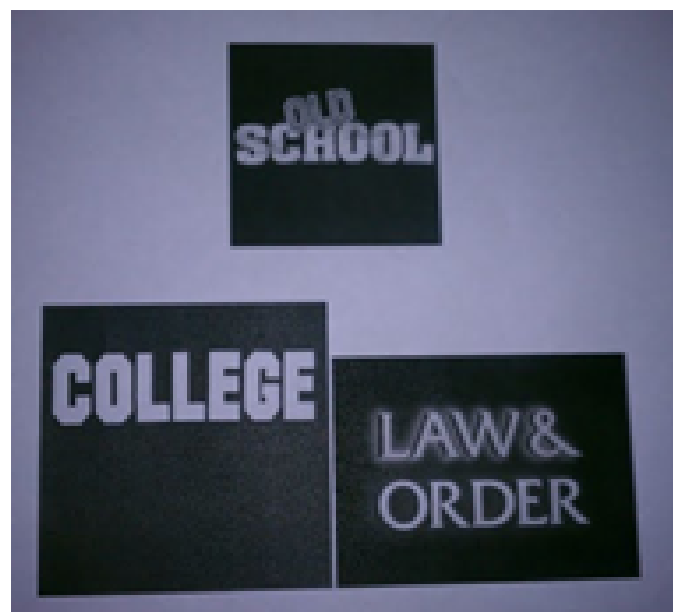


Figure 28. Mo: Popular culture.

I took pictures of three logos because I didn't want to have pictures of actors in the movie logo, but I picked two movie logos of movies with really annoying, nerdy deans. Like in *Old School*, there's Dean Pritchard—it's embarrassing, like he gets owned the whole movie, just gets picked on, he's such a nerd, he leverages his power on the dumbest shit. And [students] think probably, that when they come to the conduct office, they're going to talk to someone like that because that's what they've seen. The College is from *Animal House*, and Dean Wormer, and they have the weird scary music come on when they show his face. And I used the *Law & Order* thing cause it's like, what you say can and will be used against you in a court of law, and they're all pegging them on the most minor detail.

When I asked how these perceptions played out in his conduct meetings, Mo responded:

When they come in, I'm the White, power authority guy who has to make sure all those perceptions kind of go away for a minute. "I want to get to know you, I wanna know what's going on, and I wanna know how I can help make sure you don't get in more trouble." That's a lot of barriers to break down and I do think media feeds the stereotypes of our positions, way too heavily . . . I think it takes time in almost every hearing to have them realize that I'm fairly well versed in what's going on for them versus I'm just going to sit there and lecture at them.

When asked about barriers to leveling hierarchy, Sean similarly shared:

I think that like some of it would be media influences of like the principal's office or movies where the dean and I'm thinking of Jeremy Pivins' character in *Old School*, he's like the dean of students and Will Farrell and those guys are the cool guy students, but his character is a total A-hole, just like Dean Wormer from *Animal House*. So if they're expecting that . . . you've got quite a bit to go to get them to want to talk to you normally.

Participants explained that certain disciplinary experiences in higher education likely perpetuate student expectations of punitive discipline. Liz and Anna both shared about challenges working in offices that exhibit retributive philosophy and/or processes.

Liz explained:

I worked in a three-strike system for awhile where there were prescribed outcomes as a minimum for first, second, and third time alcohol violators . . . so that was another thing that contributed to my burnout rate. When you work in a prescribed system, I might as well not be there, at least that's how I felt. If the outcome is going to be the same for every student, what's the point? Why not just send a

letter saying, “here are the things you need to do,” instead of taking the time to meet with everybody. For me, it’s a lot more difficult to be an educator when I don’t also get to make choices in the process.

Anna explained the challenges of working in an office that charges adjudication fees to students:

We have a \$75 to \$100 adjudication fee depending on what violation it is, and then everything that they do . . . so we have a community living class that costs \$25, all of our alcohol classes cost from \$140 onwards, decision making workshop that costs \$40. Everything is fee based, and it’s really frustrating for us that we charge so much, but it’s a fee-based university, that’s what it is.

Sean commented: “So that probably adds to the whole perception of distrust—the man is just trying to . . .” Anna quickly confirmed:

“You just want my money.” Yeah. “You just want the \$75.” And this is something we never tell the students that we struggle with because student affairs counts on this line budget. So while we don’t want students getting in trouble, we count on them getting in trouble. So, it’s a policy I’m not comfortable with. I don’t think most universities charge an adjudication fee. We’re a fee-based office, so they just think we always want their money.

I asked participants if they had experienced other conduct administration styles that were more retributive or authoritarian in nature, and they shared many examples of what they’d observed. Sean said:

I have worked with a couple of people who are a little more authoritarian and, “Well here are the rules. Why are you breaking the rules?” And I also feel like that’s what a student’s expecting when they walk in the room. They are expecting to get lectured, I mean I’ve had students go, “why aren’t you gonna lecture me?” I’m like, “Will that work? Cause if it’ll work, that’s what I’ll do.” But it usually doesn’t work.

Anna shared:

I’m sure there are people that . . . feel that you are the conduct officer so you need to be the one who has all the power, who controls things. So that guides everything from the chair you sit in to how you dress and what you do.

I asked Anna why she thought they feel that way and what she thought it was about?

I don't know if it has to do with their background and their training, or if it comes just from how they view their role in what they're doing with students. I don't think that everyone is there to support students. They think they are, but I don't think they truly are, just watching their actions, I don't think they are. I definitely think there's a fear of being taken advantage of.

Liz also spoke about her experience observing a variety of conduct administrators:

I've seen really laid back approaches and really intense approaches and everything in the middle. So I'm not sure what they're like when they're alone with a student. I've watched some really awesome people do great work, and I've watched some really scary people that I would never want to be alone with in that situation. . . . I've seen people look a student in the eye and say, "you know you did this . . . what was wrong with you?" And that's scary, too.

Sean shared the following narrative of observing a student conduct administrator that nearly deterred him from the profession:

The first person I ever saw do a conduct hearing was when I was an assistant hall director, and I had a hall director who said, "well, I'll show you some conduct." And so he was going to meet with this student and so he was in his office, pretended like he was on the phone and had this huge thick file, and he tells the administrative assistant, "send him in." So, the student comes in and the hearing officer motions for him to sit on the couch and then he goes to the person on the phone, "yeah, look I gotta go." He angrily hangs up the phone, grabs this thick file, slams it on the table, and says to the student, "who are you!?" And, the student's terrified. And then they had a real quick like, "you gotta knock it off," type of conduct hearing, and it scared the crap out of the student. And I'm sittin' there going "Whoa . . . I don't know if I can do that." And I was only a couple of years from having my own conduct hearing as a student going, "I would think you were a total dick if I was meeting with you right now." So at that time, I was like, "I don't think student conduct's the way to go."

Sean explained that it took him developing his own style to realize his effectiveness as a conduct administrator.

### **Appearance and Environment**

Participants mentioned they felt their professional appearance and the environment in which they work may create barriers to leveling hierarchy. Anna shared that as a younger professional, she was encouraged to dress more professionally to uphold her



authority. When asked about what an ideal environment for practicing conduct would be, she easily responded:

Some sort of open space, warm, inviting, peaceful, where we don't always have to be dressed up. Not looking sloppy, but not having to wear a suit. I've been told I should dress up to establish the power dynamic—that I'm not supposed to look like a peer.

Sean shared he felt having to dress professionally made it more difficult for students to relate to him:

If I'm going to the vice president's it's like, I probably better wear a nice button up dress shirt, slacks, and shoes, which students look at and think, "You're a tool." But I've got some short sleeved dress shirts that are meant to stay untucked that are a little more casual looking—you can still wear at work that aren't quite as formal, you know? And I have two examples of working at a campus where we had to wear ties and our name tags certain days a week because of certain meetings we had to go to, and back then I was doing a lot of conduct and on those days if I had conduct hearings, I had a hard time getting the students to really talk to me, and my conduct hearings did not go well because of how I was dressed. I'm wearing a tie. I'm wearing a nametag, but then I'm trying to relate to a student and be cool and they are just kind of looking at me like, "Who are you? This seems off."

Liz and Anna explained how the physical space in a conduct office may reinforce hierarchy. When describing professionals operating from a retributive philosophy, Liz shared:

I've seen people deliberately set up their office so there's a big desk between them, and to me that's scary. I've seen people intentionally sit in a very bold office chair, their chair is higher and the student is lower, there's a desk in between them, there's paperwork out, there's the very formal environment.

Anna responded similarly as she shared a photo, saying, "this is our conference room, which I hate—just the way it's set up, the big chairs and the table and I think it's just a barrier the way it's set up and it looks. The chairs are just way too big." Sean shared a story of how his current conduct office was a barrier when they first relocated there:

When we first moved over there, meeting rooms were not decorated at all, so there was like nothing on the walls and actually a couple of the walls were padded for sound proofing, so it just seemed really weird and institutional . . . awkward hearings, I mean, it was bad. I talked to my supervisor and said, we have got to decorate these rooms quickly because I'm apologizing to students as we're walking in, going like, "hey (kind of joking around), like, we're not going for an institutional feel, we just moved in here." So, I apologized for the weird room, trying to lighten the mood a little bit, but yeah, they're looking around, like, "yeah, this is odd." So now the rooms look nice and I feel a lot better about it, but eh, it was weird for a little while there.

Mo shared a photo of the student center, which he felt was a more appropriate place for a student conduct office than where his office is currently located, explaining:

This is a picture of our student center. I don't think that your conduct office should be in an administration building on top of a counseling center. I think it should be on student turf, in the middle of what's going on, and make it something you market to people, not necessarily the conduct side, but your conflict resolution side. And make it comfortable, make it part of their world. I do think it needs to be in some student turf area; I struggle with it [our office] being away from that, especially associated with mental health, drug, and alcohol counseling [offices] right below us. That's the floor you pass every time you come for a hearing.

When I asked him how having the conduct office on student turf would break down barriers, he elaborated:

I think just being more visible on campus is important and what it symbolizes is, "it's not just you getting in trouble and having to come over to us. This is your world, so it's not us against you, it's all of us together worried about you. We want you to continue to be part of this, but things gotta change if that's the case." I just wish it was more integrated rather than separate and "bad."

Participants cited personal and office appearance, and the location of conduct offices on campus as potential barriers to leveling hierarchy. Anna mentioned just the name on the office door served as a barrier, while Liz mentioned appreciating that her office was associated with wellness at her institution.

## Chapter Summary

In summary, this chapter explored ways participants made meaning of the barriers to building equitable relationships while serving students in conduct processes. Two broad themes emerged from the data. The first theme exposed ways participants leveled hierarchical relationships with students in the conduct process. Five sub-themes revealed that participants felt they created more equitable relationships with students in the conduct process by mentoring and creating relationships with them. Further, all participants shared that relating to students created more equitable relationships, wherein students would be less likely to view conduct administrators as adversaries. In addition, participants found that being self-reflective about their practice and mindful of how their behavior and identities influence conduct meetings was helpful, promoting transparency and vulnerability in their practice. Further, participants shared that creating a warm, welcoming environment, within which to meet with students, facilitated more positive interactions during conduct hearings.

As part of the complete picture presented in this chapter, the second broad theme brings a measure of reality to the ideality of the previous theme. Participants identified six sub-themes that represent barriers and challenges inherent to contemporary student conduct practice, tempering ways in which conduct administrators may strive to diminish their own power. Identity dissonance emerged as a barrier to creating equitable relationships with students.

Some participants felt their identity as an administrator was an inevitable, ever-present obstacle. Others mentioned having different actual or perceived identity characteristics from the students they served is challenging. Also, participants shared

they were more likely to assume greater power in their professional role when students were not accountable for their own behavior and when conduct incidents were egregious. Participants identified they felt surveillance devices and safety measures diminished trust and openness among students in conduct processes. Further, retributive disciplinary systems in public education and punitive, legalistic messages in popular culture were seen as disadvantaging equitable relationships by creating inaccurate representations of student conduct administrators. Lastly, just as participants felt welcoming spaces leveled hierarchical relationships with students, they also felt that cold, institutional, formal environments made student feel less comfortable sharing sensitive material in conduct meetings. Participants viewed these barriers as somewhat unavoidable, but despite those beliefs, strove to overcome them whenever possible. While this chapter presented findings, themes, and patterns, Chapter VI summarizes this study, addressing implications and conclusions.

## CHAPTER VI

### SUMMARY, DISCUSSION, AND IMPLICATIONS

As a foundation, it served to generate initial interest in undertaking this research and informed research design methods and methodologies from which to explore findings. Making meaning through the lens of conflict transformation also allowed for fuller exploration of power dynamics and hierarchical relationships in student conduct practice.

This chapter presents a summary of the research and discussion of ways in which building trust with students is essential to leveling hierarchical relationships in conduct processes, given challenging barriers inherent to this professional work. Additionally, implications for student conduct administration research and practice are explored, suggesting areas for future consideration.

#### **Summary**

Student conduct administrators must consistently balance the needs of students with those of institutions of higher education, promoting student development, education, and accountability and remaining mindful of community safety and legislative imperatives. Building trust with anyone in a short amount of time may be difficult; however, it is particularly challenging when inherent power dynamics exist, such as those present between students and conduct administrators. Although naturally occurring, student conduct administrators may diminish power inequities while serving students by actively

making meaning of how their approach to student conduct practice may contribute to or minimize hierarchy while in relationship with students. As the profession of student conduct administration continues to shift from the dominant paradigm rooted in Western retributive justice, emphasizing hierarchy, order, and independence to a newer paradigm with goals to expand and facilitate progressive conflict resolution practices and promote student development, applying alternative philosophy to professional service becomes necessary.

Conflict transformation theory minimizes hierarchy, emphasizes relationships, seeks to understand all aspects of a problem, and provides a promising new lens through which to view student conduct practice. However, progressing to a newer, less hierarchical paradigm poses challenges given the power and responsibility inherent in student conduct practice to determine student responsibility and consequences for behavior. While education and development are included among professional expectations and building trust and relationships with students considered essential, studies suggesting how these objectives are facilitated in conduct processes are rare. Filling in the gap, this study explored power dynamics between college students and administrators in conduct processes and the profession of college student conduct administration. As such, the research question guiding this study sought to understand how student conduct administrators who support less hierarchical relationships with students make meaning of the conduct process.

As the profession of student conduct administration perceptibly shifts away from retributive practices that mimic Western criminal justice systems, education, development, and social justice considerations are increasingly prioritized. Promoting these

priorities by viewing student conduct practice through a conflict transformation lens, this study provides implications for research and practice. Further, it supports a paradigmatic shift from applying standardized, positivist student development theory and research toward embracing constructivist, student-centered approaches when exploring the practice of student conduct administration.

To provide context for the foundations of student conduct administration, the literature review explored the history of justice development from three different philosophies: retributive, restorative, and transformative justice, which progressively become more flexible, community and relationship oriented, and victim, not offender, centered. Following a discussion on justice, the history of student conduct administration was explored, showing how the profession has drawn from these philosophies, demonstratively and continually embracing student learning and growth, while navigating legislative situations that significantly influence student conduct practice.

To better understand how and why conduct practice may influence student development, several theories from numerous underlying paradigms lend insight and direction. Identity, moral, and intellectual and ethical development theories are foundational to student affairs practice; however, rooted in positivism, they provide breadth of understanding generalities of student populations, but neglect to generate depth regarding individual student experiences. More constructivist and complex in nature, social and multiple identity theories and intersectionality lend an avenue for unearthing personal voices of students, often from less represented populations.

With assistance from this developmental context, attributes of contemporary, traditionally aged students couple with exploration of restorative and progressive conduct

and conflict resolution processes to highlight the necessity of socially just, culturally competent student conduct administration practice. Finally, complexities in ensuring fair, educational, developmental experiences while building trusting relationships in student conduct administration were further explored by illuminating ways in which the near environment and physical space may positively and/or negatively influence interactions between students and conduct administrators.

Given a solid foundation of literature regarding student conduct administration, the study was designed by blending constructivist and critical cultural paradigms. A critical cultural paradigm was incorporated, as this research focused on exploring the critical issue of uneven power between students and conduct administrators within the culture of the broader profession of student conduct administration; while the constructivist paradigm was incorporated because the study sought to diminish barriers between the researcher and participants, while co-creating meaning. By merging paradigms, this study embraced a philosophical shift toward epistemological creativity, allowing for more accurate research design and meaning making processes. Compatible in many ways, critical cultural and constructivist paradigms were easily reconciled, methodologically (Guido et al., 2010).

In addition to blending paradigms, this study incorporated visual narrative inquiry as methodology, combining visual with traditional narrative inquiry, allowing participants to share stories in dual venues. While using traditional narrative inquiry to unearth participant stories provided necessary context and significance, adding the visual component of photography allowed for another way for stories to be shared. Further,



visual and narrative data were collected and analyzed differently, improving meaning for the researcher, participants, and readers of this inquiry.

In alignment with a blended paradigm and methodology, research methods included two informal, unstructured 90-minute interviews. The initial interview was designed to gain perspectives and stories regarding participants' identities, backgrounds, histories, and philosophies regarding leveling hierarchical relationships in conduct processes. The second photo-elicitation interview augmented data collected in the initial interview by examining participants' photographs taken to represent their perspectives and stories. Lastly, a focus group was included to promote group dialogue and generate additional perspectives. Using multiple forms of data collection reinforced the methodological perspectives in which this study was grounded.

Four participants, serving as student conduct administrators at four-year research institutions in a Western region, were purposefully selected using convenience and snowball approaches. Participant selection criteria included ability to think critically, awareness of power dynamics in their professional practice, and interest in engaging in visual narrative research. Participants thoughtfully gave their time and energy to this process. After gathering data, biographical and psychological frames explored the experiences and backgrounds of participants, providing context for a crystallized, emergent approach to data analysis, enabling an authentic exploration of the data. Crystallization further promoted viewing data from multiple angles, creating an insightful and relevant process for understanding participants and their meaning making experiences (Ellingson, 2009).

During the data collection process, participants self-defined and shared salient aspects of their identities, described their journey to the profession of student conduct administration, and discussed their philosophies and approaches to student conduct administration. Images and narrative united to present a more complex frame with which to understand their experiences, motivations, and perceptions. As effective, progressive practitioners leveling hierarchical relationships with the students they serve, student conduct administrators gave wholly of themselves to this study.

Participants shared similarities and differences, which highlighted their approach to student conduct administration. A musician, partner, pet owner, and educator, Liz has strong ties to her home, family, and friends. Liz shared how her natural ability in leadership positions and opportunities to explore her professional aspirations led her to student conduct administration, where she can utilize restorative philosophy in supporting student growth. Her approach helps students find their voices, share in safety, evaluate choices, and explore more positive ways of navigating life. Mo shared how he somewhere, in the back of his mind, thought he might eventually be doing this work. After eschewing a career in science and serving in residence life and advising, Mo found an excellent fit in student conduct administration. He views fairness and authenticity as critical to his work with students and genuinely cares for their struggles.

An artist, cook, and yogi, Anna came to this profession through the back door. After ticketed for underage drinking, she participated in an restorative justice program, where she found a natural philosophical fit. She eventually secured a position as a conduct administrator, where she engaged in reflective, mindful, reciprocal growth with students. Sean grew up nearby his current place of employment, identifying with the

White, suburban males with which he meets in the conduct process. His approach entails balancing the needs of the students, the community, and the institution. A concerned practitioner, Sean possesses strong relational skills, allowing him to positively navigate relationships with students.

Two broad themes emerged from the data collected. The first theme exposes ways participants level hierarchical relationships with students in the conduct process, and five sub-themes reveal that participants create more equitable relationships with students in the conduct process. Further, all participants shared that relating to students creates more equitable relationships, wherein students are less likely to view conduct administrators as adversaries. In addition, participants found that being self-reflective about their practice and mindful of how their behavior and identities influence conduct meetings is helpful, promoting transparency and vulnerability in their practice. Further, participants shared that creating a warm, welcoming environment, within which to meet students, facilitates more positive interactions during conduct hearings.

The second broad theme, which emerged from this inquiry, frames the issues preventing equitable relationships from occurring in conduct processes. Here, participants identified six encompassing barriers and challenges inherent to contemporary student conduct practice, tempering ways in which conduct administrators may strive to diminish their own power. While acknowledging barriers make equitable relationships more difficult, participants thoughtfully strive to comprehend and diminish challenging aspects of their practice in order to better serve students.

Identity dissonance emerged as a barrier to creating equitable relationships with students; some study participants felt their identity as an administrator was an inevitable,

ever-present obstacle. Others mentioned the challenge of having different actual or perceived identity characteristics from the students they served. Also, participants were more likely to assume greater power in their professional role when students were not accountable for their own behavior and when conduct incidents were egregious, as students more often lie and shift responsibility to others in those cases. Student conduct administrators identified surveillance devices and safety measures diminished the trust and openness between students in conduct processes. Further, retributive disciplinary systems in public education and punitive, legalistic messages in popular culture were seen as disadvantaging equitable relationships by creating inaccurate representations of student conduct administrators. Lastly, just as participants felt welcoming spaces level hierarchical relationships with students, they also felt that cold, institutional, formal environments made student feel less comfortable sharing sensitive material in conduct meetings. Participants viewed these barriers as somewhat unavoidable, but despite those beliefs, strove to overcome them whenever possible.

### **Discussion**

Findings indicated several issues critical to student conduct administration, which require additional discussion. The importance of building trust strongly emerged as essential to creating more equitable relationships with students. Additionally, many inmitigable circumstances, such as the inherent power involved in the position, also surfaced, requiring thoughtful analysis of how tensions between these sometimes oppositional realities might be further explored. Further, discussion of incorporating conflict transformation theory to student conduct practice suggests a timely fit for progressive philosophy to merge with professional student conduct values.

### **Importance of Building Trust**

Most information the participants shared about leveling hierarchical relationships in the conduct process related directly to building trust with students. Informal one-on-one hearings, relating to students via past experience, empathy, vulnerability, and mentoring emerged as ways participants built trust while serving students. While study participants used different techniques to generate trust, they all emphasized it was an integral component of successful student conduct practice. Conversely, participants named retributive approaches, surveillance devices, and societal and media driven expectations as barriers to leveling hierarchical relationships that diminish trust.

Every participant in this study conducted hearings informally, mentioning they felt effective, meaningful conversations occurred more readily in one-on-one meetings. Liz and Sean mentioned a dream conduct process that emphasized one-on-one hearings.

When asked about his ideal process, Sean explained:

Rarely do I feel like having other people in the room is helpful. I really feel like a one-on-one conversation is best. I've done large group hearings where there's five people involved and you meet with all five people; I've brought witnesses in friends or support people, mom, dad, attorneys, and I think the best hearings I have are me and the student, so I definitely think that.

This informal setting gave study participants opportunities to accomplish several things. First, it allowed them to make students feel comfortable disclosing personal information about themselves and the incident. Additionally, it provided them space to be authentic themselves. Given the importance student conduct administrators placed on informal one-on-one meetings and building relationships with students, it is difficult to imagine the same trust building occurring in a formal board setting. Liz shared, "I cannot stand hearing boards, more than anything. My ideal conduct process would not include a

hearing board.” While one-on-one hearings were believed to generate trust, participants felt formal hearing boards are antithetical to trust building.

In addition to hearing boards more closely resembling Western criminal justice models, the use of strike systems, fee-based models, and standardized sanctions emerged as unsavory retributive practices, which reduce trust and efficacy. Anna worked in a fee-based conduct office that generated a great deal of mistrust from the student community. She felt requiring fees created skepticism of the office and enabled students to shed personal accountability in favor of thinking the system was merely operating to generate income. Liz mentioned working in a three-strike system lent to impersonal hearings with standardized outcomes, and Sean shared a story of an administrator who deliberately used his power to intimidate and threaten a student in a conduct hearing. Oppositional to trust and safety, participants disclosed retributive practices interfered with building relationships in conduct hearings and when this occurred, the student was disadvantaged.

Relating to students through language, former experience, and personal style emerged as powerful tools in building trust with students, who participants claimed then felt freer to share more quality, honest information. Mentioning empathy as critical to relating, participants who had been in trouble during their undergraduate years felt their former experiences allowed them to relate authentically to students. Participants conversely felt it would be difficult to relate to students if they did not experience similar social and behavioral situations as the students they serve. Having shared experiences generated empathy and understanding for students’ experiences. Some participants felt students responded to and trusted them more when they disclosed or indicated they had engaged in similar behaviors when younger. While participants highly valued relating to

students, they shared that safety measures, including surveillance devices, such as audio and video recorders, interfered with generating trust. Seen as necessary evils, participants shared that these measures provide a degree of safety, but perhaps at the expense of students feeling safe to disclose personal information.

Mentoring surfaced in this study, as many participants mentioned they communicate with students beyond the conduct hearing. Liz mentioned she received flowers from a student with whom she met, and Mo and Anna shared stories of students communicating with them beyond the meeting to show appreciation and share stories of their learning and growth. Sean mentioned a student who was suspended and came back to visit him to thank him for thoughtfully holding him accountable. Mo shared that he wished he could have more follow-up meetings with students to maintain a relationship with them.

Participants believed mentoring opportunities furthered their ability to be seen as supportive allies. Through stories shared, it was clear that students often viewed participants as their mentors, which contributed to feelings of job satisfaction and efficacy among conduct administrators. While citing time and resources as inhibiting to establishing mentoring relationships, participants shared that ongoing connection with students is beneficial to both parties. Examples of mentorship and perceptions of its value suggest participants are successful in building trust and seen as allies, even when administering discipline. Given their skill at building trust with students in the conduct process, all participants named immitigable circumstances impeded their ability to level hierarchy consistently.

**Immitigable Circumstances**

Some participants mentioned student entitlement and privilege as a trigger and consistent frustration when attempting to create a developmental, educational conduct hearing. When referring to entitlement and privilege, participants named enabling, over-involved parents, and use of attorneys as contributing to lack of accountability. Liz poignantly shared that students with less privilege may be hesitant to self-advocate and receive advocacy from others, which needs considerable exploration in the examination of privilege in conduct processes.

Other immitigable characteristics included the nature of the offence. Participants named certain suspendable, violent offences such as assault and sexual assault as more difficult to address. When hearing egregious offenses or when working with very difficult students, conduct administrators found it necessary at times to assert their power rather than diminish it. Unfortunately, these cases required participants' offices to incorporate safety measures and surveillance devices, which while serving a clear purpose, are also now inevitably embedded within the culture of their offices.

Participants also mentioned the nature of their position as conduct administrators as an immitigable circumstance. Anna explained that no matter how mindful, empathic, vulnerable, open, or developmental she behaved, the power she possessed to influence students' lives is inherently hierarchical. Mo agreed, and explained how his appearance as a White male added to the authority naturally held in his position. While some hierarchical forces are unavoidable, participants shared they attempt to lessen the impact in several ways, including remaining present and self-aware, asking difficult questions, and building trust with students.



## **Navigating Power Dynamics**

Despite inmitigable circumstances, participants consistently and intentionally strove to navigate them. Sean made jokes about the cameras in the lobby, and Anna strove to make sure students knew she was learning from them. Liz remained vigilant of hidden and multiple identities, and Mo used his kind approach to diminish potential perceptions of him as another White man in a position of power. Participants made meaning of leveling hierarchical relationships by empowering students through restorative practices. All of them empowered students to generate and co-create sanctions meant to repair harm caused to themselves, others, and the community. Anna sanctioned days of wellness to repair the harm students caused to themselves, and Sean mentioned a student who chose to write an apology letter to his professor after cheating in her course. Liz explained how her ideal conduct process would have a strong restorative justice component, and the only reason Anna became a conduct administrator is because she was inspired by being a participant in a restorative justice program as an undergraduate student.

Participants also empowered students by informing them of their rights. Mo mentioned he clearly explains the appeals process to students in his hearings, ensuring they feel the process is fair. Anna welcomed students' attorneys, acknowledging their involvement as a critical student right. Participants emphasized a fair, respectful, and informative process is essential to effective conduct practice.

## **Incorporating Conflict Transformation Theory**

Principles within conflict transformation philosophy best describe the intention behind creating more equitable relationships between conduct administrators and students and provides ways in which this study may promote broader significance to the field of student conduct administration. Conflict transformation philosophy seeks to explore underlying causes of conflict, simultaneously addressing both the source and its manifestation. Rooted in appreciation for conflict, conflict transformation serves as a powerful tool in understanding different levels of human experiences. It seeks to, “maximize mutual understanding [and] bring to the surface explicitly the relational fears, hopes, and goals of the people involved” (Lederach, 2003, p. 25). Practices and philosophies of participants in this study embodied conflict transformation by engaging in difficult conversations, searching for root causes of behavior, and engaging in self-reflective practice, viewing the conduct hearing as a space for mutual growth.

Conflict transformation also addresses all aspects central to conflict, including personal life histories, relationships, patterns of behaviors, and socio-cultural contributions; it advocates for leveling hierarchy and seeks participant involvement (Lederach, 2003). By building trust with students to disclose information about their personal life stories and by collaboratively generating outcomes that best serve students, others, and the community, participants consistently engaged in conflict transformation practice, albeit without that label.

Love and Estanek’s (2004) organizational change theory discussed the function and presence of old or dominant and emerging paradigms in contemporary culture. In applying organizational change theory to philosophies guiding student conduct practice,

this study supports a movement from the old paradigm, characterized by hierarchy and retribution, toward a new philosophy rooted in conflict transformation. In adhering to organizational theory, participant narratives and images combined to indicate student conduct practice that levels hierarchy strongly resembles conflict transformation philosophy. This study provided context and direction for the values of conflict transformation to unfold, creating more equitable relationships between conduct administrators and students.

### **Implications for Student Conduct Administration Scholarship**

Findings from this study suggest several areas for consideration when exploring future scholarship regarding student conduct administration. While many studies explore critical issues within the profession, woefully few studies critically explore interpersonal dynamics and practices within hearings. Illuminating how students perceive and anticipate power dynamics within conduct processes would also be helpful by initiating a foundation from which to explore equitable relationships between students and conduct administrators. Additionally, research that explores social justice considerations and culturally responsive practice is essential to understanding power dynamics in all conduct processes.

### **The Hearing Process**

An overall paucity of scholarship pertaining to the art and practice of conducting effective conduct hearings in college disciplinary cases exists. Sean mentioned he thought this aspect of student conduct administration was considered soft by the profession, which more readily gravitates toward ensuring administrators comply with law and policy. He shared:

With barriers, I also think that things like professionally moving up in the profession or just the way that our profession works, like if you go to the national conference for student conduct administration, all the important people are attorneys who wear suits and all the highly attended sessions are about law and policy, but when you're talking about things like this, they're considered like for entry level people, or soft skills, or whatever.

Conduct administration is a complex practice, and understanding how to navigate the legislative realm is critical to professional success and protecting the welfare of students and institutions. If administrators equally develop relational, self-reflective, and empathic skills, litigation may be diminished. This is not to say litigation is inherently bad; it clearly has an important role in ensuring protection and expansion of rights. Anna shared:

I hate how policy's driven out of fear of litigation and it's really unfortunate that that's the case. I understand that some things that have serious and major impacts on people and should change policy, but again, I don't think that's the way everything should be.

Although acknowledging the importance of law and policy, participants shared concern that its emphasis in the field detracted from education and development. Additional scholarship that concentrates on human-centered interactions between students and conduct administrators in the hearing process may provide needed professional balance, affording increased attention to critical developmental moments with students.

As conduct administrators continue to move toward restorative approaches and mentoring philosophies rooted in education and development, it would be helpful to determine how students experience these models compared to those that mimic the Western retributive justice system. An important study might address recidivism rates for mentoring models, much like recidivism rates are explored for restorative justice processes. Additionally, research exploring how student conduct administrators and

students make meaning of their participation in different types of conduct processes would be helpful to navigate the future direction of student conduct administration.

### **Societal Perceptions and Expectations**

Participants mentioned they felt they fight an uphill battle from the moment students enter their office. Due to standardized, more punitive kindergarten–12 models and negative stereotypes of conduct administrators in the media, conduct administrators feel pressure to distinguish themselves and their processes as different, separate from those expectations. While changing messages in media is near to impossible, studies that explore the differences and similarities of disciplinary processes in kindergarten–12 settings and within institutions of higher education may be helpful.

Many participants administered surveys to students following hearings to evaluate the hearing process. A study that specifically addresses student expectations and attitudes prior to hearings would be useful to better understand how they anticipate the conduct process. Taking that concept a step further, exploring what students expect versus what they experience would provide additional context for understanding ways students make meaning of the conduct process.

### **Social Justice and Culturally Responsive Considerations**

Cultural responsiveness is a challenging goal, one of which has been named professionally valuable and made measurable within the counseling profession at large by developing and implementing competency criteria (Fawcett & Evans, 2013; Robinson & Howard-Hamilton, 2000). While many student conduct administrators have developed similar training and skills in higher education and student affairs programs, the student

conduct administration profession may consider undertaking scholarship that infuses measurable and certifiable professional development outcomes, specifically concentrating on social justice and cultural competency (Fischer & Maatman, 2008; Meagher, 2009).

Exploring power from a more positional perspective, this study did not delve deeply into identity dissonance. Fully exploring how multiple and subordinated and dominant identities of administrators and students interact to influence the conduct hearing would be helpful for conduct administrators. Participants believed identity dissonance and student privilege and entitlement were difficult barriers to leveling hierarchical relationships. Future studies that specifically explore social identities would provide avenues with which to infuse social justice more fully into this body of literature.

An additional critical consideration emerged from the findings of this study, which deserves further exploration. Liz mentioned the necessity of being culturally responsive in the conduct hearing. Scholarship that addresses different needs, expectations, and experiences of international and other culturally non-mainstream student populations would likely improve responsiveness within the profession of student conduct administration. While social and multiple identity and intersectionality theories suggest each student possesses a complex, unique blend of experiences and attributes, increased comprehension of how national and related cultural identities influence student developmental needs would be extremely helpful.

### **Implications for Student Conduct Administration Practice**

As potential scholarship should inform student conduct administration practice, scholarly exploration of cultural competency, social justice, quality student conduct hearings, and societal attributes and perceptions will likely propel professional practice.

Additionally, without adequate resources, many positive aspects of progressive discipline that apply conflict transformation theory and relational mentoring will be challenging to accomplish. Further, while student conduct administrators are not counselors, increasing concentration on student development and wellness combined with the benefits and popularity of counseling services, students may benefit from increasingly therapeutic approaches to discipline.

### **Generating Resources**

With limited human and financial resources, conduct administrators are challenged by the amount of ongoing mentoring they can realistically provide. In order to truly embody relational mentoring in student conduct administration, offices will require additional human resources to ensure effective ongoing communication with students. I envision student conduct administrators assisting with disciplinary caseloads similar to those of academic advisors, who meet regularly with students on academic probation. Perhaps identifying how other mentoring offices, such as academic advising and counseling centers' staff operate, student conduct administration offices could begin to develop a case for requiring additional resources.

Further, as campus safety and threat assessment become increasingly critical to institutions of higher education, an argument for relational mentoring models naturally emerges to ensure ongoing support of students with conduct histories. Providing additional resources to support students struggling with discipline related behaviors might serve to ensure campuses are safer, more civil places for entire college and university communities.

### **Incorporating Counseling Attributes**

While the conduct administrators in this study were not counselors, they all mentioned utilizing counseling skills such as self-reflection, empathy, interviewing techniques, and active listening during their conduct hearings. Participants consistently shared the importance of “going deeply” with students, exploring root sources and underlying influences of student behavior. Similar to counseling, that endeavor requires creating a culture of care and building trust in a very short amount of time. Further, participants gravitated toward informal meeting spaces and seating arrangements that more closely resemble those commonly used in counseling offices than in courtrooms or conference rooms. While not counselors, findings from this study indicate conduct administrators feel effective approaches involve incorporating counseling skills and techniques into their practice.

All participants engage in self-reflective practice, which is the active exploration and assessment of personal practice and effectiveness. Anna mentioned she cancels her hearings if she is having a rough day, and Sean shared that he consistently reflects on his hearings by evaluating why he took a particular approach with a student. Mo and Liz explained the importance of maintaining perspective in a profession that is inherently challenging. Participants found exploring their own motivations, challenges, and triggers helpful to improving their ongoing practice.

Participants mentioned the importance of asking open-ended questions, utilizing motivational interviewing skills and incorporating empathy in conduct hearings. Mo and Liz felt motivational interviewing allowed students to explore their own thoughts and beliefs about their behavior. Some participants incorporated reflecting and reframing



skills to maintain open communication and build trust. All participants mentioned building trust required ensuring the near environment was comfortable.

Creating a welcoming space for administering conduct meant, for some, having magazines, beverages, and friendly faces in the lobby. Anna and Liz both mentioned they preferred not to use a table, but to arrange their chairs in a conversational style. Participants shared mutual disdain for institutional and formal feeling offices, viewing sitting behind a large desk as an inappropriate venue for administering conduct. Some mentioned walls painted in warm colors, art and personal belongings displayed, natural lighting, and plants create an ideal space in which to meet with students. Overall, the spaces participants described as conducive to flattening the hierarchy more closely resemble those found in other therapeutic settings, such as counseling offices rather than in traditional administrative settings.

Finally, similar to counseling, participants mentioned the importance of building trust in a very short amount of time. Unlike counselors who may see clients for several sessions, conduct administrators may only have one hour to uncover potential root sources of behaviors. Viewing whatever students did to earn a conduct meeting as a manifestation of potentially deeper more complicated and multi-dimension issues, participants portrayed the conduct hearing as a way for students to, as Liz stated, “unpack” their experiences in a safe setting. Sean also shared the importance of uncovering underlying influences on behavior, sharing that a student may be stealing, not for mere deviance, but to feed an addiction. If sanctioning only for the behavior that manifested, students may not receive relevant, meaningful outcomes from the conduct process.

Conduct administrators are not trained therapists, but share similar goals.

Therefore, deliberately incorporating counseling skills in professional development training may be helpful. Further, borrowing from research on creating therapeutic environments may serve to create the welcoming spaces participants deemed necessary to level relationship hierarchy in conduct processes.

Finally, an epilogue describes how I make meaning of the research, both personally and professionally.

## EPILOGUE

### **Aspirations for the Profession**

I want student conduct administrators to become more focused on mindfulness in the conduct process. So often, I feel drawn to attempt to predict or foresee every potential negative or positive implication for a decision made. I hope a student does not decide to binge drink this weekend, or that they honor their inner wisdom in favor of keeping up with a destructive identification with alcohol and/or other drugs. I attempt to determine how the campus community might be harmed if a student follows through with a self-harming agenda, or how the university might be impacted by an active shooter, a lawsuit, or vilifying press. I expend copious amounts of energy thinking about how my decisions impact my colleagues, executive staff, the institutional mission, faculty perceptions, and foremost, the students who struggle with financial hardship, identity development, social injustice, belonging, and often, invisible disabilities. I truly believe effective student conduct practice acknowledges there are underlying forces behind every violation of the student code of conduct, seeking to understand the root causes of behavior and simultaneously addressing its manifestation. I hope we continue to think about institutional liability, but not at the expense of fairness, integrity, and ethically sound judgment.

I additionally hope this research encourages healthy dialogue within the profession of student conduct administration, prompting discussion that honestly assesses the purpose and intended outcome of our efforts. Like conflict transformation theory

welcomes different perspectives, I hope dialogue stemming from this study exemplifies expectations that students, parents, faculty, and staff engage in, and even encourage, dissenting opinions regarding professional expectations and intentions. Rather than seeing our work as crime prevention, I hope we continue along the embraced professional trajectory, serving as advocates for learning, growth, and development.

I hope we, as a student conduct community, transparently communicate with staff, faculty, parents, and guardians the various perspectives and lenses we perpetually navigate in making excruciatingly difficult decisions. By marketing ourselves as a valuable service and support to these constituents, we can improve collaboration and goodwill, gaining better access to holistic student experiences. As we seek partnership with like-minded supportive individuals, we can create a valuable foundation from which to serve students.

### **Professional Impact of Embarking on this Research**

I never anticipated how completing a dissertation or doctoral program would so powerfully influence my life. When I began this writing journey, I was a green conduct administrator, handling mostly lower level cases and making few seemingly life-changing decisions regarding student behavior. I naturally engaged in meaningful conversations with students, who had little reason to mislead me about their behavior. I thought if I could eventually apply my techniques to higher level cases, I would feel the same reward I felt after having authentic, trusting conversations with students in the conduct process. Now, after having completed this study, I view the profession as far more ambiguous, acknowledging that power dynamics will be ever-present and that a more probable goal involves diminishing them to the greatest extent possible.

While analyzing data, I realized the lessons I learned from participants. Much of what they shared was intuitive to my own practice, but I was deeply influenced by their wisdom, experiences, and perspectives. Study participants powerfully shifted my attitudes regarding the purpose of student conduct administration. Thanks to them, I have developed new techniques and approaches in my own practice, which has been more effective since beginning this study. I sanction yoga and swimming, dress more casually at work, feel freer to share my own *Minor in Possession* story in hearings, and take notes more intentionally. Most importantly, I transfer my learning while training other conduct administrators at my institution about trust building and relating to students. I share findings from this study with them and notice how positively they respond, as if they have been waiting for someone to expect and honor a more personal, relational, compassionate way of student conduct practice. This study has also created heightened self-awareness and compassion, allowing me to make and learn from my mistakes, accept that my practice is imperfect, evolving. When I have a bad day and make a sarcastic comment about a difficult conduct case to a colleague, I take notice and move forward more mindfully. I spend my personal time with my family and care for myself, so I can be more present and effective at work.

### **Personal Impact of Embarking on this Research**

I began my doctoral pursuit with an almost 3-year-old son, with hopes of starting over professionally. Now, looking back, I am so thankful for this journey. We have both grown infinitely as a result of my doctoral education and dissertation process. He has truly been the most supportive presence in my life and is the reason I fought to achieve my professional and personal goals.

Keenly aware of this project's magnitude, he told me to keep writing, that I could do it, and that he was so proud of me. He encouraged me to keep moving, despite his altered everyday reality of eating too much Lebanese take out, watching too many movies, and eating too many hot lunches for weeks at school. He sacrificed weekends and precious time with me, for our shared goal of finishing "the big paper." And in return, I have been blessed to see the pride he holds for my accomplishment, to know that as a single parent, I have accomplished goals neither of us could have imagined. I will nurture him as he strives for and accomplishes his own goals with the same love and support he has offered me in mine.



*Figure 29. My son and me.*

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## APPENDIX A

### INSTITUTIONAL REVIEW BOARD

UNIVERSITY of  
**NORTHERN COLORADO**  
 Institutional Review Board (IRB)



June 1, 2011

TO: Carol Roehrs  
 School of Nursing

FROM: Megan Babkes Stellino, Co-Chair *MS*  
 UNC Institutional Review Board

RE: Expedited Review of Proposal, *Diminishing Power in Conduct Processes: Administrators Make Meaning of their Disciplinary Approach*, submitted by Kelly A. Jacobson (Research Advisor: Florence Guido)

First Consultant: The above proposal is being submitted to you for an expedited review. Please review the proposal in light of the Committee's charge and direct requests for changes directly to the researcher or researcher's advisor. If you have any unresolved concerns, please contact Megan Babkes Stellino, School of Sport and Exercise Science, Campus Box 39, (x1809). When you are ready to recommend approval, sign this form and return to me.

I recommend approval *as edited* ~~as is~~.

*Carol Roehrs*  
 Signature of First Consultant

Date

The above referenced prospectus has been reviewed for compliance with HHS guidelines for ethical principles in human subjects research. The decision of the Institutional Review Board is that the project is approved as proposed for a period of one year: *6/22/11* to *6/22/12*.

*Megan Stellino* *6/22/11*  
 Megan Babkes Stellino, Co-Chair Date

Comments:

## APPENDIX B

### INFORMED CONSENT

SUBJECT CONSENT FORM FOR PARTICIPATION  
OF HUMAN SUBJECTS IN RESEARCH  
UNIVERSITY OF NORTHERN COLORADO

Project Title: Transforming Hierarchical Relationships in Student Conduct Administration

Researcher: Kelly Jacobson  
HESAL Doctoral Program  
(xxx) xxx-xxxx

Advisor: Florence Guido, Ph.D.  
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The purpose of this study is to explore power dynamics between students and conduct administrators within conduct processes and more broadly in the student conduct profession. If you volunteer to participate in this research study, you will be asked to answer interview questions, take photographs relating to interview questions, and attend a focus group with other participants. The estimated time you will be asked to participate is 6 hours. Your responses will be digitally recorded, so information you share can be interpreted and analyzed. You will be asked to provide a pseudonym to protect your identity.

All information you contribute to this research process will be strictly confidential, and your name will not be associated with any of the collected data. With the exception of the researchers involved in the study, no one will be allowed to see or discuss any of the individual responses. Your responses will be combined with the other participants' and shared as findings in this study. The researcher may use these findings in the future to be reported in a professional journal article.

Your participation in this study will benefit you through allowing an opportunity to gain insight around your student conduct practice. You may also learn about how to enhance your practice from other participants in the focus group setting. Risks to you are minimal, though you will be asked about your identities, background, and beliefs. Should you experience any psychological discomfort during the research process, please let me know, and I will work with you to ensure you receive any needed support.

**AUTHORIZATION:** I have read the above and understand the nature of this study and agree to participate. I understand that by agreeing to participate in this study I have not waived any legal and human rights. I also understand that I have the RIGHT TO REFUSE TO PARTICIPATE and that MY RIGHT TO WITHDRAW FROM PARTICIPATION AT ANY TIME during the study will be respected with no coercion or prejudice.

If I have any concerns regarding my selection for this study or how I was treated during the research process, I will contact the Chair of the Internal Review Board at the University of Northern Colorado.

### **Photograph Release and Waiver For Participants**

I, \_\_\_\_\_, hereby grant the researcher of this study the irrevocable right and unrestricted permission to use and publish both photographs I've taken for this research study and photographs of me, or in which I may be included, for purposes related to this research study. This grant includes the right to modify the images for presentation in the discretion of the researcher. I understand that the circulation of such materials could be worldwide and that there will be no compensation to me for this use. Furthermore, I understand that I will be given the opportunity to inspect or approve the finished products or the advertising copy or the printed matter that may be used in connection therewith. In granting this permission to the researcher, I am fully and without limitation releasing it from any liability that may arise from the use of the images.

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Participant's Signature

Date

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Researcher's Signature

Date



## APPENDIX C

### INITIAL INTERVIEW GUIDE

## INITIAL INTERVIEW GUIDE

1. Tell me about yourself.
2. Describe your path to this profession.
3. Tell me about your philosophy/approach to student conduct administration.
4. How might students you've worked with describe you/your style?
5. How do you build trusting relationships with students in the conduct process?
6. How do you empower students?
7. Describe a moral or ethical dilemma you've experienced while administering conduct.
8. What is the most effective power dynamic between students and conduct administrators?
9. Describe a situation when you've identified with a student in the conduct process.
10. Discuss your "triggers" in administering student conduct.
11. What would an ideal conduct process look like to you?
12. What are barriers to diminishing power differences while serving students?
13. What salient aspects of your past or identity express themselves in your approach/philosophy to students' conduct?

## APPENDIX D

### PHOTOGRAPHY GUIDE

## PHOTOGRAPHY GUIDE

1. Please take as many photographs as you would like that tell a story about who you are.
2. Please take at least three photographs that tell a story of your path to this profession.
3. Please take at least three photographs that describe your philosophy/approach to student conduct administration.
4. Please take at least three photographs that are metaphors for, or that symbolize your passion for, your work.
5. Please take at least three photographs that represent barriers to relationship building with students while administering conduct.
6. Please take at least three photographs that envision a more equitable conduct process.

## APPENDIX E

### PHOTO-ELICITATION INTERVIEW GUIDE

## PHOTO-ELICITATION INTERVIEW GUIDE

1. Tell me about this photo.
2. What does this photo mean to you?
3. Explain the symbolism in this photo.
4. Describe why you chose to take this photo.
5. How does this photo express your \_\_\_\_\_
6. What is the photo NOT saying?