

DOUBLE SECRET PROBATION, BIAS, AND EQUITY:
A UNIVERSITY CONDUCT REVIEW

by

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DEDICATION

This one goes out to my Uncle David, who I recently realized I am more alike than different, and I am thankful for it. While he's never been one for overwhelming verbal support, I know he's always been in my corner, quietly supporting from the sideline of my life.

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ABSTRACT

Bias issues in this country are real. Individuals are not treated equally and equitably because of their identities, their values, and their choices. This bias happens in places of employment, in the criminal justice system, in every day interactions and conversations. Bias is real, whether implicit or explicit, and too often compassion and equity seem to fall to the background when determining what is right and how we treat others or hold them accountable. Recent literature has found inequities in how k-12 students as well as the individuals in the criminal justice system are proportionally misrepresented by race and gender, with students of color suspended at a rate far greater than their white peers. Turning to higher education, media accounts suggest students who take part in university athletics or fraternities/sororities may receive preferential treatment. This could be because of monetary incentives from donors and alums of these organizations to the university or money that comes into the community and university because of athletic events. Therefore, the student conduct system at universities must also be investigated to determine if “double secret probation” exists only on the movie screen or inequities in disciplinary consequences are indeed present. From a pragmatic perspective, the goal of this study was to understand the degree to which possible biases in higher education discipline systems exist and use that understanding to inform future practice. Through quantitative analyses, four years of discipline data from two public institutions were investigated to determine if students were suspended at a rate proportionate to the population by gender, race, affiliation with athletics or the fraternity/sorority system, as well as an overall violation “score” based on their complete conduct history. Analysis showed that men and students of color were represented at higher rates in the suspension population than they were in the overall violation population. Controlling for all other predictor variables, gender, race, and a student’s complete discipline record combined to create a violation “score,” were all found to be statistically significant. There is still a lot of work to do in higher education, and specifically as a result of this study, in working with university conduct systems to realize and understand their implicit biases so that they and administrators may create and contribute to an environment in higher education where all students are treated equitably within the system.

CHAPTER ONE

INTRODUCTION

Introduction to the Study

Student codes of conduct outline university behavior expectations for students and student organizations, and are often aligned with an institution's mission, values, and principles as well as need to meet the university's legal obligations (Wichita State University, 2017). The process by which a student's case is adjudicated because of policy violations, has been aimed to further a student's developmental process since Harvard's inception in 1636 (Thomas, 1991), and has since become an integral part of the college experience for many students who violate these codes. Codes of conduct were originally established as guidelines for students to ensure the safety of the campus community and to facilitate the pursuit of the institution's educational mission (King, 2012). Conduct systems and processes give opportunities for students to express themselves, take responsibility, be held accountable, and ensure the respect of others in their educational communities (Healy & Lydell, 1998). For student affairs professionals who administer and facilitate the conduct processes, it is imperative that these processes are fair and equitable for all students whose actions result in a conduct meeting and adjudication.

The present-day goals for conduct processes are broadly accepted as education, moral and ethical development, and promoting citizenship for those involved in the judicial process and who may have violated the policies of their institution. These processes aim to promote and protect an academic community where learning is valued

and encouraged (Howell, 2005). When the code is violated, these goals are further attained by inviting the alleged violator into an educational conversation, often in the form of an administrative meeting or hearing, to fully understand the student's actions, to discuss community norms and expectations and to be held accountable (Healy & Liddell, 1998). Students make mistakes, and ultimately educators and conduct administrators want them to take responsibility for their actions, learn from and reflect on them, and gain some insight from the conduct process as a whole.

Suspension at the university-level is defined as the process by which a student is removed from an institution temporarily due to student conduct code or academic code violations (Stimpson & Janosik, 2007). One may assume that disciplinary processes are adjudicated equitably for all students. However, fueled by media, film, and real-life situations, perceptions of “double-secret probation” (Animal House, Reitman, Simmons, & Landis, 1978) exist. Instead of being held accountable for their actions, students, due to their race, gender, or possibly because of their extra-curricular affiliation as an athlete or member of a fraternity/sorority, are given a second chance during university disciplinary processes. In the film *Animal House*, the notion of “double secret probation” implies that students should have been given additional consequences or even suspended, but instead of the dean holding the students accountable with consequences he creates the idea of “double secret probation” seemingly to avoid holding them accountable for their actions. If students begin to believe that “double secret probation” exists, it may lead to them perceiving that codes of conduct may not always be implemented in an equitable way or administered for all students with a consistent approach.

These perceptions also exist outside of big screen fiction. For example, there are perceptions that students who take part in athletics may be given special or different consideration because of their other roles as an athlete or student leader within the institution (Simons, Bosworth, Fujita, & Jensen, 2007). The media has often brought these issues into the limelight in situations involving sexual assault and alcohol and drug use. This not only happens at the university level, but also at the professional sports level, which creates perceptions that certain individuals as a result of their affiliation may be given preferential treatment, or are above the law (Benedict & Klein, 1997). In addition to athletic or other types of extra-curricular affiliation, people may perceive the existence of preferential treatment because of one's gender or racial identity.

The perception of these inequities can inhibit the effectiveness of the conduct and judicial process, for which the goals at the university level include education, accountability, moral development, and citizenship (Howell, 2005). It is important to understand the extent to which adjudicator bias, either explicit or implicit, may contribute to differential treatment during the sanctioning process. The purpose of this study is to investigate disciplinary suspensions at the university level, to examine the demographics of those students that are suspended, and query whether a relationship exists between students' demographic and affiliation characteristics and suspension as the disciplinary outcome. Findings from this study provide preliminary evidence from which to probe the possible presence of implicit or explicit bias and labeling of certain students due to demographic or affiliation characteristics.

Conduct officers and conduct administrators strive to help students who have violated their student codes of conduct and make the conduct process a restorative, reflective, and educational process (Karp & Conrad, 2005). It could be argued that a student's primary responsibility while in college is to succeed academically, but the disciplinary processes at the university often cover a broader set of issues that could get a student off track from their academic goals at the university. For example, student codes of conduct cover a range of violations from classroom behavior and academic misconduct (cheating, plagiarism, etc.) to alcohol and drug use, sexual assault, or other illegal activity. Conduct meetings provide an excellent opportunity for a student, who may have strayed off their path, to meet with an administrator who is supportive of the student's education and who will help the student learn from the incident and move on. These meetings are also an opportunity for the student to discuss and reflect on the incident, their college experience to date, and if appropriate, be referred to other resources at the university (writing centers, counseling centers, etc.). While these processes often provide opportunities for growth, development, and reflection, it is also important to note there are cases of student conduct that necessitate more immediate consequences that do not offer these restorative options. For example, if a student has been found to have caused harm to others (i.e. sexual assault, physical harm) a student may be removed from the institution without a restorative or educational process. In these cases, due process is still observed, but the intention may be geared to ensuring the safety of other students rather than educating the perpetrator. Often, these are the cases where there is a cause for concern regarding the safety and welfare of other students and members of the

community. It is important to recognize the differences in these types of cases and sanctions and ensure that due process is equitable for all students.

In the university setting, there have recently been a number of high-profile cases of sexual assault by student athletes who the local justice system gave minimal sanctions and penalties. For example, Stanford University's Brock Turner and his six-month sentence for sexual assault outraged and perplexed university and student affairs professionals across the United States (Stack, 2016) and caused people across the country, including the victim, to ask the questions 'how' and 'why' he was given lesser consequences:

The fact that Brock was a star athlete at a prestigious university should not be seen as an entitlement to leniency, but as an opportunity to send a strong cultural message that sexual assault is against the law, regardless of social class. The probation officer weighted the fact that he had surrendered a hard earned swimming scholarship. If I had been sexually assaulted by an un-athletic guy from a community college, what would his sentence be? If a first time offender from an underprivileged background was accused of three felonies and displayed no accountability for his actions other than drinking, what would his sentence be? How fast he swims does not lessen the impact of what happened to me. (Knoll, 2016).

It is important to also discuss the racial identity of the perpetrator as a potential for privilege in discipline systems. After the *Turner* case decision was made public, people took to social media to air their distaste for the outcome, primarily because of Turner's status as a student athlete, but also because of his race. Frustration came when comparing this case to one involving Corey Batey, an African American Vanderbilt student who was sentenced just 2 months earlier on similar charges, but whose sentence was much greater—no less than 15 to 25 years in prison versus Turner's 6 months (King, 2016). These cases have brought possible bias issues into the media and have informed

policymakers to create policies that require university administrators to follow new procedures. For example, Title IX reporting policies were created and mandated by the Department of Education's Office for Civil Rights to ensure cases of sexual assault are reported and investigated (Dear Colleague Letter, Department of Education, 2011). While this federal mandate was recently repealed¹ by the new Education Secretary, Betsy DeVos, many institutions of higher education have chosen to maintain these policies and procedures at their own campuses (Brown, 2017), thus expressing this policy's importance. In addition to the Dear Colleague Letter and Title IX reporting, there are also required reporting structures in place so that prospective and current students are aware of the safety and security of the campus and nearby environs. For example, The Jeanne Clery Act was signed in 1990 and was passed as a consumer protection law that requires all institutions of higher education that receive federal funding to share their annual crime statistics in an annual security report to ensure the public is made aware of crime on and around college campuses (Jeanne Clery Act, 1990).

There is currently much discussion in our society as to whether we have made positive progress around treating certain groups fairly and equitably. Far too often it seems there is another professional athlete being given a second (or third) chance, or special treatment, regardless of violation, and off-field crime has often remained permissible for many professional sports teams, (Withers, 2010). Often alcohol, non-performance-enhancing drug use, and/or gambling violations are given fines or

¹ Saul, S. & Taylor, K. (2017). Betsy DeVos reverses Obama-era policy on campus sexual assault investigations. *The New York Times*. Retrieved from <https://www.nytimes.com/2017/09/22/us/devos-colleges-sex-assault.html>

suspensions from a certain number of games or matches, yet some of the more serious issues such as sexual assault and domestic violence have been largely ignored (Jefferson, 1997), or at the very least not treated as seriously as perhaps they should be. A 1980s-90s study entitled “Public Heroes, Private Felons” (Benedict, 1997) determined that of 172 athletes arrested for sex felonies between 1986 and 1995, only 31% were prosecuted, and of 150 that had domestic violence complaints, only 28 were convicted, and most cases were not prosecuted. Conviction rates for domestic violence in 1995 showed professional athletes convicted at a 36% rate compared to 77% of cases of individuals in the general public (Benedict, 1997). The number of athletes prosecuted in these cases compared to the general public leaves little room for any other explanation other than professional athletes may be receiving preferential treatment when it comes to illegal behavior. Extrapolating from the experience of professional athletes, one may question the extent to which discipline processes at universities are fair and equitable due to students’ affiliations and/or gender and racialized identities.

In the 1978 film, *Animal House*, a fraternity commits continued policy violations, yet instead of addressing the issue and holding these students accountable, the dean of students places the organization on “double-secret probation” instead and allows them to maintain their organizational and student status at the institution;

GREG MARMALARD: “But Delta’s already on probation.”

DEAN WORMER: “They are? Well, as of this moment, they are on *DOUBLE SECRET PROBATION!*” (*Animal House*, Reitman, Simmons, & Landis, 1978).

This reference as well as real-life media-covered discipline cases may suggest that institutions of higher education may turn a blind eye to policy violations, depending on the situation and/or what the student is contributing to the institution. For example, a star athlete may be contributing to a good season and therefore making money for the institution. Or a fraternity or sorority member may be continuing to uphold decades of tradition that support longstanding donor traditions. The recent example at Penn State brings these potential donor and tradition incentives for the university into further question. In a case where a judge dismissed the most serious charges against eight fraternity brothers for a hazing death of a 19-year old student (Bidgood, 2017), there may be more to the story if alumni and/or donors of the organization had threatened pulling funding from the university. For both these groups of students, athletes and those who are part of fraternity and sorority life on campus, research has suggested that because of these students' contributions to campus, they may not be treated in an equitable way and are instead favored when discipline situations arise (Flanagan, 2014, Knoll, 2016).

Today, there are conduct cases that make national news around sexual assault, and even alcohol-related deaths of students within these organizations. Yet, these institutional conduct officers appear to treat the violations as minor infractions instead of addressing the violation directly and holding students accountable for their actions. The recent Penn State example and the film *Animal House* suggests the prevalence of a mindset held by both national fraternities as well as universities in which student misconduct is minimized. This is exemplified in this scene from *Animal House* in which the organization is pleading their case at their conduct hearing:

OTTER: “Ladies and gentlemen, I’ll be brief. The issue here is not whether we broke a few rules or took a few liberties with our female party guests- we did.”

[winks at Dean Wormer]

OTTER: “But you can’t hold a whole fraternity responsible for the behavior of a few, sick twisted individuals. For if you do, then shouldn’t we blame the whole fraternity system? And if the whole fraternity system is guilty, then isn’t this an indictment on our educational institutions in general?”

In addition, there is another very crude internal conversation in the film where one of the main characters “evil” and “good” conscience have a debate about whether to have sex with a female character who has just passed out at a party (Animal House, Reitman, Simmons, & Landis, 1978). The character, Larry has an internal conversation about how the female character, Clorette, has just passed out. Larry’s evil conscience makes reference to how she obviously wants sex and that he’ll never have a better chance. Larry’s good conscience shames him and alludes to him regretting it later. The interaction ends with Larry’s evil conscience calling the good conscience a “homo” because of his inaction to have sex with an unconscious woman.

This kind of cavalier reference to sexual assault is all too present today and on college campuses. The recent #metoo movement (Bennett, 2017) serves as an ever-present reminder of the pervasiveness of sexual harassment and violence on college campuses and in society in general. It is therefore continually important for higher education as a system to demonstrate that individual universities possess equitable

student conduct processes that educate, support, advocate for, and hold students accountable.

With current accreditation standards in higher education, it is important that all students be treated fairly and have equal access to their education (Rhodes, 2012) regardless of their race, gender, or affiliation with certain campus organizations. Student conduct processes are necessary to maintain a positive educational environment. It is imperative these processes are fair, consistent, and unbiased so that all students have the same access to their education, and to an equitable conduct process from which they can learn, reflect, and grow. If students are not treated fairly, and the notion of “double-secret probation” exists, all students are disadvantaged. Students who are given more chances than what is appropriate or equitable may feel a false sense, that perhaps their behavior is not in fact wrong or inappropriate. Inconsistent and inequitable discipline processes may provide students with a false sense of what could happen in the legal system once they graduate, if they continued that behavior. After college, judges in the legal system may not give second chances. This notion also may disadvantage other students in the university environment. Students allowed to remain on campus, who perhaps should not be there may put others at risk or may distract other students who are focused on their education. For example, a student found in violation of a serious offense that constitutes a threat to others (i.e. sexual assault, physical harm) and who is allowed to stay could create an unsafe environment, and/or bolster perceptions that some students are treated differently than others.

Perceptions and the possible reality of “double secret probation”, in which some individuals or groups of individuals may be favored and not held to the same standards, undermines trust in the equity of the student conduct system. If inequities in the student conduct process exist, then it would manifest in students who are suspended having different characteristics from those who are not. If different proportional rates of suspension are found, it provides preliminary evidence for student affairs professionals and conduct administrators to examine the potential for bias and re-commit to organizational practices founded on ensuring that all students are treated fairly and equitably during every conduct adjudication process. If differential suspension rates are found, the topic will need to be approached sensitively and with genuine desire for education of conduct administrators and improvement of the conduct process. It is important for administrators to be made aware and a plan created to ensure the process becomes an equitable one in the future.

Universities often have codes of conduct for all students to abide by, but some also have additional codes by which distinct populations (i.e. athletics or fraternities/sororities) must adhere. Whether students are being held to a specific standard through a student code of conduct or a fraternity/sorority or athletic system code of behavior, students are held accountable for actions that may affect their own success in college, the success of other students, and the institution’s ability to realize its educational mission. Whether or not a student is suspended, the conduct process should be fair and consistent for all students who encounter it through alleged conduct violations. All students should have an equal right to their education and to the processes

that are necessary for a positive and successful learning environment, inclusive of the student conduct process. While not all student conduct records or violations are the same, it is necessary that all students go through the same process, due process, and have a similar experience with sanctioning and suspension regardless of their demographic characteristics or affiliations.

Operational Definitions

It is important to determine a basis for which terms are discussed within this research study and thus key terms are outlined below:

Student Code of Conduct- standards by which students are held to at an institution to ensure a safe and educational environment where students can succeed and learn (Anonymous Institutional University Codes of Conduct, 2015).

Adjudication- the formal process and investigation by which a student has an alleged violation of the student conduct code, which includes an administrator: 1) determining facts through reports and/or interview; 2) informing the student of the findings of the investigation; 3) allowing the student to respond; and 4) deciding if the student code of conduct was violated (Institutional University Codes of Conduct, 2015).

Judicial/Conduct/Discipline Process- the process a student goes through to have their case adjudicated and a resolution determined for student conduct violations. See adjudication. These processes often are intended to promote citizenship education and promote a community where learning is valued and encouraged (Howell, 2005).

Conduct Officer/Administrator- the official assigned to a student conduct violation case who determines the outcome of the adjudication process, assigns sanctions, etc.

Violation- when a student acts or behaves in a manner that violates the standards set forth in a Student Code of Conduct.

Conduct Meeting/Hearing- a formal meeting in which the alleged violator (the student) meets with a conduct officer or administrator to plead their case, explain the situation/violation, accept or deny responsibility, and be given sanctions, if the situation warrants it (Institutional University Codes of Conduct, 2015).

Sanction- another word for consequence. In student discipline, sanctions are often the result of a conduct meeting in which a student is found in violation of the student conduct code- examples could include educational courses, community service, or suspension.

Suspension/Dismissal- the process by which a student is removed from an institution temporarily due to student conduct code or academic code violations (Stimpson & Janosik, 2007).

Due Process- requirement that all legal rights are owed to a student in a student conduct adjudication, guarantee of fairness and an opportunity to be heard (Tosdal, 2011).

Purpose Statement

The purpose of this correlational research study is to investigate the relationship between possible predictors and suspension as the adjudication outcome, as well as the proportions of students suspended compared to those already in the judicial system, at two large public research land-grant institutions in the inner-mountain region in the

United States. It is important for institutions of higher education to better understand who is suspended and the severity of violations that lead to suspension, in order to ensure the equity and consistency of these processes. This study contributes to the limited body of literature on the topic of suspended students and the fairness of these processes in higher education (Stimpson & Janosik, 2007, Dannels, 1990; Kompalla & McCarthy, 2001; VanKuren & Creamer, 1989). It is the hope that the results of this study will inform practice for the handling of these types of university dismissals as well as contribute to the wider body of literature on student suspensions in higher education.

Specifically, this study will investigate suspension rates by race (white vs. students of color), gender, affiliation in two types of organizations (fraternity and sorority life, and athletics), and “violation severity score”, a researcher-created variable to capture a student’s overall conduct history, at two institutions of higher education. It is also the hope that this examination may provide conduct administrators with recommendations to inform their future practice such that students can be ensured of an equitable conduct process.

Research Questions

This study was guided by the following research questions:

RQ1- When considered individually, is there a relationship between these predictor variables (gender, race, affiliation with athletics and/or sorority/fraternity life, and violation severity score) and likelihood of suspension?

RQ2- When considered together, is there a unique relationship between predictor variables (gender, race, affiliation with athletics or sorority/fraternity life, and violation severity score,) and the likelihood of suspension?

RQ3- What are the interaction effects between significant predictor variables (gender, race, and violation severity score) and all variables on likelihood of suspension?

RQ4- What is the rate of suspension based on student characteristics (gender, race, and affiliation with athletics and/or sorority/fraternity life) as compared to proportion of these characteristics in the overall violator population and overall institutional population?

Chapter Summary

There are few studies that have specifically examined student suspension in the higher education context. It is important to begin looking at these systems of student conduct to ensure that students who violate policies are treated in an equitable manner, regardless of race, gender, or levels of affiliation with certain groups (athletics, fraternity/sorority life) on campus. In order to ensure these processes are fair and consistently applied to all students, student conduct practitioners need to first understand if what is being done is fair and if not, then use the knowledge to improve practice, and possibly modify the policies and procedures within the system. While it is the hope that students who violate their codes of conduct are reflective, learn from their mistakes, and do not re-offend (and therefore continue to be retained as students), not all students fall into this category. Students, who have made choices that have led to suspension from the

university still deserve to be treated fairly and go through an equitable process, whether it is the first violation that leads to the suspension or is a series of events that lead to dismissal from the institution. Either way, it is imperative that student conduct officers provide all students, regardless of affiliation in certain organizations or identifying characteristics, with an equitable process. This study aims to better understand characteristics associated with suspension at two institutions and improve future practice for these universities' conduct systems and beyond.

CHAPTER TWO

HISTORY, BACKGROUND, AND LITERATURE REVIEW

Literature Review Part 1

In order to best conduct a study around equity of student conduct processes it is first imperative to understand the processes, history, and theories by which student conduct has evolved, where it stands today, and how the specific research questions are informed and framed by theory. Key legal cases as well as procedural transition and development make student conduct processes what they are today. Therefore, this history must first be addressed to best understand and inform this study and its potential impact on the current literature and practice around student suspensions in higher education.

History of Student Conduct

University conduct processes have evolved substantially in the last 50 years since the *Dixon v. Alabama State Board of Education* case (Harvard Law Review Association, 1962) radically changed higher education in 1969. In Alabama in 1961, six Black students, inclusive of John Dixon, were expelled for allegedly participating in Civil Rights demonstrations. At the time, the concept of *in loco parentis*, was still present in higher education. This idea, incepted 100 years earlier as a movement of the Colonial college era, indicated that college administrators and faculty stood *in loco parentis* or “in place of parents” and were therefore responsible for the physical and moral welfare as well as the mental training of students (Kaplin & Lee, 1997, Bickel & Lake, 1999). In the

Dixon case, students were not given any opportunity to defend themselves, nor were they given any notice of the charges against them. Students alleged that by not being given notice of and denial of a proper hearing, they were not given the opportunity to exercise their 14th amendment right of due process.

As a result of this incident, the Alabama 5th Circuit Court of Appeals ruled that college students should be given due process rights (Harvard Law Review Association, 1962). The results of this case recognized that students were in fact adults and should therefore be entitled to their constitutional rights (Henning, 2007). This ended *in loco parentis* and all notions that the responsibilities of students' physical and moral welfare lie with college officials. Students were now recognized as adults and therefore would be treated as such. The *Dixon v. Alabama State Board of Education* case radically changed higher education, how student affairs professionals interacted with students, and how students were regarded as individuals. Students in higher education environments would no longer be viewed as children but instead seen as adults capable of moral and ethical decision-making (Lancaster, 2012). Students now had rights when it came to the discipline process.

Some scholars would argue that the elimination of *in loco parentis* has since made the understanding of the college's responsibilities in regards to morals and social life incoherent and unclear (Hoekema, 1994). Without *in loco parentis*, the courts, university administrators, and academics were forced to determine other areas to look for explanations of the legal aspects of student and higher education institutional relationships. Although several alternative models were considered, none were deemed

appropriate due to insufficiencies in determining institutional liability (Stamatakis, 1990). Without a clear explanation of the role of administrators that was equal, or very similar to that of parents, administrators and students may have difficulty determining the line that could be considered between authority and helper. However, this line could be blurred, just as *in loco parentis* intended, but in a different manner than simply replacing the work of parents.

Conduct officers and conduct administrators strive to help students who have violated their institution's student codes of conduct and make the conduct process a restorative, reflective, and educational process (Karp & Conrad, 2005). It could be argued that a student's primary responsibility while in college is to succeed academically, and student conduct meetings may provide an excellent opportunity to help students not only get back on track with academics but offer an arena for students to move forward and learn something they might not learn in the classroom. Described as "delinquency" in some literature, there is a direct correlation between adolescents' wrongful or illegal behavior and academic performance (Felson & Staff, 2006). If codes of conduct are administered in certain ways and with a more developmental lens, university students may also gain more in regard to their moral, ethical, and intellectual development.

"Punishment"

Although learning and development may be desired outcomes of a student conduct process, for those that are found in violation of their codes, some sort of sanction or "punishment" is also assigned. The concept of "punishment" has evolved both in

education (K-12 through higher education) and the criminal and juvenile justice systems. All systems seem to have common threads of trying to curb unwanted behavior and recidivism as well as being guided by some sense of justice and education. There are many possible preferred outcomes when punishment or justice is needed, and when individuals are being held accountable for their actions, both in legal systems and in higher education. For example, goals of punishment could include rehabilitation, deterrence, retribution, restorative justice, incapacitation, etc. In higher education, it is referred to more as an adjudication process, and usually viewed and facilitated as an educational process in which to learn and move forward from as opposed to “punishment” of an individual student.

Conduct officers and conduct administrators strive to help students who have violated their student codes of conduct and make the conduct process a restorative, reflective, and educational process (Karp & Conrad, 2005). In the criminal justice system, punishment has been defined as a mix of deterrent concerns, rehabilitative aims, and retributionist ideals (Ishoy, 2014). Considering higher education student conduct could be considered a parallel to the criminal justice system, as well as K-12 education, it seems an important starting point to better understand the purposes of what the criminal justice system and K-12 education may call “punishment” in the literature, and what higher education may call the adjudication process, inclusive of sanctions, or consequences.

At the university level, student conduct meetings and hearings should provide an opportunity for students who may have strayed off their paths, to meet with an administrator who is dedicated to the student as an individual and their education, to

helping the student move beyond the incident and violation, and hopefully, to learn from the process. This process should be educational, reflective, and promote ethical and moral development (Howell, 2005). This is also an opportunity for the student to be able to discuss and reflect on the incident and their experience at the institution thus far, and for them to potentially learn about other resources at the university (i.e. student success offices, financial education, counseling centers). It could also be considered a goal for the student to be able to return to their environment (i.e. the residence hall, classroom) with new motivation for learning and success. The adjudication process, in essence, is purposed with education, reflection, and accountability. Healy and Liddell (1998) assert that, for the purposes of moral and intellectual development, student affairs professionals should teach students about the expectations of the institution, so they may take responsibility for their actions, guide them in reflective learning and understanding the process, and work to remove barriers so that students have the ability to be held accountable when necessary, but also to learn and reflect from the process.

In the criminal justice system, the purposes of punishment can be far broader- from rehabilitation to deterrence to retribution to restorative justice to incapacitation (Adler, 2015). While some of these purposes may be educational, it is not always the criminal justice system's goal for officers to have positive interactions with perpetrators and move them forward to being successful. Unlike the criminal justice system in which the goals of punishment range from rehabilitating to long-term incapacitating, the goals of education, accountability, and moral and ethical development (Howell, 2005) in the conduct process in higher education have remained mostly consistent. However, the

process has changed significantly since its inception and has not always been viewed as developmental in nature.

Justice and Adjudication

It is difficult to discuss any type of adjudication process, whether in education or the criminal justice system, without first discussing what is justice, and what is considered fair. Some institutions may consider fairness to be when the punishment is in relationship to the crime or policy violation while others may find it more important to assert power and control over the individual as a means to avoid recidivism or repeat offenses. It is also important to consider the purpose and goals of the adjudication process. With many different ways of adjudicating student conduct cases, the idea of what is just in the process is important to explore.

According to Karp and Sacks (2014), there are two primary approaches to handling student conduct violations: the model code and restorative justice. The model code can be described as a more formal process, placing emphasis on authority and control for the purpose of ensuring due process and fairness. The model code is the more traditional approach and focuses more on administrative meetings and retribution. The model code is criticized in recent literature for its emphasis on overly legalistic procedures that Stoner and Lowery (2004) consider creating a more adversarial environment. The restorative justice model has been identified as having more similarities to a mediation process where decisions are made collaboratively with the student and possibly victim as well as attempting to build stronger ties to the university

environment and community (Karp & Sacks, 2014).

There are also approaches that combine the two, pulling different facets from each as a means to strike a balance between the two. For example, students that go through a blended model may encounter similar goals to the restorative justice model, but in a one-on-one conduct meeting where the victim is not involved in the process (Karp & Sacks, 2014). Stoner and Lowery (2004) however, remind practitioners that whatever approach is utilized at an institution, fairness should be the cornerstone of a just student conduct process. Students always deserve due process and always deserve to be treated with dignity, honor, and respect, as well as care and concern for their well-being, growth, and development.

Restorative justice has recently gained popularity within university conduct processes and in judicial affairs as it focuses more on collaborative process that often involves the victim(s) in the actual conduct meeting or hearing and is used as a way to repair harm between the individuals and reduce the risk of re-violation through relationships and connection to the environment where the violation took place. The restorative justice model focuses on accountability, community protection, and competency development; the offender makes restitution and goes beyond punishment to include reengagement and reparation (Forgays & DeMilio, 2005). The main idea is that crime, or in the case of university students, policy issues, are more violations of community and relationships than a violation of the law and legal system (Zehr, 1990).

Restorative justice practices have proven effective both in teen courts as well as in the criminal justice system (Forgays & DeMilio, 2005; Dahl, Meagher, & Vander Velde,

2014). In a study done by Forgays and DeMilio (2005), teens who took part in a restorative justice teen court model fulfilled their sentence requirements at a higher rate than those who did not use the restorative justice model, and many of those teens also chose to serve on a teen court as a juror or another court role for future cases. The low rates of recidivism within these teens and high rates of sentence completion show the possible positive effects of restorative justice. In the criminal justice system, these approaches have also proven highly effective in contrast to the more traditional methods of retribution and punishment (i.e. incarceration, probation, court-ordered restitution). Latimer, Dowden, and Vander Velde (2014) conducted a study with individuals in the criminal justice system. They found participation in the restorative justice program resulted in higher victim participant satisfaction with the process in comparison to a control group who did not participate. Participation in the program also yielded lower rates of recidivism than their counterparts.

In higher education, while earlier studies found little to no difference in types of adjudication processes (Fitch, 1997), recent studies have shown that a restorative justice approach to student conduct may provide higher levels of learning and reflection from the incident and the process and therefore decrease incidents of recidivism (Karp & Sacks, 2014; Dahl, Meagher, & Vander Velde, 2014; Latimer et al, 2005; Bonta, Wallace-Capretta, Rooney, & McAnoy, 2002; Forgays & DeMilio, 2005; Sherman & Strang, 2007). Specifically, in a study by Dahl, Meagher, & Vander Velde (2014) that focused on determining outcomes and motivation for using restorative justice over an administrative hearing or model code, students who completed a restorative justice process felt like they

were less likely to offend again and found restorative justice to be their best option in their conduct process. It was also found that those university students who participated in restorative justice had higher senses of community integration and awareness. Whether institutions are choosing more restorative justice adjudication practices, the traditional model code, or a blended model, it is important for conduct administrators to maintain ethical and equitable practice from one conduct case to the next. For higher education, student development theory can and should play an important role in determining how an institution will approach student conduct as these developmental conversations that advance moral and intellectual development (Healy & Liddell, 1998).

For the sake of this study, the two institutions involved in this study use restorative justice in varying forms, depending on the type of case. At Institution 1, a restorative justice process may be used if a specific organization has been harmed in some way. In this case, community service with that organization may be issued as a sanction to the individual or individuals found in violation (Anonymous Institutional Website, 2017). Institution 2 utilizes restorative justice as an option for students in cases where a) an offense has been committed that has a direct negative impact on others, b) the person who caused harm takes responsibility, expresses remorse, and wishes to try to repair harm that was caused, and c) the impacted parties are interested in participating the restorative justice process (Anonymous Institutional Website, 2016).

Student Development Theory and Student Conduct

In order to understand today's college student population, conduct administrators should have a solid grasp on student development theories and the role they may play in how a student is encountering the student conduct system, what they might be learning from their experiences within it, and how they reflect and behave after an administrative meeting or hearing. There are several organizational and student development theories that fit well into the student conduct process and how it is realized at a university. Student development theories in particular give excellent insight into students' processes that may be occurring for a student that has violated the student code of conduct and being held responsible for their actions. Arthur Chickering's Theory of Student Development, specifically the seventh vector, entitled "Developing Integrity" (Chickering & Reisser, 1993), Kohlberg's Theory of Moral Development (Colby, Kohlberg, & Kauffman, 1987), Gilligan's Theory of Women's Moral Development (Gilligan, 1982), and Rest's Four Component Model (Rest, 1979) have excellent implications for student conduct meetings and how students move through their development in regards to beginning to better understand and practice their own values and ethics. The concept of student development should provide a framework for student affairs professionals, specifically around moral and ethical development for those involved in student conduct processes.

Student development, based on student development theory, can be seen as a reason for being for student affairs, a primary goal of student learning, as well as an information base to enhance the effectiveness of higher education as it helps students achieve more fully informed maturity in the college years (Roberts & Banta, 2011). It is

important for all student affairs professionals to take student development into consideration as a means for promoting learning and educating students in all realms at the university.

In 1969, Arthur Chickering proposed seven vectors of student development that contribute to how a student develops their identity during their experience in higher education. Chickering's theory of student development ultimately theorizes the tasks of which a student completes or progresses through while developing their identity in a university setting. The seven vectors include developing competence, managing emotions, moving towards autonomy toward interdependence, developing mature interpersonal relationships, establishing identity, clarifying purpose, and developing integrity (Chickering, 1969). There is a connection between student development theory, specifically Chickering's seventh vector of developing integrity, and the student conduct process. Specifically, this vector takes into account the two previous vectors of establishing identity and clarifying purpose, and better understanding one's values so as to develop congruence with socially responsible behavior. Chickering and Reisser (1993) describe the seventh vector of developing integrity as "humanizing values, personalizing values, and developing congruence" (p. 51). In this vector, students are establishing their own personal values and moral codes, perhaps inclusive of reflection sometimes induced by violating a policy and going through a restorative and educational process with a student affairs professional that is designed to reflect, provide resources and morally and ethically develop the student (Howell, 2005). Students who have violated their institution's student code of conduct have potentially made decisions based upon their

moral compass, or at the very least may learn something about their morals and sense of integrity by going through the student conduct process.

Lawrence Kohlberg (1981) and his theory on moral development, as well as James Rest's Four Component Model (1979) have also provided insight into how students may be beginning to define their moral identity and values in college as well as how justice plays a role in their lives. Kohlberg describes justice as being the principle that is center to moral development and believed morality focused mainly on understanding rights and rules. His approach to moral development, which includes six stages, begin with the pre-conventional level, where individuals determine how to avoid punishment and are concerned primarily with self-interest. Stages three and four, or the conventional level, describe when expectations are followed and behavior is motivated by external factors such as legal processes and societal norms. The final stages, or post-conventional is when an individual realizes mutual benefits. Law, justice, and personal values are all considered as decisions are made (Kohlberg, 1981). Kohlberg and Hersh (1977) describe moral development as "the transformations that occur in a person's form or structure of thought" (p. 54), and it is often in student conduct meetings that these transformations occur for students who have violated their student codes of conduct.

Rest's Four Component Model of Morality (1983) and Defining Issues Test (DIT) (1975) have also played major roles in gaining a better understanding into how morality and moral reasoning are developed while participating in higher education. Rest described his model of morality in four components: ethical sensitivity, moral judgement, moral motivation, and moral character. This model was not intended to be a linear

process but instead different processes that may work in tandem to help or hinder moral behavior (Rest, 1984). Rest's Defining Issues Test has become the most widely utilized instrument for studying moral development in college students and has provided ongoing insight into what variables influence moral development in higher education (King & Mayhew, 2004). Given that students are moving through, experiencing, and transitioning into different phases and components of moral development while in college, it is recommended that moral education is approached in a curricular facet and woven into all aspects of a student's time at university, instead of just in the classroom (Mayhew, Seifert, & Pascarella, 2012); this includes the arena of student conduct.

While Kohlberg's theory specifically aligns well with student conduct processes and how students make moral judgments, Carol Gilligan's research (1982) explored women's moral development specifically as well as a more in-depth study on college students and how moral development can impact a student's identity (Evans, Forney, & Guido-DiBrito, 1998). Her research and findings included relationships and interdependence as additional layers that influence moral development. Morality, she determined as "making decisions after working through everything you think is involved and important in the situation, and then taking responsibility for the choice" (Gilligan, 1982, p. 147). This responsibility then includes the self and others through interdependence and the realization that relationships, and the university environment in higher education, is imperative as one considers the morality of a decision, as one's actions could have implications for others in the community. These additional layers are important in light of promoting students' moral development as a result of the student

conduct process and when helping students to move beyond themselves and how their behavior may affect others in their community.

Walker (1988) asserts that in order for moral development to occur, disequilibrium and exposure to higher-stage thinking must be present, and it could be argued that in a student conduct hearing both are present. In order for students to arrive at a point where they are part of a conduct process, they need to have had an incident, or alleged incident, where their moral compass was in question, whether they recognized it or not. Student conduct hearings give students an opportunity to discuss and reflect on what this process looked like for them, how and why they are making certain decisions, and how they can move on, potentially transitioning to a different stage of their own moral and student development.

The student conduct process has been creating opportunities for moral development for students since Harvard's inception in 1636 (Thomas, 1991). It has thus become an integral part of the college experience for many students who violate their codes of conduct. Standards of conduct at universities have been established as a system of guidelines and rules to protect the safety of students and the campus community as well as the educational mission of the institution (King, 2012). Violations of these codes of conduct and the consequence of an administrative meeting or hearing serve as an excellent opportunity for students to learn and reflect about their morals, integrity, and identity development. While moral, or ethical development, has always been a fundamental purpose in the higher education agenda (Reuben, 1996), morality is becoming an even more central outcome, as seen in university mission statements that

include objectives such as preparation for civic leadership and service, as well as responsible participation in society, all related to ethical development (King & Mayhew, 2004). It is important for all institutions to be aware of and change outdated systems to rise to the challenge of being aware of these developmental models and ensure that not only are these processes supporting these ideals but providing a consistent, unbiased, and equitable process for students to learn from, even in the times where they may make mistakes.

Meaning Making, Development, and Education in Student Conduct

For students who make decisions that violate their institution's code of conduct, there have been many studies around the perceived learning and developmental growth that can happen as a result of administrative conduct meetings and hearings. Healy and Liddell (1998) discuss the concept of providing challenge and support while helping to remove barriers to learning within the higher education environment as a way to facilitate development and moral and intellectual growth. They assert that student affairs professionals should ensure that students find their education accessible and that in order to do so, the following guidelines should be followed: 1) education about expectations (i.e. a student code of conduct), 2) accountability that allows an area for reflection and learning, 3) termination of the relationship between the student and the institution if learning is not happening or can no longer happen, and 4) working within legal and ethical parameters to understand the impact of behavior on other students and the community. Dialogue is the route to ensuring these guidelines are met. Healy and Liddell

(1998), in their assessment of the need for development within these systems, also specifically discuss severing the relationship with the student. They contend that “the decision to sever the relationship is the decision to abandon hope and the possibility of growth and development,” (p. 46) and a decision that must not be made lightly or in haste; it is imperative that all other possibilities for the students to learn, reflect, and reform, have been exhausted. While there are situations when a student’s mental health is questioned, it is up to the professional judgment of practitioners and in these situations a delicate balance must be enacted.

While it is important for student conduct officers to maintain their dedication to each student’s education, growth, and development as an end goal, it is also important for the students whose cases are being adjudicated, find value in the process and that learning is occurring, both for their whole educational experience as well as to reduce the possibility of recidivism. Howell (2005) states that amongst a broad variety of student conduct literature the primary purposes of student conduct at the university level are to “a) promote and protect an academic community where learning is valued and encouraged and b) to promote citizenship education and moral ethical development for those who are involved in the judicial process” (p. 374). In order to succeed in the latter, student conduct meetings and hearings need to have value for the students. The level of value and development of the student depends on their own personal development before a conduct meeting as well as their personal experience with the meeting, hearing, or what Howell refers to as the “intervention” (p. 375).

In order to assess the student conduct process, Howell used previous research to

inform his study on what meaning a student makes of his or her experience with a campus judicial system. Prior to his study, previous research (Allen, 1994) had shown that administrators considered education to be a primary purpose of student conduct but found that students' experiences with the conduct processes were inconsistent with the administrators' desired outcomes. Allen (1994) also found that students criticized administrators, claiming bias towards some and against others, but did not go into detail about what kind of bias they felt was present during their adjudication process. For Howell to determine the value and meaning of a conduct meeting from the perspective of the student, he asked students what they had learned, and in which ways they thought their interaction with the conduct process would affect their future behavior (Howell, 2005). He interviewed students in a small case study group twice, once within 10 days of the meeting and then again 2 weeks later. Seven of the ten interviewed felt they had learned something, either regarding their consideration of consequences, about empathy, or basic information about the judicial process itself. Most students shared that as a result of the process, they would be less likely to break the policy in the future. It is important to note that it is not only the administrators who see the value of the conduct process in terms of student learning, but that students recognize the learning that came out of the conduct meeting is deterring them from re-violating.

For student suspensions, it may be difficult to determine the educational impact if students leave the institution and do not return. This is one of the many reasons there is currently little literature on student suspensions or dismissals. However, it is important to determine what is known about suspensions to better understand its limitations.

Student Suspensions/Dismissals

The recent literature on student conduct and discipline systems repeatedly identifies a gap concerning suspensions and dismissals from the university (Stimpson & Janosik, 2007; Dannels, 1990; Kompalla & McCarthy, 2001; VanKuren & Creamer, 1989). There is an abundance of research concerning types of adjudication and the processes that conduct administrators follow and how those processes may contribute to lower levels of recidivism (Howell, 2005) while other studies explore types of violations and sanctions. Some studies have looked at characteristics of repeat offenders (Forgays & DeMilio, 2005; Janosik, Dunn, & Spencer, 1986; Janosik, Spencer, & Davis, 1985) and many on the processes by which institutions are using the discipline process as an educational opportunity (Howell, 2005; Karp & Sacks, 2014). Suspended students and students with more grave violations are rarely studied and are often identified as areas for further study (Stimpson & Janosik, 2007), often citing access to those students either because of dismissals or those students' unwillingness to discuss their experience. While Stimpson and Janosik (2015) completed a study of 4000 students at 23 different institutions to determine how the conduct system influenced student learning, the students included were those who were still attending the university, and thus had not [yet] been suspended as a result of their behavior. Stimpson and Janosik (2015) concluded that there was a strong correlation between the relationship formed between the student and the conduct administrator and the student's perception that the conduct process itself, was fair. However, this may not be the case for students who have been suspended from the institution, and while fairness is perceived by students, it is also important to determine if

the process is actually fair by reviewing and analyzing the data, specifically for students that have been suspended. If institutions of higher education and conduct processes in general are to educate, develop, and be valuable for all students, then it is imperative that the process is consistent for all students.

Typically, institutions can authorize two types of suspension or dismissal: disciplinary and academic. Disciplinary suspensions are typically consequences delivered to a student after several violations of a student conduct code or the law; however, cases exist where if a violation is severe enough (i.e. sexual assault, physical harm to others), suspension may be considered as a sanction. It is often dependent upon the institutional processes and procedures for what determines the point of a disciplinary suspension and may be determined on a case-by-case basis, which in turn may lead to inconsistencies of processes and procedures for different students. This study focuses on disciplinary suspensions.

Chapter Summary

In addition to a gap in research on student suspensions in general (Stimpson & Janosik, 2007; Dannels, 1990; Kompalla & McCarthy, 2001; VanKuren & Creamer, 1989), there is also a lack of information regarding the processes that would determine whether or not a student would be suspended, what types of and how many violations lead to a suspension, the consistency and fairness of the process, and if there is bias in the system. While there is literature on these topics in both the juvenile detention systems (Thomas, Moak, & Walker (2012); Ward, Kupchik, Parker, & Starks, 2011; Tajalli &

Garba, 2014;), as well as the legal justice system (Ramirez, 2014), little is known about the fairness and consistency of these processes in higher education. The current literature instead often investigates characteristics of recidivists, but not specifically regarding suspension, and the processes, procedures, and guidelines by which the conduct processes are carried out at institutions of higher education. To date, no research has been done on disciplinary suspensions and the consistency, equity, and fairness of those who get suspended versus those who might not.

CHAPTER THREE

THEORETICAL FRAMEWORK AND LITERATURE REVIEW

Literature Review Part 2

The background and history, as outlined in chapter 2, are important to better understand where the conduct processes are derived from and how they have been formulated regarding student development. In the parameter of this study, Labeling Theory and Implicit Bias Theory were used as the theoretical frameworks, co-existing to aid in possible explanation of a student's experience as well as a conduct administrator's experience with the student conduct process. It is important to note that this study focuses on examining the relationships between predictor variables and the likelihood of suspension to determine if there is evidence to suggest that conduct officer's experience may be influenced by bias or labeling that may encroach on their decisions. The theoretical frameworks of this study show how both the adjudicator and the alleged violator can play a role in how an adjudication process may flow. It is important to understand these processes and where these labels and biases may be present to better understand phenomena that may be happening as a result, where discrimination or bias may be present, and where labels and bias may negatively impact a student's behavior, continued behavior, or the way in which the process favors or hinders student conduct outcomes for students with certain identities or affiliations at institutions of higher education. It is also important to understand which students may be discriminated against,

and which students may be given special privileges when it comes to student conduct, and more specifically, student suspensions in higher education.

Predictors of Moral Reasoning

Rest's (1975) Defining Issues Test (DIT) has been used several times in studies to predict moral judgment in college students. In 2004, the King and Mayhew literature review on moral reasoning found that gender, aptitude, intelligence, and political identification are stronger predictors of moral judgment abilities, and therefore the likelihood of being involved in disciplinary incidents, than age, ethnicity, socio-economic status, or religious affiliation. In other studies, it was found that students involved in policy violations typically have lower academic performance (Janosik, Dunn, & Spencer, 1985) and reason at lower levels of moral judgment than those who do not violate their codes of conduct (Cooper & Schwartz, 2007). The Wabash National Study found that students' backgrounds and demographic differences contributed to differences in moral reasoning development (Seifert, 2014). For example, women, students who had higher ACT scores, and those that had reported higher cognitive motivation, experienced more gains in moral development in their first year of college (Lindsey, Barnhardt, DeGraw, King, Baxter, & Magolda, 2007, Mayhew, 2012; Mayhew, Seifert, & Pascarella, 2010).

Student Demographics

While few Wabash studies found any differences in moral development by race or ethnicity, one study did find that African-American students were not as likely to make

moral development gains as compared to fellow White students (Mayhew, 2012). Given the variables utilized in this study, it is important to report findings regarding race and gender, as well as findings about affiliation with certain organizations and how participation may or may not affect moral reasoning.

Race and Gender

The relationship between race and gender and a suspension outcome, their presence in the violator population, and if the adjudication process is equitable, is important to consider. In the criminal justice system, African Americans are often discriminated against and more likely to be falsely accused and convicted than their majority-culture counterparts (Gross, Jacoby, Matheson, Montgomery, & Patil, 2005). There are similar trends within the juvenile justice system. Puzzanchera & Adams (2012) found that rates of arrest for African American youth are 70-140% higher than Whites and detention rates are 40-70% higher. A recent study on K-12 education from the University of Pennsylvania, Smith and Harper (2015) supported this finding and expanded upon it. Studying 13 Southern states, they found that Black students are suspended and expelled at disproportionate rates, and five times higher than their representation (24%) in the student population. They also discovered that of those Black students, boys were suspended at higher rates than girls. Finally, statistics they gathered showed that nationally, in comparison to their proportion of the K-12 population, 45% of girls suspended and 35% of boys suspended were Black. They also concluded that most teachers and educational leaders are not aware of this disproportionality and therefore do not do anything to advocate against it or use it to inform their own practice.

In addition to a gap in higher education research on student suspensions in general, there is also a lack of information regarding the processes that would determine whether or not a student would be suspended, what types of and how many violations may lead to a suspension, the consistency and fairness of the process, and if there is bias in the system towards or against certain types of students. The literature on K-12 and juvenile detention systems with respect to bias provides important context for this study and how it pertains to higher education.

K-12 educational literature suggests equitability prior to the point of suspension with all students and violations, setting clear expectations, as well as fostering positive relationships as a means to avoid recidivism as well as ensure consistency and equitable disciplinary procedures (Boynton & Boynton, 2005). It is also recommended to monitor behavior both in the classroom as well as at home. In higher education, this could be compared to the classroom and the residence hall environment if students live on-campus. Maintaining these relationships with other entities on campus and ensuring consequences are consistent in all environments can aid in creating and supporting a more equitable code of conduct.

Juvenile delinquency theories report gender and race as predictors for delinquency (Shoemaker, 2013). An ongoing study entitled *Monitoring the Future* (MTF) from the University of Michigan (2018), collects data from a random sample of high school students on an annual basis as a means to gain longitudinal data on many issues related to high school deviance, defined as diverging from usual or accepted standards (Oxford University Press, 2018). This study supports higher education research regarding males

having higher rates of deviance. A cohort study by Tracy (1990) concluded that chronic offenders were more often overrepresented by marginalized and lower socio-economic status populations. The author also found evidence that there had been discrimination of students of color and lower-class youths (Tracy, 1990), similar to what is often seen in the media today with the recent events that have led to the #blacklivesmatter movement that has highlighted the discrimination within the criminal justice system and its prevalence still, today (Hooker, 2016).

If this discrimination is happening in the K-12 and juvenile system, as well as in the criminal justice system, it seems possible discrimination may exist in the higher education student conduct system. It has been determined that race and gender play a role in predicting student conduct (Gross, Jacoby, Matheson, Montgomery, & Patil, 2005; Puzzanchera & Adams, 2012). Moreover, historic and recent court cases suggest college athletes and Greek-affiliated students have been given differential treatment in the criminal justice and student conduct systems, possibly because of in-group secrecy (Kennerly, 2014) or possibly because of certain contributions and conveniences (i.e. housing) to the university and donors who may not approve of reprimands, some of which may pull funding and donations (Kimmel, 2015; Hechinger & Glovin, 2013). It is therefore important to determine if practices in higher education are consistent with perceptions and with previous research in different populations, and if so, determine how to use this new awareness to make the processes more equitable for all students.

Fraternity/Sorority Affiliation

There has been limited information about different types of affiliation and how affiliation may be related to disciplinary activity. Cohen (1982) found that a student's participation in fraternities or sororities did not make these students have any higher or lower levels of moral judgment than their non-Greek classmates. The Wabash National Study (2006-2012), a large scale multi-institutional longitudinal study, investigated critical factors associated with outcomes of a liberal arts education, including moral development (Wabash Study, 2015). In this study, little evidence was found that affiliation with a Greek organization inhibited student learning and development, finding equal gains in critical thinking, moral reasoning, and intercultural competence between those affiliated with fraternities and sororities than their non-affiliated counterparts (Pascarella & Blaich, 2013). However, students who are engaged with sorority and fraternity organizations have been found to be more likely to cheat academically (McCabe & Bowers, 2009; Passow, Mayhew, Finelli, Harding, & Carpenter, 2006).

King & Mayhew (2004) had similar findings in regard to fraternities and sororities. There was not a difference in DIT scores between those affiliated with fraternities and sororities and those that were not, but it was suggested that based on overall results and other co-curricular contexts and experiences that creating experiences for students to engage in positive interactions with their peers may facilitate moral reasoning development (King & Mayhew, 2004). It is especially important to note the moral reasoning parity between those involved in sororities and fraternities and those who are unaffiliated, as other perceptions may be present on university campuses. It is

these perceptions that, if they exist, could lead to labeling fraternity and sorority students in a certain way, and therefore create inequities in the student conduct process if students who are affiliated with the Greek system violate the student code of conduct.

While recent research may show that moral development of these students may be no different from those that are not involved in the Greek system, there are no doubts that student conduct issues happen in these environments and that these organizations have incidents that yield national press coverage every year. While these organizations offer many positives (philanthropy, alumni donors) to institutions of higher education around the United States, there have been 60 deaths in incidents linked to fraternities specifically since 2005 (Hechinger & Glovin, 2013). The top three issues in these environments include binge-drinking, sexual assault, and violent hazing, some of which have gained national attention as these types of incidents seem to be growing in numbers every year (Flanagan, 2014). Despite this growth, there appears to be, similar to what is being seen in athletes who violate their codes of conduct, widespread ideas that these students are not held accountable to the same standards as other students. Specifically, fraternal rituals are often deeply rooted in longstanding traditions, some of which go back hundreds of years. Given that these rituals are often confidential within membership, this can lead to difficulties in holding these students accountable for their actions if there is fear of retaliation or separation from the organization for speaking up or out about possible incidents and violations.

While sororities are not exempt from this study, it is the fraternity environment behavior that is more often brought into the limelight where brotherhood and

confidentiality of initiation processes and procedures are hushed because of tradition and the bonding that comes with those traditions. Hazing cases such as Tucker Hipps, who died from a head injury during a mandatory initiation process, has certainly yielded action against the fraternity itself on campus but there are students that were involved in this incident, none of whom who have given any indication as to what actually happened (Altman, 2015). The lawsuit is therefore at a standstill with limited information to move forward.

In addition to the hazing cases, every year there are more sexual assaults reported on university campuses, and sadly, are often attributed to alcohol use and alcohol abuse. While somewhat outdated, the ideas and similar mindsets remain today, as Martin and Hummer (1989) argue that fraternities create a social environment where alcohol use and sexual coercion is normalized. While reports of sexual assaults on college campuses are rising, specifically that the numbers of forcible sex crimes reported at higher education institutions in the US having doubled since 2001 (Korn, 2016), it also might be more difficult to hold students accountable for a variety of reasons. Fraternity life specifically often insists on within-group secrecy and loyalty, which may “protect” the organization from lawsuits and public exposure, even if what is being protected is illegal (Kennerly, 2014). Martin (2016) also argues that homogenous men’s organizations, often seen in college fraternities or college all-male athletic teams, encourage competition to prove male masculinity and therefore may contribute to lessened respect for women, which may contribute to higher levels of sexual assaults within these organizations. While this certainly does not include all men or all members of these organizations, recent studies

have revealed that sexual assaults happen more often to students affiliated with sorority and fraternity life and are therefore attending functions of these organizations (Fleck, 2014). Interestingly enough, many articles written about sexual assault and fraternities and sororities still have somewhat of a female-blaming and female-only responsibility mentality, often citing sorority participation and affiliation and assessing that vulnerability instead of the perpetrators and their characteristics (Franklin, 2016; Moynihan, Banyard, Arnold, Eckstein, & Stapleton, 2011). Or, if fraternities are specifically mentioned as possible negative environments concerning sexual assault, the articles often discuss men who are part of athletics and men who are engaged with fraternities as one in the same (Martin, 2016; Humphrey & Kahn, 2000) while lumping the two groups together. Awareness of this mentality, as well as the possibilities of why students may not be held accountable to behavior within these organizations is important to explore.

The political contexts within a university may help to explain the challenge of holding students involved with fraternities or sororities accountable for their actions. One possible problem is that the students that choose to participate in the Greek system are considered important stakeholders to the university; alumni of these organizations are often large donors and the creation of fraternity housing may save the university money in the long run (Kimmel, 2015). It has also been found that students who are affiliated with sororities and fraternities on campus come from more affluent backgrounds, are more often of higher socio-economic status, and that membership in general is dominated by more privileged groups of students (i.e. white, wealthy) (Soria, 2013; Park, 2012;

Walpole, 2011). This makes sense when membership requires paid dues every year in addition to rent if members live on site. In 2012, a student from Salisbury University shared his own account of the hazing process of the Sigma Alpha Epsilon chapter, which ultimately led to the suspension of said chapter for 2 years and prompted a \$2 million withdrawal of donations to the university by a former founder of the organization on campus, who was upset by the suspension (Hechinger & Glovin, 2013). Ultimately, colleges and universities aim to satisfy many different external stakeholders- from alumni and granting agencies to athletic supporters, the media, the public, etc., and unfortunately these external constituents may try to drive decisions because of monetary gifts and support to the university (Martin, 2016).

Moreover, the 1960s shifts within American universities from *in loco parentis* and who is ultimately responsible for student behavior, in addition to the 1984 National Minimum Drinking Age Act may have created new issues as students were given more autonomy, less legality, and shifted alcohol consumption from college-sponsored events or bars into private houses (Kimmel, 2015). While not wholly responsible, the 1978 film, *Animal House*, has been credited with being influential in making fraternity life more popular and perhaps given certain impressions of what happens when one of these organizations is disciplined for inappropriate behavior or policy violations. “Thirty-six years later, *Animal House* and its ‘infectious anarchy’ are credited with- or blamed for- the rise of keg-standing, beer ponging, vomit-spewing, university-plaguing fraternity as we know it” (Fetters, 2014). The film made the declaration that while there were two types of fraternities on college campuses- those that positively and willingly aligned with

the university educational institution, and those with students who refused to abide by rules- the latter was better, and that ultimately, there would not be true consequences for their actions. The notion of “double-secret probation,” utilized in the film, where no matter what these organizations do, there will be forgiveness, sets ideals that perhaps have set up our systems for difficulty in holding these students accountable, and fraternity and sorority organizations are seemingly not the only place where these double standards may occur.

Student Athletes

In addition to participation in fraternities or sororities, perceptions that student athletes also often have reputations for gaining special treatment or being placed on “double secret probation” because of their status as an athlete, or that their contribution to the university may bring in funding and universities are also present. Some institutions may even have their own athlete-specific codes of conduct to attempt to curb negative behaviors that could bring negative press and reputation for the university. The National Collegiate Athletics Association (NCAA) rules indicate that athletic scholarships may be revoked if athletes have been found in violation of laws or student conduct codes (Benedict, 1997).

The media often portrays professional athletes to be untouchable, with few consequences for questionable conduct off the field. Rather than holding individual players accountable for their behavior that could be as egregious as sexual assault, cheating in the game, or other forms of assault or harassment, the media emphasizes the importance of that player to the team’s success. While professional athletes are often

likely to be arrested and indicted, they are much less likely to be convicted of crimes of sexual assault (Benedict & Klein, 1997). However, may not be that professional athletes are treated with more leniency, but are able to hire superior legal representation (Benedict & Klein, 1997). In light of fewer actual convictions, there may be perceptions that these individuals are given preferential treatment when it comes to legal issues. It is important to be aware of this distinction, but it may not be the case in higher education.

On university campuses, these perceptions may also be present, where the perception that a student athlete may not be held accountable to the same standards for their behavior than other students because of a different kind of contribution and spotlight the student brings to the institution. This perception may be created by the fact that often it is cases at universities that receive media attention that the general public hears about, and therefore may not be representative of any underlying issues of bias. However, it is important to investigate what might be causing certain sanctions and sentences, or if there are compounding factors that contribute to how the process, possible bias, and political climate at the university might play a role. Recent cases spotlighted in the media have raised these questions. For example, Brock Turner, a Stanford swimmer found guilty of sexual assault and sanctioned to not return to campus, and Corey Batey, a Vanderbilt football player also found guilty of sexual assault but sanctioned with a much harsher sentence than Turner, could offer some insight.

These perceptions could be more impactful on a university campus if other students feel that student athletes are gaining preferential treatment because of their status as an athlete. Perceptions of preferential treatment could also lead to questions about the

educational system as a whole and if athletes are held to the same educational standards as their non-athlete counterparts. During the Obama administration, a policy change was implemented for higher education institutions in the United States to address this concern. Title IX reporting structures as outlined in the Dear Colleague Letter (Department of Education, 2015), mandated who on college campuses was required to report any sexual deviant behavior, what constituted a mandatory report, and what the process was once a sexual assault has been reported and the investigation that followed. This letter and its updates (Department of Education, 2015) provided guidelines so that higher education institutions would work more diligently for equity and appropriate sanctions when these cases arose. Institutions were required to have Title IX coordinators, conduct individual investigations on all reported instances of sexual assault, and ensure all personnel were trained on and aware of these new mandates (Ali, 2011, updated 2015). While the Trump administration's Department of Education under Betsy DeVos has recently rescinded this policy and process in higher education, many institutions have chosen to continue to follow these regulations (Brown, 2017). This new awareness could be influencing consistency and equity of these processes, but because the mandates and processes are relatively new in higher education (2011), research has not yet been done to determine impact. While there are new processes in place that may create a more equitable environment, it is still important to investigate the consistency of not only cases of sexual assault, but any conduct cases that may lead a student to be separated from the university due to misconduct.

This research study aims to better understand the process and determine fairness

and equity in the higher education student conduct systems in relation to certain student characteristics and demographics. This research study will look at types of affiliation (athletics, sorority/fraternity involvement), as well as race and gender, as possible predictors for suspension. In order to best understand whether or not students are suspended for their actions, it is important to determine what types of misconduct and violations may lead to a suspension and dismissal from the university.

Violation Influence

The gravity of conduct cases varies, from an alcohol violation that may or may not result in a citation, to more severe issues such as sexual assault or dispensing dangerous drugs. The severity of a case, or the number of violations may determine whether or not a student should be permitted to stay at the institution (Anonymous Institution, 2016). Many institutions do not have a tiered system of a specific number or type of violations lead to a certain outcome, as most cases are situational. However, some institutions and organizations have no-tolerance policies while others choose to be very black and white about the consequences that certain behaviors will lead to in a certain succession. It is up to the discretion of the individual institution to determine how to administer their code and what behaviors will lead to what consequences. It is important to note that this individual institutional discretion, in addition to the lens in which a conduct officer views a case and a student who has allegedly violated the code, may influence the outcome.

Labeling Theory and Implicit Bias Theory as Theoretical Frameworks

Students who have been found in violation of student conduct codes may never violate again. Or, they may make other decisions that result in another conduct administrative meeting or hearing. While there are many reasons a student may repeat-offend, one possibility is within the initial conduct process itself. Potential issues need to be investigated and explored through the lens of labeling theory and implicit bias theory. For example, students that are labeled as offenders, or what labeling theory calls “deviant” (Shoemaker, 2010), or if conduct administrators have implicit biases that lead them to label certain students as deviants, should be investigated. The reason these theories are appropriate is because the research questions being asked are from the perspective of the conduct officer- are there actions the conduct officer is taking that may have an impact on how the conduct officer sees the alleged student as a unique individual with a unique situation?

A student’s personal beliefs about themselves, that may be derived from a label assigned to them, such as “deviant” may lead to repeat or further violations if a student begins to believe they are the label they were given. The idea that they have been labeled as a deviant may also present issues if the label creates a situation where that student is then viewed with a more critical eye and thus more likely to be caught in deviant behavior because they are observed more closely than if a previous violation was not present. This study focuses on the role of the conduct officer and their implicit bias as well as how that bias may inform labeling of certain students.

Originally derived from criminology theory, Labeling Theory has often been used as a tool to explain why certain groups of people (either in the criminal justice system or K-12 students' education) are more likely to be referred for disciplinary issues than others. The notion that giving a title, or "label" to individuals who violate laws or policies could have potentially negative impacts is derived from Frederick Thrasher in 1927 and was expanded upon by Frank Tannenbaum in 1938. Tannenbaum (1938) coined the phrase "dramatization of evil"- the idea that one can become what they have been labeled. Tannenbaum said, "the process of making the criminal, therefore, is a process of tagging, defining, identifying, segregating, describing, emphasizing, making conscious and self-conscious; it becomes a way of stimulating, suggesting, emphasizing, and evoking the very traits that are complained of" (pp. 19-20). The primary idea was that if individuals are labeled as a delinquent following a violation, they result in being just that, a reverse self-fulfilling prophecy of sorts where the likelihood of re-offense is more likely, with possibly more severe behavior.



Figure 1. Delinquent self-labeling

Lemert (1951) explains further that there are two types of deviance- primary and secondary. Primary deviance is considered the initial act of deviance while secondary is

continued and/or additional acts, which Lemert asserts is due to the labeling and tagging process of the individual as “deviant”. While Lemert, Tannenbaum (1938), and Thrasher (1927) began discussing this phenomenon and gave it strong foundation, it is Howard Becker (1963) who is known as the key developer of labeling theory as it is today.

Becker said that individuals who are labeled as deviants will internalize that negative label, assume a deviant self-concept and are more likely to become part of a deviant subgroup. Labeling theory asserts that labeling perpetuates more crime than it deflects, as it continues to push those labeled as deviant further on the spectrum to continued and secondary deviance. Cooley (1964) introduced the term “looking glass self” as a means to explain how one’s own self-concept may be influenced by how others view us. This includes how one is treated, mistreated, or labeled by authorities either in a criminal or juvenile justice system, and possibly also in higher education. While this theory did fall out of favor with criminologists in the 1970s and 1980s because of a vague conceptual foundation, Schmallegger (2006) asserts that it has recently been re-introduced as a developmental theory that may help to explain society’s structural disadvantages of certain populations.

In the K-12 system, this may play out as students being labeled and therefore treated differently due to a lower socio-economic status than their classmates (Glass, 2013). Or, juveniles may be labeled based on their social groups or peers. Research has shown that students on free lunch are suspended at higher rates than those students not eligible for free lunch (Skiba, Peterson, & Williams, 1997; Wu, Pink, Crain, & Moles, 1982). Specifically, K-12 suspension rates have at least doubled since the 1970s for

students of color. In 2006, research showed that 15% of African American students were suspended, 6.8% of Hispanic students, and 7.9% of Native American students, compared to 4.8% of White students (Losen & Skiba, 2010). At a middle school in Minneapolis, African American students ask why their teachers “only see them” in the classroom. This is a school where these students are 338% more likely to be suspended than their White peers, where Black students made up 41% of the overall population last year but 76% of the suspensions (Green, 2018). In Arkansas in 2012, Black students are suspended at a rate five times greater than their White peers (Darby & Rury, 2017) and it’s not state-specific. A U.S. Department of Education Report found that nationally Black students were three times as likely to be suspended than White students (Department of Education, 2012). Most recently, a new Government Accountability Office report had similar findings that regardless of type of school, level of school poverty, and type of disciplinary action, boys and Black students are disproportionately disciplined. For example, while Black students make up 15.5% of all public-school students, they represent 39% of all students suspended (Government Accountability Office, 2018).

While it is clear in the literature that there are certain groups of individuals in the juvenile systems that have higher representation than others, there is not always substantial evidence to conclude that it is because of the delinquent label. For example, maturation effects are counter-intuitive to labeling theory predictions (Shoemaker, 2013) as with age there is often a cessation of criminality. While there certainly are instances of more serious cases of criminality when the individuals are more likely to be repeat offenders, maturation effect is important to recognize as a possibility. It is also important

to note that while the theory itself focuses more on authorities labeling, it is also important to note that labels that may lead to secondary deviance do not only have to come from a justice system or official authority; parents, teachers, and even peers may contribute and influence future delinquent behaviors (Matsueda, 1992).

In higher education, it is possible that there are similar labeling issues that could lead to more suspensions of students who fall into certain categories and identities or possess certain characteristics. It is also possible that involvement in certain organizations could give preference for or against a disciplinary suspension. Students who are already in the student conduct system for a violation may be more likely to be suspended because of their previous label of a “violin” or what labeling theory calls “deviant”. If a student is labeled in this way, it is possibly more likely that they will be more closely observed on campus, in the residence halls, etc., and thus may be more likely to be caught again than a student who has not yet been caught or labeled as a deviant (Brym & Lie, 2003). It is also well-known that men are overrepresented in disciplinary situations in higher education than women (Janosik, Dunn, & Spencer, 1986; Janosik et al., 1985; Losen & Skiba, 2010).

Research in the K-12 environment has shown that students who are suspended often have low-achievement (Arcia, 2006), are more likely to be male (Skiba et al., 2002; Wu et al., 1982), and often experience dissatisfaction and alienation. They are also more prone to drop out of high school and later be incarcerated (Lovey, Docking, Evans, 1994). Being labeled a “delinquent” by a court-system, being ostracized by peers, and even being sent to a principal’s office has been proven to negatively impact a child’s self-

concept (Adams, 1996). Student conduct research at the higher education institutional level shares similar findings. In an article discussing characteristics of students who choose to re-enroll following a suspension, Stimpson & Janosik (2007) discovered that those who choose to re-enroll are three times as likely to be men, and with a higher GPA and more credits, perhaps indicating more confidence and desire to complete given the academic work already completed. The students in the study also had fewer minor violations, which could indicate one severe incident that brought them to suspension, thus not giving the university a chance to label them a deviant and to keep a closer eye. The question is, are student conduct professionals labeling certain students as delinquent that may ultimately lead to their suspension versus other students, and if so, why? This question introduces what most humans have as part of their psyche- implicit biases that may lead conduct officers to label students with certain identities or certain affiliation(s) unfairly.

Implicit bias refers to automatic and relatively unconscious features that may cause prejudiced behavior, judgment, or thoughts (Stanford Encyclopedia of Philosophy, 2015). Implicit bias may be derived from certain experiences or messages that were not necessarily outwardly sent but in undertones that were absorbed at a young age (Kirwan Institute for the Study of Race and Ethnicity, 2015). While conduct administrators may not be fully aware of their own biases, it is important for these individuals to make every effort to make these implicit biases explicit so as to avoid issues with consistency in the student conduct and student suspension processes, meetings, and hearings. It is important to note that implicit biases are pervasive and within all individuals (Kirwan Institute,

2015) and therefore these biases can cannot be fully avoided. However, with education, reflection, awareness and training, these biases can be made explicit and managed within the work of conduct administrators to ensure the conduct processes and procedures are fair and consistent for all students.

If a conduct administrator's bias is not realized, the results can be detrimental to certain groups of students and can be considered discrimination if decisions are made, whether implicitly or explicitly on race, gender, etc. Based on their bias(es), these administrators may label students as deviants incorrectly and thus create a cycle of mislabeled deviance for certain populations of students. To best understand how labeling theory and implicit bias can work in tandem to contribute to a student's likelihood of being suspended, or found in violation of campus policies in general, the following diagram visually represents this concept:

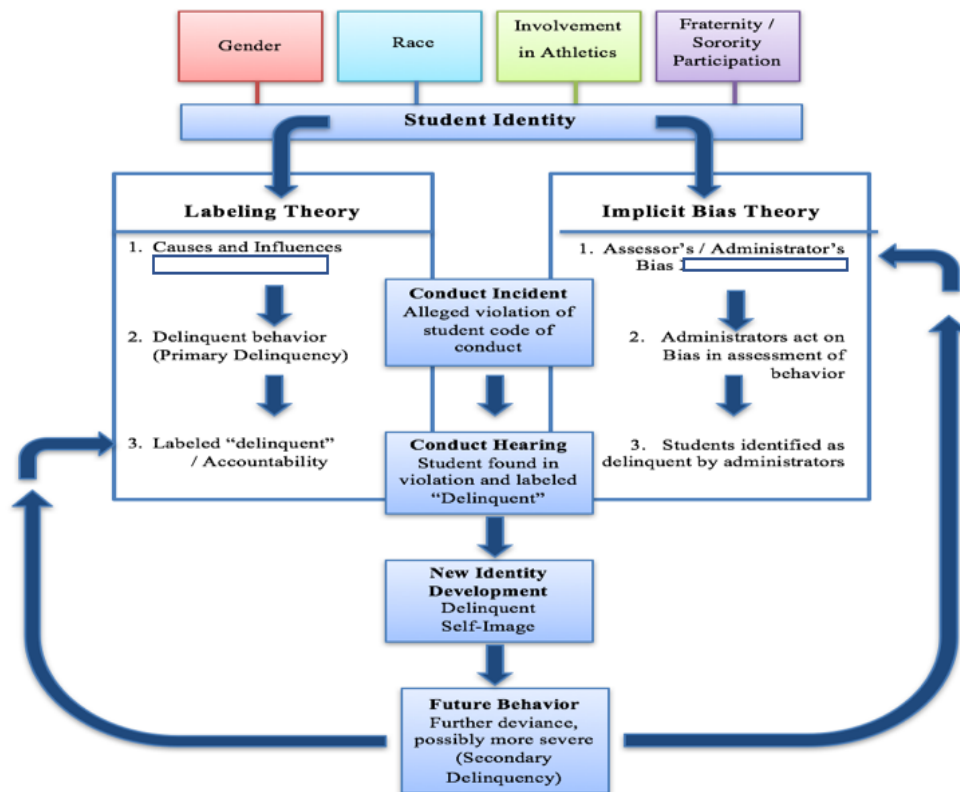


Figure 2. Labeling and implicit bias

Ultimately, a student enters deviance with their own sets of identities, which may play a role in how they are sanctioned and held accountable. For the purposes of this study, race (white vs. students of color), gender, and affiliation with athletics and/or the fraternity/sorority system were investigated. These identities could have impacted how a student was labeled from any former violations and may impact the likelihood of recidivism, or these identities could be used as reasons, whether personally recognized or not, for the way in which a conduct officer chooses to sanction an individual student. Either way, these students may then be labeled for the first or second time as a delinquent and therefore the cycle may continue to secondary delinquency. It is important to note

that in this study both theories used for the conceptual framework make meaning of the conduct officer's actions; it is argued that it is their implicit bias could affect labeling. It is also important to be aware that biases may be present with various individuals throughout the conduct process and it is important to be aware of where these biases may creep into the process. The diagram below shows the boxes in red where bias could be present and may play a role in how a student participates in and is viewed, in the conduct process.

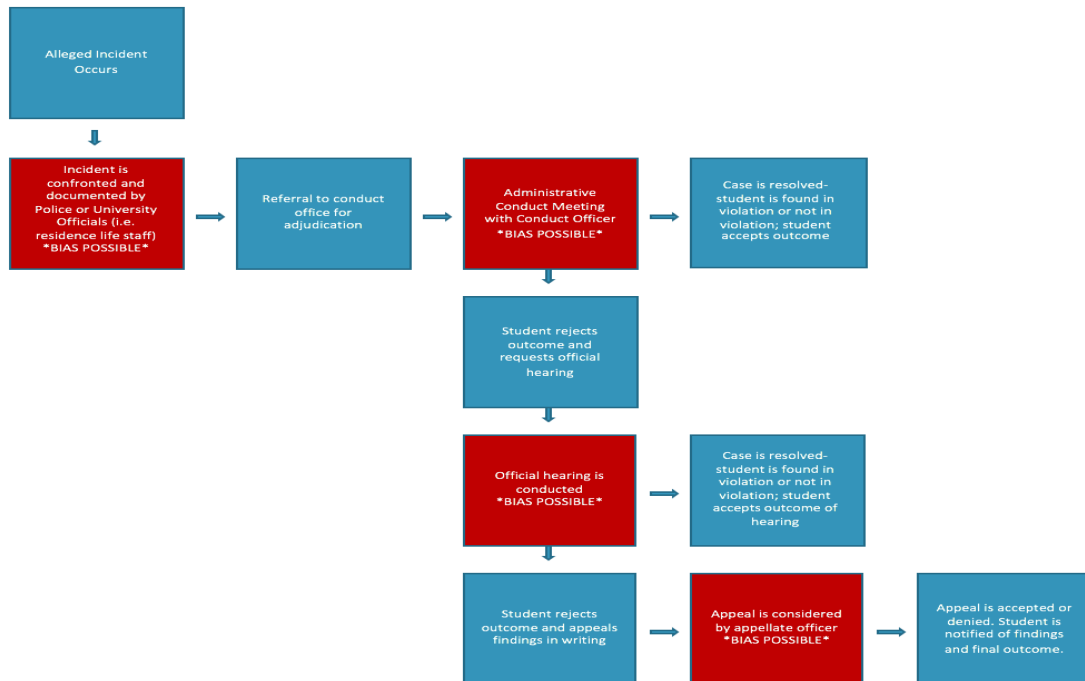


Figure 3. Potential points of bias

While there is literature on these topics in both the juvenile detention systems and K-12 education, (Thomas, Moak, & Walker, 2012; Ward, Kupchik, Parker, & Starks, 2011; Tajalli, & Garba, 2014), as well as the legal justice system (Ramirez, 2014;), little

is known about the fairness and consistency of these processes in higher education. However, due to similarities between student conduct and the criminal and juvenile justice systems, conduct officers educated and informed on Labeling Theory can invite conduct officers and other university officials to look at their own biases and how those biases may play a role in how administrators label students, especially in the conduct system. This knowledge may also drive conversations on how bias and labeling specific students could have an impact on these students' future behaviors.

It is clear that bias exists both in the juvenile systems (Bowditch, 1993; Thomas, Moak, & Walker, 2012; Ward, Kupchik, Parker, & Starks, 2011; Tajalli, & Garba, 2014) and in the criminal justice system (Madsen, 2011; Ramirez, 2014) and is important for higher education to determine if this trend is similar so as to learn more, determine if more research is needed, and how this may impact a student's trajectory towards education, graduation, and possibly future success. This study aims to better understand the process at two institutions, determine fairness in relation to certain student characteristics and demographics, and determine the relationship between different variables and at what rates students are suspended. If these relationships are found to show that there could be bias and labeling present, then further training, professional development, and awareness may be needed. This can lead to potential trainings, knowledge, awareness and reflection to begin to correct that which might be present in how conduct officers practice adjudication. There is also potential for this study to lead to examination and assessment of the processes and procedures by which conduct cases are heard for equitable practice among all cases and all students.

Given that all administrators, and all people for that matter, have some implicit bias (Nosek & Riskind, 2012), there is a risk that university students may be mislabeled as deviants not based on behavior, but instead based on those implicit biases of the conduct administrator who hears their conduct case. In addition to being aware of these biases and how they may have an effect on student conduct procedures and processes it is also imperative that student conduct practitioners be aware of and uphold certain standards of practice put forth by professional organizations and associations to best serve students in an ethical, consistent, and fair manner, regardless of a student's organizational affiliations or demographics.

Ethical Standards of Practice

While there are various ways to adjudicate student conduct cases at the university level, there are also ethical standards of practice that student conduct officers should adhere to during these processes. The Association for Student Conduct Administration (ASCA) is an organization of professional educators who are responsible for administering standards of student conduct (ASCA, 1993). ASCA's primary purpose is to uphold and enhance the ethical climate around student conduct. It is important that as these standards are being upheld at the institutional level, that the rights, health, and safety of all members, inclusive of university students, is maintained. In order to do so, ASCA has created a document of "Ethical Principles and Standards of Conduct" that members of the organization agree to adhere to upon membership acceptance. The document outlines fourteen standards that include: professional responsibility,

employment obligations, legal authority, nondiscrimination, treatment of students, development of rules, procedures and standards, student behavior, conflict of interest, confidentiality, accuracy of information, references, limitations, supervision, and professional responsibilities. As institutional members of ASCA, the two institutions investigated in this study are also held to these standards in student conduct cases, procedures, and processes through which students who allegedly violate the student conduct code, participate.

The Council for the Advancement of Standards in Higher Education (CAS), is a consortium consisting of multiple professional higher education associations whose task is to promote its professional stands for development, assessment, and improvement of university student learning, institutional programs and services (CAS, 2015).

Specifically, CAS provides student affairs professionals with a Statement of Shared Ethical Principles. This statement (CAS, 2006), explains that professionals who provide services within institutions of higher education, should be committed to quality assurance and the standards of practice outlined in the document. The principles included in the ethics statement include Autonomy, Non-maleficence, Beneficence, Justice, Fidelity, Veracity, and Affiliation. Principle IV, Justice, most specifically aligns with student conduct practice. The principle advances the ethical requirement to treat all students, faculty, and staff who may interact with the judicial process, with respect and dignity, embracing cross-cultural approaches in practice, operating within a law and policy framework, and assessing students in a consistent, valid, and fair manner. These principles, in addition to ASCA's Ethical Standards are essential to consistency and

fairness and should be the foundation of student conduct practice in higher education.

Given that these standards of practice are desired in higher education conduct processes, it is important to note that if these standards are not upheld in the K-12 arena, if indeed students are being suspended at disproportionate rates based on affiliation and/or race or gender, this could create an issue with access to education. If students are labeled “deviant” and are suspended earlier on it may inhibit high school completion and if students are labeled “deviant” and suspended during university study, this could inhibit undergraduate graduation and retention. Land grant institutions, provided by the Morrill Acts of 1862 and 1890 were created for the purpose of providing a larger portion of the population access to a practical education that would have relevance to their daily lives. Whereas the first Morrill act of 1862 gave states public lands to be used for the establishment of at least one college in the agricultural and mechanical arts, the second Morrill Act in 1890 sought to expand access of higher education and provided annual appropriations for each state (APLU, 2012). The second act also forbade racial discrimination in admissions and therefore began the network of historically Black colleges and universities.

Access is not without its limitations, however. While there are always students who are not allowed to continue their education because of poor decisions they have made that may put others at the institution at risk or may inhibit their own or others development and learning, it is important that implicit bias and labeling in these situations that unfairly contribute to the population of students who are suspended be examined. All students should be given an equal and equitable opportunity for their

education, even if mistakes are made and decisions made unwisely. It is the job of the institution to ensure that processes and procedures are fair so that students are given every fair chance for access, learning, and success at the university.

Chapter Summary

Student conduct at the university level can provide excellent insight into student development, can be correlated with academic performance and is an excellent occasion to provide opportunities for growth, conversation, and education outside the classroom. The history and acknowledgement of expectations about how judicial cases should be adjudicated at the university level is imperative for providing students with equitable experiences and a fair chance at their education, even when they may make decisions that may not contribute to a positive environment and their own individual development. Given that there are many instances where a student may be suspended, it is crucial that the literature reflect possible roadblocks to these equitable process, whether it be through labeling or implicit bias that conduct officers may have. If these phenomena are happening, it brings ethics and standards into question, and therefore must be studied to determine pathways for better and more just and equitable practice in the future.

CHAPTER FOUR

METHODOLOGY

Introduction

The purpose of this correlational research study is to investigate the relationship between possible predictors and suspension as the adjudication outcome, as well as the proportions of students suspended compared to those already in the judicial system. The researcher-created variable, violation severity score, that led to suspension, proportionality of demographic characteristics of those suspended, and predictors of suspension at two large public research land-grant institutions in the inner-mountain region in the United States were examined. While scholars have examined similar issues and questions in the K-12 context (Smith & Harper, 2015, Shoemaker, 2013) and criminal justice system (Hooker, 2016, Gross, Joacoby, Matheson, Montgomery, & Patil, 2005, Puzzanchera & Adams, 2012), there is a gap in higher education literature. It is the hope that the results of this study will inform practice for the handling of these types of university dismissals as well as contribute to the wider body of literature on student adjudication outcomes in higher education.

With little research having been done on suspended college students, this study sought to better understand the relationship between identified possible predictors (race, gender, types of affiliation on campus) and suspension, as well as if students who are suspended are suspended at proportionate rates to the overall demographics of the students in violation population and the institution population. The data that was provided

and the analyses that were completed provided insight into the predictors of suspension. Findings from the proportionality analysis will provide evidence to suggest whether bias may exist and suggest if the process is fair and consistent for all students.

Research Questions

This study was guided by the following research questions:

RQ1- When considered individually, is there a relationship between these predictor variables (gender, race, and affiliation with athletics and/or sorority/fraternity life, violation severity score) and likelihood of suspension?

RQ2- When considered together, is there a unique relationship between predictor variables (gender, race, affiliation with athletics and/or sorority/fraternity life, and violation severity score) and the likelihood of suspension?

RQ3- What are the interaction effects between significant predictor variables (gender, race, and violation severity score) and all variables on likelihood of suspension?

RQ4- What is the rate of suspension based on student characteristics (gender, race, and affiliation with athletics and/or sorority/fraternity life) as compared to proportion of these characteristics in the overall violator population and overall institutional population?

The following table outlines what statistic(s) and method of analysis was utilized to answer each research question:

Table 1

<i>Research Questions and Statistics</i>	
Research Question	Method of Analysis
Q1: Individual relationship between predictor variable and suspension	Bivariate Statistics; Chi Squares
Q2: Collective relationship between predictor variables on outcome variables	Logistic Regression; Odds Ratios
Q3: Interaction of each predictor variable on suspension	Logistic Regression; Interaction Effects
Q4: Characteristics of students suspended	Descriptive Statistics; Frequencies, Contingency Tables

Based on the conceptual and theoretical frameworks utilized in this study, labeling theory and implicit bias theory, the following research hypotheses were generated and are presented:

RQ1:

Ha1- There is a significant relationship between each of the predictor variables and the outcome variable of suspension.

Ha2- Male students are more likely to be suspended than female students.

Ha3- Students of color are more likely to be suspended than white students.

Ha4- Non-Greek students are more likely to be suspended than Greek students.

Ha5- Non-athletes are more likely to be suspended than athletes.

Ha6- Students with higher violation severity scores are more likely to be suspended than students with lower scores.

RQ2:

Ha7- Controlling for other predictor variables, there are unique relationships between each predictor variable and suspension.

Ha8- These unique relationships will be consistent with the hypotheses in RQ1.

RQ3:

Ha9- Any interaction between a student's gender, race, and violation score with other predictor variables will have a significant effect on whether a student is suspended (i.e. students of color who are athletes will be suspended at higher rates than white students who are athletes).

RQ4:

Ha10- Males are represented at a higher rate in the suspended population than they are represented in the violator population.

Ha11- Students of color are represented at a higher rate in the suspended population than they are represented in the violator population.

Ha12- Non-Greek students are represented at a higher rate in the suspended population than they are represented in the violator population.

Ha13- Non-athlete students are represented at a higher rate in the suspended population than they are represented in the violator population.

Therefore, the null hypotheses are the following:

H01: There is no individual relationship between gender, race, affiliation with athletics or fraternity sorority life, or a student's overall violation score and suspension.

H02: Controlling for other predictors, there is an equal likelihood of suspension for any particular predictor variable.

H03: There is no difference in whether or not a student is suspended as measured by any interaction of independent variables (i.e. race and gender, athlete-status and race).

H04: Students are suspended at proportionate rates to the overall violation population.

Inferential statistics helped to determine whether these hypotheses were rejected or confirmed.

Research Design and Rationale

This non-experimental, correlational research study used secondary data from two institutions to determine if there is a relationship between student characteristics and the likelihood of suspension for conduct code violations. Also investigated was how those students who were suspended proportionately compare to the overall violation population of students in the discipline system and the institutional population. This research design employed a quantitative analysis through the lens of critical quantitative inquiry, which will be discussed in more depth later in this chapter.

The two institutions that were investigated in this research study use the Maxient student conduct software system to track all incidents of student misconduct, both in the residence halls as well as all other on-campus and off-campus incidents referred to the dean of students' office or reported through the university or city police department. Maxient is an online software system that houses student records, specifically student discipline and sometimes other records of concern, about students (Maxient, LLC, 2016). The Maxient software system has only been used for four years at one institution in the study and therefore this study will only use student conduct data from the past four years

for each institution. The conduct offices at each institution agreed to allow research access to data on students who have been suspended from the institution in the last four years (2013-2014, 2014-2015, 2015-2016, 2016-2017) for disciplinary reasons.

The individual campus conduct offices at each institution allowed research access to all data on students who have been suspended for conduct reasons from the institution in the last four years, as well as all student conduct records to determine if those who are suspended (by race, gender, and affiliation) are proportional to the total population of conduct code violators. This includes all cases where students were found in violation of the student code of conduct. Paper files before 2013 could have been used but data may have been inconsistent with what is currently collected with the Maxient system. To maintain consistency within the data and across both institutions, the four-year cross-sectional time frame was utilized for this study.

This quantitative research design and focus were appropriate considering recent literature has identified barriers and gaps in student conduct research, specifically in the realm of student adjudication outcome (Stimpson & Janosik, 2007; Dannels, 1990; Kompalla & McCarthy, 2001; Van Kuren & Creamer, 1989). Students may be very difficult to reach after they have been suspended and are reluctant to discuss their experiences, possibly out of shame or frustration with the process and the administrators who facilitated their conduct process. Research has shown that it is difficult to solicit feedback about the adjudication process from students after they have been suspended (Stimpson & Janosik, 2007). Therefore, it is also difficult to solicit information on why they do not want to discuss. Given this obstacle, several studies have utilized a

quantitative approach to learn more about student conduct in general, and specifically student adjudication outcomes (Howell, 2005; Fitch, 1997; Allen, 1994). Past literature has used a quantitative approach which has largely described phenomena and examined relationships between students and their student conduct adjudication experiences.

Although this quantitative only approach is useful, there is a newer research paradigm described as Critical Quantitative Inquiry (Stage, 2007) that fits well given this study's purpose is to ensure equitable opportunities for any student found responsible for policy violations at a university.

In 2007, Francis K. Stage sought to differentiate between different types of educational quantitative research, specifically between that which was defined as positivist and post-positivist, or more traditional, and more current educational research that represents educational processes and reveals inequities within an institutional system. The term *quantitative criticalist theory* (Stage & Wells, 2014) was developed to describe the research that did more than confirm theory and explain procedures, but instead questions models and reflects a means to ensure equity in educational processes. This newer angle and approach to quantitative research focuses more on the research questions themselves as opposed to the method in which analysis happens.

The purpose of student affairs/services, or as it is now often called, student success, is to provide services and programs that enhance intellectual and ethical development as well as help students integrate learning and responsibility to better achieve knowledge, character, and leadership (Dalton & Crosby, 2011). If students are not engaged by student success practitioners, including student conduct officers, in an

unbiased way and are treated inequitably, this suggests the presence of larger institutional issues that need to be addressed. Addressing inequitable practice may include providing education and reflection spaces for educators and administrators to first gain awareness of implicit bias and/or labeling, develop competence in recognizing implicit bias and labeling, and then consciously address implicit bias and labeling in their practice. In chapter three, ethical standards of practice for student conduct were discussed. It is important that student affairs professionals ensure that these standards are practiced with inclusivity, consistency, and equity. For this study, critical quantitative inquiry was utilized to not only broaden the perspective outside the statistics but also understand the researcher's positionality and lens. It also demonstrates how the results of this study could be best utilized within the institutions and to inform practices and policies within the realm of student conduct. To improve processes and procedures, it is often important to reflect on one's own biases in order to understand how they could result in inequity. If it is determined through this research that inequities exist in these institutions' disciplinary adjudication processes, recommendations may include implicit bias training and discussion, dialogue, and possibly crafting diversity and inclusion statements and plans that work specifically within these offices that adjudicate conduct on college campuses.

While this research is well-suited to the critical quantitative inquiry paradigm, it is also important to address some of the limitations of this lens and how it may impact outcomes. One very prominent limitation within this study is the variable of race. Due to the overall demographics of the two institutions being investigated and the small n sizes

of all races other than white, it is more meaningful to use a white/students of color dichotomy instead of individual races. All race variables were re-coded to be white or students of color. Since the data was pre-existing and the researcher did not have a say in how the data was collected or categorized, it made the most sense to place anyone who did not identify as “white” into the “students of color” category. Appendix G outlines the original race labels and how these were recoded for each institution. This approach does, as Wells and Stage (2015) discuss, limit the ability to examine historically underserved and marginalized groups in higher education individually such as African American and American Indian students, and give them the attention that they deserve, especially in this paradigm. However, due to the smaller numbers of students who identify with historically underrepresented racial and ethnic populations at both institutions, it is important to employ this dichotomy for this study. In addition to this limitation, this paradigm is often used with very large data sets with greater variance in outcome measures (Stage & Wells, 2014). Given the small number of students suspended each year due to conduct violations, the *n* size, number of students suspended is much smaller and may limit discovery about these students’ experiences within the conduct system during student adjudication processes. However, it is important to note that the overall violation population data set offers over 6,000 total individuals’ discipline records, with 153 total suspensions.

Even though there are limitations to this realm of research in education, it is important to note that critical quantitative inquiry can demonstrate how lives classism, sexism, and racism, arguably of which were addressed in this study, can directly

influence students' lives and their experiences on a college campus. Gender and race, along with affiliation with athletics or fraternity and sorority organizations, which could be connected to affluence and classism, make this study an excellent fit for this paradigm and lens of research.

Researcher Positionality

In critical quantitative inquiry, it is important for the researcher to identify their position to the study as well as in part where the passion may come from that led to the research and topic. That said, I find it important to share where I am coming from to bring my own research to life as a means to show understanding, self-reflection, and to create a more open discussion. In my own words:

I am a student affairs and conduct professional. I have worked in student conduct, in some form or another, for 17 years, in both academic affairs and student affairs. Conduct has always been one of the most rewarding parts of my jobs in higher education, both in academic affairs and in student affairs. To be able to see students in an environment where there is great potential for vulnerability, accountability, reflection, critical conversation, resource-sharing, and education is something I find to be incredibly important for many students' development while in college. These conduct hearings, administrative meetings, and conversations are much more than a conversation about the event where a policy violation occurred, but about a connection with someone who can help a student reflect not only on the event but also on their experiences as a college student. In my own

experiences, I have found that there is often much more going on than an alcohol or drug incident, but instead a possible relationship issue, parent illness, difficulty adjusting to college- to the schoolwork, a roommate, or how to make friends. That is why this research is so important to me. To be able to learn more about student adjudication outcomes and to enter into the research with the lens that I want to make sure all students are being treated equitably within those meetings, especially the ones that lead to separation from the institution, makes me feel as though my research is that much more meaningful. If certain groups of students are not being treated in an equitable way, then we (myself included) as administrators and educators are doing something wrong. There may be implicit bias either for or against a student; there may be a label of deviant that was given early on that has led to recidivism, and if these inequities are present within the institutions being studied, I want to know about them, and I want to be part of the solution to invite self-reflection, inform policies and procedures, and change practice.

Specifically, this study will investigate several things: individual, unique, and interaction effects of predictor variables (race, gender, affiliation in two types of organizations (fraternity and sorority life and athletics), and an overall violation score) on suspension, as well as proportions of students who are suspended and those in the discipline system as well as the institution population. It is also the hope that this examination, informed by Labeling Theory and Implicit Bias Theory, may provide

conduct administrators with recommendations for future practice through the lens of these theoretical perspectives.

Institutional Sample

The target sample and population for this study included all student conduct data, specifically the data and conduct histories/demographic information of all students' behavior and discipline violations for four years at two separate institutions. It was important to have access to all student discipline data to determine who was suspended, and equally important, who was not. These data were combined to create one larger data set but included a code for institution so that separate analyses could also be completed. Because the greater data set included all data for four years, these data were analyzed and treated as population data of these two institutions' student conduct cases during the four-year period. Academic adjudication outcomes (based on their academic performance and GPA) were not considered, as academic adjudication outcomes are done through the registrars' offices and generated by a GPA-centered formula, not through behavioral disciplinary issues. In academic cases, only academic appeals are considered subjective and therefore were not examined.

The institutions selected for this study were chosen for their similar land-grant statuses and similar geographical region. They were also chosen as a convenience sample due to collegial relationships and ties that the researcher drew upon in order to obtain their data for use in this study. As one of the schools utilized in this study requested to remain anonymous, "Institution 1" and "Institution 2" were used to describe these

institutions. Given that there is little literature on disciplinary adjudication outcomes in general, research at these institutions will begin to fill a gap in adjudication outcome research. Although these schools have unique student demographics which limits the external validity of this study, their public nature is congruent with previous research that has found public institutions have higher numbers of suspension than their private counterparts (Steel, Johnson, & Rickard, 1984).

Institution 1 has a low level of racial diversity, with 83% of students identifying as Caucasian or White. However, of the racial diversity that is present, there are a significant number of students (approximately 200) who identify as Native American or American Indian. Contrary to most institutions of higher education, this institution also has a higher percentage of male students than female students. According to the institution's webpage, there are more men than women, differing from the national average of public institutions being only 43.6% male (Borzelleca, 2012). This institution also has a very large veteran population with nearly 600 veteran students. Institution 1 has a student-faculty ratio is 19:1, with 42.2% of classes with fewer than 20 students. Finally, Institution 1 has a very large out-of-state population, with 47% of students coming from out of state or other countries (Anonymous Institutional Website, 2017).

Institution 2 has approximately ten thousand more on-campus students than Institution 1 but has a more typical student population with a larger female population. There are, however, similar percentages of students who identify as students of color- Institution 1 has over 80% of their student population that identify as Caucasian while Institution 2 has similar, but a smaller percentage of students who identify as non-

minority (Anonymous Institutional Websites, 2016). Three-quarters of students at Institution 2 are state residents whereas Institution 1 has fewer in-state students. Institution 2 has a student-faculty ratio is 18:1, with 34.6% of classes with fewer than 20 students. These institutional statistics offer insight into the beginning of research on this underrepresented topic in current literature. The following table describes these institutional overall numbers, as well as the violation population (the complete discipline data set) in more detail. A paired-samples *t*-test yielded statistically significant differences between the institutions for each predictor variable.

Table 2

Overall Institutional Information

	Gender	Race	Athlete	Greek
Institution 1 population	53% male 47% female	17% students of color 83% white	<1%	<1%
Institution 1 violation population	72% male 28% female	13% students of color 87% white	4.5%	7%
Institution 2 population	48% male 52% female	27% students of color 73% white	<1%	~1%
Institution 2 violation population	62% male 38% female	25% students of color 75% white	2%	3.5%

While each institution calls their office by different names, both institutions have an office dedicated to conduct processes. Both institutions have similar conduct structures and procedures, however, Institution 2 is more transparent in how they discuss and offer options for restorative justice for their students as well as the process itself, offering videos to share the process and what students can expect from the process. Institution 2

also offers an opportunity for students to give feedback following their conduct meeting to offer insight into their experience with the conduct process, their conduct officer, and if they feel they were treated fairly. These results are then published on their website.

With little research having been done on suspended students, this study sought to better understand not only what characteristics (race, gender, types of affiliation on campus) of students are suspended and whether the process is fair and consistent for all students, but also if students who are suspended, are suspended at proportionate rates to the overall demographics of those in the violation population- meaning those students that have been documented for an alleged violation, and the institution population. Proportions of students in the actual conduct system as compared to overall institution demographics were also reported to have a better idea of proportionality of those students who allegedly violate versus the full campus population.

It is necessary to determine if the adjudication process is fair and unbiased, and if determined that it is not equitable, to establish ways in which administrators are made aware of the biases and engaged in remedying the situation. Judicial processes in higher education should be fair and equitable for all students who interact with the system. The implications for practice of creating or maintaining policies and procedures as free of labeling and bias as possible for students and student conduct officers and administrators make this study salient and necessary for higher education.

Data Collection Procedures

These data have been previously collected as part of the Maxient online conduct system that each of the institutions' conduct offices use to maintain student conduct records. For every case that is adjudicated on campus (either through residence life or the dean's office), a case record is created and assigned to a conduct officer to adjudicate. Students who are documented either by residence life staff, campus staff, or a campus or city police department, have a case created in the Maxient system before the conduct office representative meets with the student. The outcome of that meeting, including sanctions, is then recorded into the system, and the student is sent an outcome letter via email, which outlines what was discussed during the meeting, whether they were found in violation of the policy(s), and what sanctions were assigned. Sanctions could include a warning, conduct probation, community service, educational classes, etc. For students who are suspended as a result of an administrative meeting or conduct hearing, they are required to sign a letter to state that they understand the consequences and what steps must be taken should they want to re-enroll in the institution after the allotted time of suspension has expired. In these cases, a counseling evaluation, alcohol or drug use classes, community service, or other additional sanctions may be required depending on the type and severity of the policy violation. Students are also often required to fill out a form with the institutional police department and meet with a dean of students' office staff member to share their intent to return, reflections on the experience and process of being suspended, and discuss how they will work to be successful upon their return to the

institution (Anonymous Institutional Conduct Office, 2016). A similar process is in place at both institutions.

To gain these data from multiple institutions, eight land-grant institutions were initially contacted and invited to participate. An email was drafted to each of the institution's dean of students or director of student conduct with information about the study and the researcher. Two institutions committed to participate. A follow-up letter was sent to update the institutions on the process, share a copy of the home institution IRB approval, and request further information about each institution's overall population demographics.

Maxient, LLC, was then contacted to request the creation of a special report template for this research so that each participating institution could create their own report and upload it to a private and protected drop box to ensure confidentiality among the schools and from other entities. Each school uploaded each report by year into the Box. Additional information requested about institutional demographics was sent directly from the researcher to the institutional contact.

Data Cleaning and Variable Creation Procedures

To answer the proposed research questions, it was initially necessary to gain a better understanding of the data contributed by both institutions. The data cleaning process was extensive and was supported by the Statistical Consulting and Research Services Center (SCRSC) at the researcher's home institution. All cleaning was completed using R Statistical Software. The participating institutions provided no

personal identifiable information; instead a unique Student ID (SID) was assigned to every individual within the conduct system. Each institution provided a data set from the last four years of conduct data that were organized in a way where each row was a unique case for one individual. Therefore, one individual could be expressed in multiple rows if they had multiple cases. In the raw data sets, Institution 1 had 4,507 cases from 2,879 unique students, whereas Institution 2 had 6,738 cases from 4,308 unique students.

Initial data from both institutions included a separate row for every case that an individual student had. These records included the student's unique ID number, their gender, race, age at incident, cumulative GPA, classification of year in school, athletic and Greek affiliation, incident date, charges assigned to the incident, findings, and sanctions. While the online Maxient student conduct record system was the same conduct management tool for both institutions, and the same type of data were collected, there were vast differences between institutions in how they categorized these different variables. The names of violations were different, and there was an especially large discrepancy between the types of sanctions assigned. Institution 1 had 34 original different sanctions and Institution 2 had 153 different sanctions. Demographic information was also recorded and categorized differently. For example, the options for identifying a student's race differed from institution to institution (i.e. Black vs. African American or listing various tribal affiliations). Despite this study using the white/student of color dichotomy, this lack of consistency across the data, not only with the race variable but with other variables as well, complicated and extended the time and effort it took to complete the cleaning process.

The gender variable for each institution initially included male, female, and organization. Organizations- defined as an entire team, student club, or Greek group, were originally included but removed from the final data set as this study was specifically investigating individuals. For example, if something happened at a fraternity house, or a student club event, and the organization was held responsible, these instances were removed. A total of 13 “organization” records were removed from Institution 1 and 16 organization records were removed from Institution 2. As there were no records of gender at either institution that were identified outside the gender binary, male and female were the final labels utilized.

Athletic and fraternity/sorority status was a bit more complicated and is considered a limitation for this study. As there was no simple way to confirm whether a student was affiliated with athletics or the fraternity/sorority system at the time of the alleged violation, students that were at any point affiliated were considered always affiliated. This is a limitation as there is no way to know for sure if these students were suspended, if they were affiliated at the time of suspension.

Given that every row in the initial data set was an individual case, which could have had several violations, the data was scanned to fill in missing values of predictor variables where they may have been listed in a different case but were not in others. This was done for all demographic variables. The cases where it was not possible to fill in missing values for demographic or affiliation variables were deleted from the study, as these variables were necessary to answer the research questions appropriately. A total of 647 records (original individual cases- 363 from Institution 1 and 284 from Institution 2),

or 5.8% of the original cases, were deleted. According to both institutions, this missing data could have been due to several things: insufficient institutional records where data had been imported from other student record systems (i.e. Banner) into Maxient, poor and inadequate record keeping by conduct officers and conduct administrators, or a combination of the two.

To best create one complete and simplified data set that included both institutions, several variables needed to be recoded to create the categorical data options, and to maintain each institution's integrity in their different types of variables. Violation and sanction columns were collapsed into a smaller number of possible categories of charges and sanctions. Because no literature was found on categories for types of charge or sanction, the researcher drew from 15 years of working in student conduct to create broader categories of violation and sanction. It was imperative that consistency be created to combine both data sets. New categories were created for the purpose of collapsing violation and sanction original states under broader categories, which are all outlined in the appendices. For example, low-level violations such as gambling, noise, and vandalism, were all collapsed under "low-level housing violations." A similar process was done with sanctions where all educational assignments (i.e. attending an alcohol class, writing a paper) were also collapsed under broader categories.

Institution 1 had an additional 12 columns for type of violation and whether the student was found responsible or not responsible for that violation. The maximum number of violations that any one individual per case had was six (i.e. one case could include violations for noise, alcohol, disruptive behavior, etc., and each violation would

be considered separately by a conduct officer). The maximum number of cases that any individual had was ten. Below is a table further describing the violation population for Institution 1 regarding number of cases:

Table 3

Institution 1 Case Frequencies

# Cases	1	2	3	4	5	6	7	8	9	10
Frequency	2240	554	198	66	38	9	2	3	1	1

The final 34 columns in the Institution 1 data set included different sanctions that could have been given as sanctions for violations where the student was found responsible.

Institution 2 had the same initial demographics information and the same number of possible violations per case. Institution 2, however had twelve as the maximum number of cases for one individual:

Table 4

Institution 2 Case Frequencies

#Cases	1	2	3	4	5	6	7	8	9	10	11	12
Frequency	3124	840	293	105	56	23	14	6	2	3	1	1

One large difference between Institution 1 and 2 was that, as compared to Institution 1's 34 unique possible sanctions, Institution 2 had 153 columns dedicated to type of possible sanctions assigned for responsible findings per violation. The differences

in types of sanctions, what they were called and the difference in how many possible sanctions there were at each institution and what specific violations were called at each institution created issues for the data cleaning process. This impresses the importance of streamlining these categories into broader umbrella categories.

Another issue that became apparent was how to categorize these new states of violations into levels of severity. Levels were assigned to each category of violation and then vetted and approved through both participating institutions. While it could be argued that any violation, dependent on other variables present in the situation (i.e. other behavior, attitudes), could be a severe violation, the levels were determined based on the typical situation within each violation type. The researcher recognizes the limitation of assigning the “typical situation” as a means to frame the violation. For example, the “alcohol” violation category includes everything from a student being found to possess empty liquor bottles to being caught actively drinking underage. It also could, however, be assumed that those liquor bottles may have at one time been full, thus making these similar and thus being rolled up into an “alcohol” violation which was coded as a level two, or “moderate” level of severity.

A level one violation, considered “low-level” included dishonesty, low level housing violations (i.e. noise, pets), other policy violations (i.e. communications branding policy, inappropriate logo use), and tobacco violations. These were considered violations that most likely did not cause harm and were not offensive. Level two, considered “medium-level” violations include academic misconduct (i.e. cheating, multiple submission, plagiarism; this kind of academic misconduct is considered a discipline issue

and are therefore different than GPA-driven academic issues), alcohol, damage, disruptive conduct (i.e. failure to comply, obstruction, trespass), drugs, harassment, other legal violations (i.e. violations on or off-campus that involve police involvement and may have resulted in a citation), safety violations (i.e. chemicals, screens, guests and visitation), theft, threats, and weapons. These moderate-level violations were considered violations that may cause harm to oneself through substance use, or harm to others that did not include physical contact. Level three, considered “high-level” violations included abuse, assault, and sexual misconduct. These violations were considered aggressive, violent, and destructive to others. The full list of how violations were coded previously as well as their new levels can be found in Appendix A for Institution 1 and Appendix B for Institution 2.

After categories of violation and level of severity were determined, both institutions were contacted as a level of validation and member-checking of sorts to ensure both institutions were in agreement with how things were categorized, and which levels were given to each type of violation. Whereas a level 1 violation (i.e. tobacco use) could be a level 3 given the other circumstances in an incident, both institutions were asked to consider these levels as a most likely and most typical situation. With a few minor changes, both institutions agreed upon the final categorizations (see Appendices A and B) and levels with this understanding of most typical situation.

Following the assignment of a level 0, 1, 2, or 3 to each type of violation category, it became necessary to determine an overall violation severity score for each student in the system to offer a snapshot of a student’s complete discipline history during

those four years. These scores and scenarios were determined based on researcher knowledge, as well as with insight from a recent article published in the local paper of Institution 1, where the dean of students shared that the institution would now suspend students after third offenses of alcohol and/or drugs (anonymous local newspaper, 2017). There are many universities across the country that have implemented similar policies (i.e. University of New Hampshire, Bates College, University of Wisconsin system). Despite this new communication of “three strikes and you’re out” procedure, the dean of students at Institution 1 also commented that the three strikes idea has limitations as each case is unique and handled as such. A student could still get suspended after two cases if the case(s) was severe enough. However, this was an attempt to quell what had become an increased number of alcohol and drug cases on campus, some of which were of great harm and had resulted in a student death. It was the hope that the new “3 strikes” policy would impact students’ behavioral decisions.

It was decided, for this research study, that maximum and minimum scores, as well as how many of certain levels, would dictate a violation severity score. For example, using other institutional models and the recent newspaper article, three or more level two violations per individual student would give a student an overall adjudication score of three, or “severe”. Given this same logic, three level ones earned them an overall score of a two, or “moderate.” At least one level 3, given the gravity of violations, earned a three, or “severe” score. The same logic was applied to at least one level 2, but no more than 2 level twos, earned a moderate score. One or two level ones earned an overall score of 1, or “low” level. The snapshot of this code is below:

IF:

#violations ≥ 1 AND max level = 3 THEN total adjudication score = Severe (3)

#violations ≥ 3 AND max level = 2 THEN total adjudication score = Severe (3)

#violations ≥ 3 AND max level = 1 THEN total adjudication score = Moderate (2)

#violations < 3 AND max level = 1 THEN total adjudication score = Low (1)

#violations < 3 AND max level = 2 THEN total adjudication score = Moderate (2)

A diagram describing this overall concept is below:

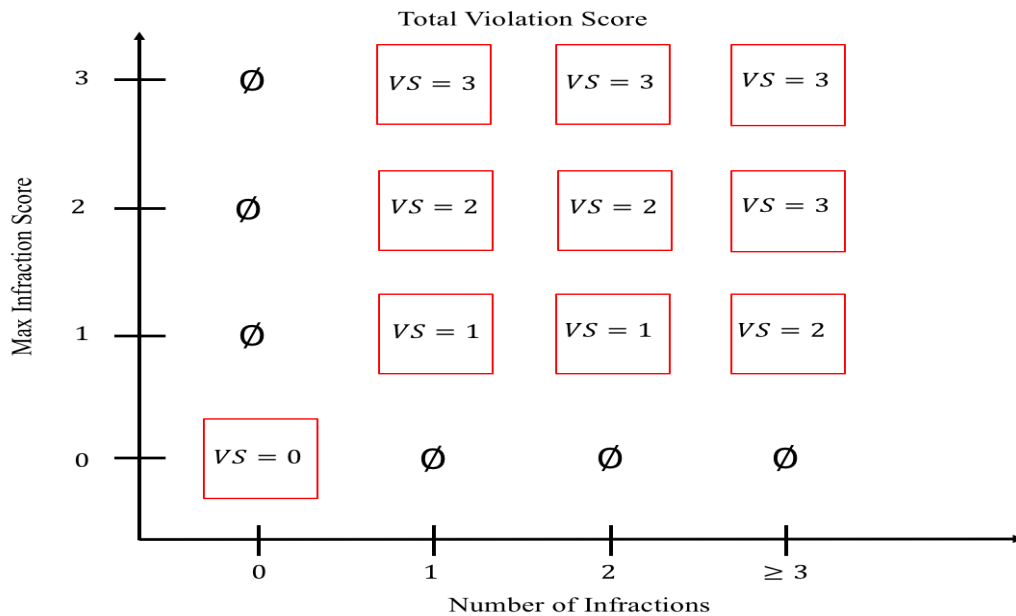


Figure 4. Violation score matrix

Once all labels and levels were determined and sanctions and violations were assigned to new states, the final cleaned data set included one row per individual, with characteristics of each student in the columns following the SID. The final data set included the following: SID, whether a student was ever suspended or expelled, warned, or placed on probation (suspended and expelled were coded as 1, all others were coded as 0), gender,

race, fraternity/sorority status, athlete status, and a new variable for a student's violation severity score, created to give an overall snapshot of a student's case and violation history. The final cleaned data set was maintained in SPSS. The following is a table describing how these were coded into new states:

Table 5
Old and New Variable Codes for SPSS

Old State	New State
Suspended Yes	1
Suspended No	0
Gender- Male	1
Gender- Female	0
Race- White	0
Race- Student of Color	1
Athlete	0
Non-Athlete	1
Greek	0
Non-Greek	1

The variables used in this study were taken from the Maxient conduct online system data. The outcome variable for this study was as follows:

- Suspension- given that this study focuses on suspension and dismissal from the institution, only suspensions and expulsions were coded as 1. Any other sanctions (i.e. warning, probation, educational class) were coded as zero.

The predictor variables for this study are listed below. Those that were coded as one were coded as such due to the literature indicating they were the most likely to be suspended (i.e., male, student of color, and un-affiliated students).

- Gender: for the purposes of this study male, female, or transgender or gender non-conforming were to be utilized, based on what was disclosed to the student's university and in the university system. However, neither institution had an option of "transgender" or "gender non-conforming," or anything else outside of the male/female binary in their system. Female students were coded as zero and Male students were coded as one. Male students made up 65.8% of the total violator population and females made up 34.2%.
- Race: for the purposes of this study, white students and students of color were the dichotomy; White students were coded as zero and students of color were coded as one. White students made up 79.4% and students of color made up 20.6%. The label of students of color is considered a limitation to this study as this binary distinction fails to understand how individual races may be impacted by the findings. Due to the limited racial and ethnic diversity present at the two participating institutions, it made more sense to examine the relationship of race on likelihood of suspension using this dichotomy.
- Fraternity/sorority member, also referred to as Greek: considered a student who is a member of and is affiliated with one of the official Greek organizations on campus at some point during their college career. Greek students were coded as zero and non-Greek students were coded as one. Students affiliated with a fraternity or sorority made up 4.8% of the total

violator population. Because it is not possible to assess if a student was affiliated at the time of the actual violation, it is difficult to assess if implicit bias or labeling was present during the conduct process. This is a limitation to the study.

- Athlete: considered a student who is an official member of an athletics team at the institution at some point during their college career. Athletes were coded as zero and non-athletes were coded as one. Athletes made up 2.9% of the violator population. This is also a limitation to not know whether the student was affiliated at the time of violation, similar to that of Greek status.
- Violation Severity Score: during the cleaning process it became necessary to create a variable that would capture the entirety and complexity of a student's complete discipline record. This variable was created based on an algorithm of total numbers of violations and their severity, to create an overall score per individual, and is discussed in further detail later in this chapter. In the overall population, 10% of students had a violation score of zero, (meaning that they were found not in violation of any alleged misconduct), 15% had a low score, or a "1", 40% had a moderate score, or "2", and 35% had a severe score or a "3".

The level of measurement for the outcome variable of suspension was categorical nominal, either a student was suspended, or they were not. Four of the five predictor variables were also considered categorical nominal- they belonged to a certain

demographic/identity and were engaged in athletics or fraternity/sorority life, or they were not. The fifth predictor variable of violation severity score was considered ordinal—students had a score of 0, 1, 2, or 3. Given that scores of zero were given to students who were found not in violation of any alleged misconduct, they were considered non-violators and were therefore removed from the final dataset. An additional 687 student records were removed for this reason. The final combined institution dataset included 6,067 student conduct records, with 2,237 individual records from Institution 1 and 3,830 from Institution 2 and is what will be referred to as the overall violation population from this point forward.

While expert review was conducted by conduct professionals at each institution, and despite researcher experience and expertise, it is still important to discuss these recodes as a possible threat to construct validity. Construct validity involves making inferences about data to what they represent in the larger picture of the research area of study (Shadish, Cook, & Campbell, 2002). Constructs are essentially the language the researcher uses to connect the data to the larger practical implications of the study. Because of this, it is necessary to give clear explanation and rationale for decisions that are made about specific constructs (i.e. re-labeling of violation and sanction names in this study). Moreover, it was important to have both institutions review decisions and give approval for these new constructs, including the categorizing of severity levels and to create an overall violation severity “score” for each individual student in the conduct system.

Data Analysis

The unit of analysis for this study was university students at two land grant institutions of higher education in two states in the West. While the data cleaning process utilized R Statistical Software, SPSS (Statistical Package for the Social Sciences) software was utilized for data analysis. Frequencies regarding both the overall student population of the institution, were reported earlier in this chapter. Suspended students' information, inclusive of gender, race (white vs. students of color), as well as athletic (athlete vs. non-athlete) and fraternity/sorority involvement (affiliated vs. un-affiliated) were reported, as well as the frequencies of all students in the violation population are reported in Chapter 5. The comparisons between these data and the overall institutional population will also be reported in Chapter 5.

To fully understand the total institutional population by these affiliation variables, data regarding the breakdown of race and gender within athletic affiliation and fraternity/sorority involvement were collected through each institution and were reported earlier in this chapter. The percentages of all but one (violation score) predictor variable were also reported for the purposes of creating a stronger understanding of the demographics within each. The complete comparisons from institution population to violation population to suspension population (numbers of students who were suspended, by predictor variable) will be reported in Chapter 5. For all statistical analysis for this study, a p value of $p < .01$ was the standard of significance.

The first research question in this study asked about the relationship between the outcome variable and the predictor variables individually. To appropriately begin to

determine these relationships, bivariate one-predictor and single outcome chi-square tests were evaluated to determine each individual relationship between the outcome variable and each of the individual predictor variables. Pearson's Chi-square statistics are utilized in quantitative research to determine the level of association that exists between two categorical variables (Leech, Barrett, & Morgan, 2008).

This study was interested in the unique relationships between a number of demographic and affiliation variables with suspension as the adjudication outcome. Specifically, this study examined the unique relationship between gender, race, and affiliation with athletics and/or sorority and fraternity life, as well as violation severity score, and suspension. To further understand the unique relationship between these predictor and outcome variable, a logistic regression statistic was utilized to answer the second research question for several reasons: 1) the categorical nature of the outcome variable, 2) the relationship between the predictor variables and a dichotomous outcome variable and 3) linear regression assumes a linear relationship and since the outcome variable is categorical, it violates that assumption and therefore cannot be used in this study (Field, 2013). The primary purpose of logistic regression is to predict categorical outcomes based on categorical or continuous predictor variables (Field, Miles, & Field, 2012). Because the outcome variable was categorical (either a student was suspended or not) it was important to still assess the model but differentiated from multiple regression where R-squared can be utilized. In logistical regression the measure used is log-likelihood, a sum of the probabilities associated with the predicted actual outcomes that indicates how much unexplained information there is after the model has been fitted

(Field, 2013). The odds ratio was also calculated to determine the proportionate change in the odds if the outcome variable is altered (i.e. if a student is no longer an athlete or decides to no longer be part of the sorority and fraternity system).

There are some assumptions in logistic regression that are important to be aware of in this study (Field et al., 2012). The first is linearity, that a relationship exists between the predictor and the logit of the outcome, so it is assumed that there is a relationship between the predictor variables and the likelihood of a student being suspended. There is also an assumption that errors must be uncorrelated and that cases not be related. This ultimately could cause issues if several students were suspended for the same incident or if a student was suspended more than once (Field, 2013). Finally, logistic regression assumes limited levels of multicollinearity and that the predictor variables are not substantially correlated, which works well with the five predictor variables of race, gender, affiliation in athletics and/or the fraternity and sorority community, as well as the overall violation score.

Given that the instrumentation for this study utilized pre-collected data of the same kind from each institution, and the exact same reports pulled from the Maxient conduct system, it can be assumed that the measurement validity of the study is strong. The same systems and methods were used for retrieving the information from each institution using a Maxient report and the researcher completed all data analysis in an identical manner, whether analyzing one institution at a time or both institutions as one larger data set. Regarding reliability, this study could easily be repeated with other

institutions who utilize the Maxient conduct reporting program as it is all pre-collected data and only needs to be analyzed following similar procedures as outlined in this study.

To best answer the third research question, several additional variables were created in order to examine the presence of interaction effects that may be present in these data and phenomena. Interaction effects are the combined effect of two variables on another (Field, 2013) and are created by multiplying one predictor variable by another. The interaction effects that were created for research question three were determined based on the results of research questions one and two and which predictors were found to be significant in the previous questions. These significant predictors were then combined with all other individual predictor variables to create the full model with interaction effects. For example, if gender was found to be significant, gender was then combined with each other predictor variable (race, affiliations, and violation score) to create new interaction, or moderator variables. These new variables were then combined with each predictor variable within the full model and then ran with a logistic regression to understand the full effects of the new interaction. Each interaction model was run separately after the base model and examined to determine if there was a significant improvement in the model specification.

Given the literature referenced in chapter two regarding male athletes as well as male fraternity members, race and athlete status as well as gender and fraternity status were investigated as moderating variables. For example, does a Caucasian athlete receive the same adjudication result as an athlete of color and does a male who is engaged with fraternity life receive the same sanctions as a male who is not? In this case, it was

investigated to determine if the effect of being a student of color compared to a white student differed when it was moderated by athletic affiliation. All other interactions were also analyzed between predictor variables and the outcome variable of suspension.

Interaction effects are said to exist when the effect of a predictor variable on an outcome variable differs, depending on the value of a third variable, possibly another predictor variable, this third variable being called the “moderator variable” (Jaccard, 2001). For example, in this study, the effect of race on whether or not a student is suspended may be conditioned by if the student is an athlete or affiliated with the fraternity and sorority system. Or, the effect of athletic status on whether or not a student is suspended may be moderated by a student’s gender. Given recent cases in which adjudication outcomes varied by whether a male violator is an athlete or not, it is important to examine the possibility that interaction relationships may be present in these data.

The fourth research question asked about the characteristics of those students who are suspended compared to the violation population. This question was answered using descriptive statistics and frequencies. The outcomes were then organized into contingency tables to show the frequencies of each relationship to begin to understand the relationship (Field, 2013). For this study, three tables were created- one for the combined institution, one for Institution 1, and one for Institution 2. Z-scores were also calculated on 4 of the 5 predictor variables (all but violation score) to determine if these probabilities of students suspended out of the overall violation was significant at $p < .05$ (i.e. of the men who were in the Maxient system with conduct cases, how many were

suspended and how many were not? And how does the proportion suspended compare to the proportion in the violation population?). The relationships that were investigated included: 1) gender and suspension; 2) race and suspension; 3) affiliation with athletics and suspension affiliation with fraternity/sorority life and suspension; 4) affiliation with fraternity/sorority life and suspension, and 5) student's overall violation score (1-3) and suspension.

Assumptions, Limitations, and Delimitations

While this study aims to investigate suspended student characteristics and the consistency of the student conduct process leading up to an adjudication outcome, there are several limitations and assumptions that the researcher must identify. First, this study was only conducted at two institutions of higher education, and only one type of institution, public land-grant institutions in the inner-mountain region, was investigated. The results may not be generalizable to other environments without further research. It is also important to note that these two institutions, while similar in geographical area, academic programs, and land-grant status, are quite different in size. One of the institutions studied had only four years of cross-sectional data in the current online Maxient database system, as this system was only recently implemented as the conduct database within the university system. While paper files could have been used to go back further, they were not for consistency sake, and it is recommended that this study be repeated after more years of data have been collected. It also should be noted that while a four-year snapshot was utilized for both institutions, the amount of time a student has

been on campus and thus has possibility of interacting with the student conduct system varied. For example, the four-year time window could include some students' entire college career whereas it included only a snapshot of their time for students in their 3rd or 4th years at college. It is clear in the data that most incidents happen in general during first and second year in college, so this may not be as important an assumption as others but is worth mentioning.

In addition, there are several third variables that could threaten external and internal validity in these bivariate correlations, and that might be encountered or could provide explanation for specific results of this study. If sanctions are not 100% consistent for all types of violations, times a certain policy was violated, numbers of violations, etc., there could be bias. For example, a lack of consistency with hearing officers was not explored but could explain variance in adjudication outcomes. If different students had meetings with different conduct officers, they may not all be given the exact same sanctions based on violations, which also leads to another threat. For example, if a conduct officer hears a case in the residence hall where they are living, they have more contact with that student on a regular basis. This could lead to preferential treatment if the relationship is positive, or sanctions could be more severe if the student has already been labeled by a previous, or several previous violations as a "deviant" as in Labeling Theory (Becker, 1963). Labeling Theory infers that it is more likely that students who are labeled as a "deviant" will be more closely observed, and thus may be more likely to be caught again than a student who has not yet been caught or labeled as "deviant" (Brym & Lie, 2003). It is possible that a student's attitude or behavior during an administrative

meeting or hearing could also play a role in whether a student is suspended and may not rely solely on the student's discipline record and the present violation. Since student conduct meetings and hearings are subjective to the hearing officer and/or administrative conduct officer, this could create issues with consistency in the processes.

Significance and Summary

Despite the limitations of this study, it is necessary to determine if university conduct processes are fair and unbiased, and if they are not, to determine how best to make administrators aware of the biases and how to remedy the situation. Judicial processes in higher education should be fair and equitable for all students who interact with the system. The implications for practice of creating or maintaining policies and procedures as free of labeling and bias as possible for students and student conduct officers and administrators make this study salient and necessary for higher education. The purpose of this correlational research study was to investigate the relationship between possible predictors and suspension as the adjudication outcome, as well as the proportions of students suspended compared to those already in the judicial system, at two large public research land-grant institutions in the inner-mountain region in the United States. The researcher utilized the Maxient data software at each institution to report frequencies of adjudication outcomes and demographics as well as these students' discipline records. The data examined were analyzed using SPSS software and logistic regression analysis to better understand these data in relation to the research questions. Given that there is little research on student adjudication outcomes in general (Stimpson

& Janosik, 2007; Dannels, 1990; Kompalla & McCarthy, 2001; VanKuren & Creamer, 1989), this study will result in contributing new information to the body of knowledge and literature as well as provide insights and recommendations for future practice to not only the two institutions studied, but also other institutions with similar demographics.

CHAPTER FIVE

RESULTS

To answer the research questions, frequencies, contingency tables, chi square statistics, and logistic regression, with and without interaction effects, were utilized. With the dichotomous categorical outcome variable of suspension, and multiple predictor variables that were mostly categorical with one ordinal, descriptive statistics, chi square statistics, and logistic regression were the best methods of analysis. As both institutions had different overall demographics and different discipline systems, it was important to run both the entire data set as a whole, as well as the individual institutions separately. Both are reported in this chapter.

Research Question 1

This research question asks if there is a difference in suspension as an adjudication outcome by gender, race, affiliation with campus athletics or fraternity/sorority life, and violation severity score. Chi-square tests of independence were calculated for both institutions together, comparing each categorical predictor variable (gender, race, athlete status, and fraternity/sorority status) with the outcome variable of suspension. When both institutions were considered together, a significant relationship was found between gender and suspension $\chi^2 (1) = 21.129, p < .001$. Males were found to be more likely to be suspended (3.2% of the total males in the violation population) than females (1.3% of the total females in the violation population). Phi and Cramer's V were calculated at .059, a small effect size indicating confidence that there is

some difference between genders and their rates of suspension, thus rejecting the null hypothesis for both institutions combined.

Chi-square tests were also calculated each institution individually for each predictor variable. Institution 1 found a significant relationship between gender and suspension $\chi^2 (1) = 15.471, p < .001$. Males were found to be more likely to be suspended (4% of males in Institution 1's violation population) than females (.8%). Phi and Cramer's V were calculated at .083, a small effect size indicating confidence that there is some difference between genders and their rates of suspension. Institution 2 yielded similar results for gender and suspension with $\chi^2 (1) = 6.105, p < .001$. Males were also found to be more likely to be suspended at Institution 2 with 2.7% of all males suspended while only 1.4% of all females were suspended from the violation population. Therefore, null hypotheses can be rejected for both institutions individually.

A significant relationship was also found between race and suspension $\chi^2 (1) = 7.205, p < .01$ when Institutions 1 and 2 were considered as one complete data set. Students of color were found to be suspended at higher rates (3.6% of all students of color in the violation population) than white students (2.3%). Phi and Cramer's V were calculated at .033, also indicating a small effect size and therefore a difference between white students and students of color.

When investigated separately, Institution 1 found no significance between race and suspension. Institution 2, however, found a significant relationship, $\chi^2 (1) = 7.873, p < .01$. Students of color were found to be suspended at higher rates (3.3% of all students of color in the violation population) than white students (1.8% of white students

in the violation population). Therefore, the null hypothesis for Institution 1 failed to be rejected, but the null was rejected for Institution 2.

When Institutions 1 and 2 were combined, athletic affiliation was found to be not significant. Considered independently, similar results were found with no significance for a student's status as an athlete. Thus, the null hypothesis can be accepted. The table below outlines these results:

Table 6

Institutional Results for Athletic Affiliation

	χ^2 (1) Value	<i>P</i> value
Institutions Combined	.081	$p = .775$
Institution 1	.440	$p = .507$
Institution 2	1.218	$p = .270$

Fraternity/sorority affiliation yielded similar results with no significance when institutions were combined (χ^2 (1) = .876, $p = .349$), and when Institution 1 was run independently (χ^2 (1) = .000, $p = .991$). Greek affiliation at Institution 2 was not calculated, as zero students affiliated with a fraternity or sorority were suspended. A heightened awareness of this should be noted, given the smaller n sizes in this study for students suspended and the fact that zero students affiliated with the fraternity/sorority system at Institution 2 were suspended in the 4-year cross-section. Given these bivariate findings for the predictor variables, the null hypotheses for affiliation in athletics and fraternity/sorority life failed to be rejected.

Due to not having the threshold of 5 cases required for a chi-square test of independence for violation score (there were zero students suspended with a violation

score of 1), the following contingency tables are presented for the violation score and suspension for the combined institutions:

Table 7

Number and Percentage in Violator Population by Violation Score- Combined Institutions

Violation Score	1	2	3	Total
Suspended	0 (0%)	27 (.4%)	127 (2%)	154 (2.5%)
Not Suspended	994 (16.4%)	2,672 (44%)	2,247 (37%)	5,913 (97.5%)
Total	994	2,699	2,374	6,067

Zero percent of students in the violation population with a violation score of 1 were suspended, 1% of students with a violation score of 2 were suspended, and 5.3% of students with a violation score of 3 were suspended. The contingency table for Institution 1 is below:

Table 8

Number and Percentage in Violator Population by Violation Score- Institution 1

Violation Score	1	2	3	Total
Suspended	0 (0%)	24 (1%)	46 (2%)	70 (3%)
Not Suspended	369 (16%)	1,460 (65%)	338 (15%)	2,167 (97%)
Total	369	1,484	384	2,237

At Institution 1, 0% of students in the violation population with a score of 1 were suspended, 1.6% of students with a score of 2 were suspended and 12% of students with a score of 3 were suspended. The contingency table for Institution 2 is below:

Table 9

Number and Percentage in Violator Population by Violation Score- Institution 2

Violation Score	1	2	3	Total
Suspended	0 (0%)	3 (<1%)	81 (2%)	84 (2%)
Not Suspended	625 (16%)	1212 (32%)	1909 (50%)	3746 (98%)
Total	625	1215	1990	3830

At Institution 2, 0% of the violation population were suspended with a score of 1, .2% were suspended with a score of 2, and 4% were suspended with a score of 3.

Research Question 2

Logistic regression was conducted to assess the unique effects of the five predictor variables (gender, race, athlete status, sorority/fraternity affiliation, and violation severity score) on whether a student was suspended. When all five predictor variables were considered together for both institutions, they significantly predicted whether or not a student was suspended. The Omnibus Test of Model Coefficient shows significance in the model with $\chi^2 = 156.836$, $df = 5$, $N = 6067$, $p < .001$. The following table presents the odds ratios and unique effects of the predictor variables:

Table 10

Logistic Regression- Combined Institutions

Variable	B	SE	Wald	Sig.	Exp(B)
Male	.713	.219	10.584	.001*	2.040
Student of Color	.396	.186	4.532	.033*	1.486
Non-Athlete	-.272	.480	.323	.570	.762
Non-Greek	.359	.463	.600	.439	1.431
Violation Score	1.778	.202	77.445	.000*	5.921
-2LL	1278.711				
	$\chi^2 (5) = 156.836$, $p = .000$				
Nagelkerke R ²	12.1%				
Hosmer & Lemeshow p	.841				

These results suggest that the odds of being suspended are greater when a student is male, a student of color, and their overall violation severity score is higher. Controlling for race, campus affiliations (athletics and fraternity/sorority life), and the violation severity score, male students are 2.04 times more likely to be suspended than their female peers. When taking gender, campus affiliations, and the violation severity score into account, students of color are 1.486 times more likely to be suspended than white students. When taking gender, race, and affiliation into account, students are 5.921 times more likely to be suspended each time a student's violation score increases by one (i.e. from 1 to 2 or from 2 to 3). Institutions 1 and 2 were analyzed individually utilizing logistic regression to determine the collective impact of the predictor variables on suspension.

When all five predictor variables are considered together for Institution 1, they significantly predict whether or not a student was suspended. The Omnibus Test of Model Coefficient shows significance in the model with $\chi^2 = 105.266$, $df = 5$, $N = 2,237$ $p < .001$. The following table presents the odds ratios and unique effects of the predictor variables on suspension at Institution 1.

Table 11

Variable	B	SE	Wald	Sig.	Exp(B)
Male	1.249	.473	6.960	.008*	3.486
Student of Color	.376	.335	1.257	.262	1.456
Non-Athlete	.527	.761	.479	.489	1.694
Non-Greek	-.046	.487	.009	.924	.955
Violation Score	2.074	.251	68.489	.000*	7.958
-2LL	517.535				
	$\chi^2 (5) = 105.266, p = .000$				
Nagelkerke R ²	18.9%				
Hosmer & Lemeshow	$p = .749$				

These results suggest that the odds of being suspended are greater when a student is male, and their overall violation severity score is higher. Controlling for race, campus affiliations (athletics and fraternity/sorority life), and the violation severity score, male students are 3.486 times more likely to be suspended than their female peers. When taking gender, race, and affiliation into account, students are 7.958 times more likely to be suspended each time a student's violation score increases by one.

Consistent with Institution 1 and the institutions combined, Institution 2's predictor variables significantly predict whether or not a student was suspended, and the overall model is significant when all five independent variables are entered. The Omnibus Test of Model Coefficient shows significance in the model with $\chi^2 = 98.588$, $df = 4$, $N = 3,695$, $p < .001$. Due to Institution 2 having zero Greek-affiliated students suspended during the 4-year cross-section, they have been removed from the logistic regression data analysis for Institution 2. The table below shows the complete picture of this logistic regression for Institution 2:

Table 12

Logistic Regression- Institution 2

Variable	B	SE	Wald	Sig.	Exp(B)
Male	.263	.258	1.043	.307	1.301
Student of Color	.655	.234	7.810	.005*	1.925
Non-Athlete	-.641	.629	1.040	.308	.527
Violation Score	2.868	.573	25.049	.000*	17.607
-2LL	709.283				
	$\chi^2 (4) = 98.588, p = .000$				
Nagelkerke R ²	13.4%				
Hosmer & Lemeshow p	.685				

These results for Institution 2 suggest that the odds of being suspended are greater when a student is student of color and their overall violation severity score is higher. Controlling for gender, campus affiliations (athletics and fraternity/sorority life), and the violation severity score, students of color are 1.925 times more likely to be suspended than their white peers. When taking gender, race, and affiliation into account, students are 17.607 times more likely to be suspended each time a student's violation score increases by one.

Given these results, the null hypotheses can be rejected for gender, race, and violation score predictor but fail to be rejected for both athletic and fraternity/sorority affiliation. Therefore, the data provided sufficient evidence to conclude that suspension is not independent of gender, race, and violation score but is independent of affiliation.

Research Question 3

Interaction effects, the combination of 2 predictor variables, may play a different role in how they may or may not predict the outcome variable (Jaccard, 2001), in this case, suspension. Logistic regression was used to investigate whether the interaction of certain predictor variables might moderate the effects of other predictor variables on suspension. Given the literature, especially around conduct of student athletes and race (King, 2016) (i.e. a student of color who is also an athlete may have a stronger likelihood of being suspended than an athlete who is white), considering interaction effects in predicting suspension was important for this study. For reference, below is the cross-tabs for race and athlete for this study. The table shows almost equal representation of athletes of color and white athletes in the violation population. Given their representation in the

violation population and the literature, this is especially interesting to note that athletes were rather equally distributed between students of color and white students yet students of color were more likely to be suspended overall.

Table 13

Crosstabs for Race and Athletic Affiliation

Student Characteristic	Athlete	Non-Athlete
Student of Color	86	1163
White	88	4730

It was critical to create these interactions based on the previous questions in previous literature and what to be significant in research questions one and two. Given that gender, race, and violation severity score were all found to be significant in the chi-square and logistic regression analyses, these three predictors were combined with each predictor variable to form new interactions (i.e. gender and race, race and athletic status, gender and violation score) and then incorporated into the full model. Each interaction term was added individually to the base model to determine significance.

Considering these interactions in the full model, the individual predictor variables continued to be significant. However, none of the interaction terms tested reached the level of statistical significance. This was the same when Institution 1 and 2 were combined as well as each institution individually, thus, the null hypotheses for research question 3 fail to be rejected. Below is a table of these individual interaction coefficients that were run in individual models and their results based on what was significant in

research questions 1 and 2 for the combined institutions. Greek affiliation was removed again due to zero Greek-affiliated suspensions at Institution 2.

Table 14

<i>Interaction Effects</i>				
Interaction	<i>B</i>	<i>SE</i>	Sig.	Exp(B)
Male by students of color	.243	.487	.618	1.275
Male by non-athlete	-17.181	5277.510	.997	.000
Male by viol. score	-.254	.516	.623	.776
Race by non-athlete	-18.006	4284.468	.997	.000
Race by viol. score	.345	.502	.492	1.412
Viol. score by non-athlete	.367	.870	.673	1.443

While none of the interactions reached statistical significance when combined or disaggregated, it is still important to report Institution 1's results on the interaction between athletic affiliation and violation score. The table below indicates that at Institution 1, non-athletes with higher violation severity scores may be suspended at lower rates than athlete students, as non-athletes were coded as 1.

Table 15

<i>Athletics and Violation Score Interaction- Institution 1</i>				
Variable	<i>B</i>	<i>SE</i>	Sig.	Exp(B)
Male	1.265	.474	.008*	3.545
Student of Color	.390	.334	.242	1.477
Non-Athlete	-4.827	2.623	.066	.008
Non-Greek	-.050	.488	.919	.951
Violation Score	-.137	1.212	.910	.872
Non-Athlete by Violation Score	2.302	1.238	.063*	9.994

While the data provided sufficient evidence to conclude that suspension was independent of the interaction effects, it is important to note this marginally significant interaction with non-athletes, especially given recent literature on professional athletes (Benedict & Klein, 1997) and seeming preferential treatment.

Research Question 4

The final data were comprised of 2 institutions' conduct records from a four-year cross-section and conduct cases of 6,067 students comprising the complete data set, with each record being one student's complete discipline record during the four-year sample. A total of 2.5% across both institutions, or 154 students total, were suspended during the 4 years cross-section. Approximately two-thirds (3,990) were male and 79.4% (4,818) were white. In the discipline system violation population overall, only 3% were athletes and only 4.8% were affiliated with a fraternity or sorority. It is also important to better understand what kinds of students had what violation scores. Below is a contingency table that shows demographics by violation scores:

Table 16

Demographics by Violation Score

Violation Score		1	2	3
Gender				
	Male	500	1757	1733
	Female	494	942	641
Race				
	Student of Color	248	453	548
	White	746	2246	1826
Affiliation				
	Non-Greek	970	2533	2270
	Greek	24	166	104
	Non-Athlete	962	2599	2332
	Athlete	32	100	42

The violation population of the combined institutions including percentages of how the data compares to percentages within the violation population and the suspension population is below:

Table 17

Violation Population- Combined Institutions

Variable	Count	Viol. Pop. %	Sus. Pop. %	Z-Score	Mean	S.D.	Min.	Max.
Total # Students	6,067	100%						
			100%					
Suspended	154	2.5%						
Number of Cases					1.53	.992	1	12
Number of Infractions					2.68	2.418	1	38
Gender				Z=4.59*				
Total Male	3,990	65.8%						
Male susp.	128	3.2%	83.1%					
Total Female	2,077	34.2%						
Female susp.	26	1.2%	16.9%					
Race				Z=2.68*				
White	4,818	79.4%						
White suspended	109	2.3%	70.8%					
Student of Color	1,249	20.6%						
Student of Color suspended	45	3.6%	29.2%					
Athlete Affiliation				Z=.29				
Athlete	174	2.9%						
Athlete suspended	5	.008%	3.2%					
Non-Athlete	5,893	97.1%						
Non-Athlete suspended	149	2.5%	96.8%					
Greek Affiliation				Z=.94				
Greek	294	4.8%						
Greek suspended	5	1.7%	3.2%					
Non-Greek	5,773	95.2%						
Non-Greek suspended	149	2.6%	96.8%					

Table 17 Continued

Violation Score				Z=9.01*			
VS 2	2,699	44.4%					
VS 2 suspended	27	1.0%	17.5%				
VS 3	2,374	39.1%					
VS 3 suspended	127	5.3%	82.5%				
Total Viol. Score				2.23	.710	1	3

* $p < .05$

Of all students who were suspended, there was a statistically significant difference between the suspension population and the violation population for gender; 93% of those students in the suspension population at Institution 1 were men as opposed to men representing 72% in the violation population, and only 53% of the institution population. Institution 2 had similar trends, with 75% of the suspension population being men. Men represent 62.1% violation population, and only 48.6% of the institution population. Table 20 gives a full picture of these population percentage comparisons.

The difference in proportions between students of color and white students begs the question as to how bias could play a role during a student's adjudication process in the discipline system. At Institution 1, 17% of the institutional population were students of color but only 13% of the violator population. However, 18.6% of total suspensions were students of color. This is in contrast to 87% of the violation population being white whereas 81.4% white students account for the suspension population at Institution 1. At Institution 2 these results were a bit more jarring with 75% of the violation population being white and accounting for only 61.9% of the suspension population. This is in contrast to students of color accounting for 25% of the violation population yet 38.1% of

the suspension population. This also could be traced back to the question of bias and if these students are treated equitably in the discipline process.

Finally, affiliations were investigated. At Institution 1, athletes accounted for 2.9% of the suspension population, but 4% of the violation population. Athletes had higher representation in the suspension population (3.6%) as opposed to the violation population (1.9%). Students affiliated with a fraternity or sorority were equal in their representation of the violation population and suspension population (7.1%). Institution 2, however, may indicate bias towards Greek students who account for 3.5% of the violation population but 0% of the suspension population.

Zero students were suspended who had a violation score of one, 27 students were suspended who had a violation score of two, and 127 of the students suspended had a violation score of three, thus bringing some validation to the scoring process and new variable itself. When both institutions were combined, Z-scores were computed at a statistically significant level ($p < .05$) for gender, race, and violation score. The data therefore provided sufficient evidence to reject the null hypothesis for the combined institutions for research question four.

Individual institution data was also reported. Below is the full frequency and descriptive data for Institution 1.

Table 18

Violation Population- Institution 1

Variable	Count	Viol. Pop. %	Sus. Pop. %	Z-Score	Mean	S.D.	Min.	Max.
Total # Students	2,237	100%						
			100%					
Suspended	70	3.1%						
Number of Cases					1.51	.916	1	8
Number of Infractions					1.7	1.129	1	10
Gender				Z=3.93*				
Total Male	1,613	72.1%						
Male susp.	65	4.0%	92.9%					
Total Female	624	27.9%						
Female susp.	5	.8%	7.1%					
Race				Z=-1.39				
White	1,945	86.9%						
White suspended	57	2.9%	81.4%					
Student of Color	292	13.1%						
Student of Color suspended	13	4.5%	18.8%					
Athlete Affiliation				Z=.66				
Athlete	100	4.5%						
Athlete suspended	2	2.0%	2.9%					
Non-Athlete	2,137	95.5%						
Non-Athlete suspended	68	3.2%	97.1%					
Greek Affiliation				Z=.01				
Greek	159	7.1%						
Greek suspended	5	3.1%	6.9%					
Non-Greek	2,078	92.9%						
Non-Greek suspended	65	3.1%	92.9%					
Violation Score				Z=9.53*				
VS 2	1,484	66.3%						
VS 2 suspended	24	1.6%	34.3%					
VS 3	384	17.2%						
VS 3 suspended	46	11.9%	65.8%					
Total Viol. Score					2.01	.580	1	3

* $p < .05$

Institution 1 had a total of 2,237 students in the violation population and 70 (3.1%) of those students were suspended during the 4-year time period. On average, students had 1.5 cases and 1.7 infractions. There were significantly more men (72.1%) than women and significantly more white students (86.9%) than students of color in the violator population. Z-scores were computed at a statistically significant level for gender and violation score. These data therefore provided sufficient evidence to reject the null hypothesis for Institution 1 for research question four.

Institution 2 had a violation population of 3,830 students where 84 (2.2%) of the total were suspended during the 4-year cross section. Men were also represented at a rate higher than women and white students were represented at a higher rate than students of color in the violator population at Institution 2. Non-Greeks and non-athletes were proportionately fewer than their counterparts. Z-scores were computed at a statistically significant level ($p < .05$) for race, gender, and violation score. These data therefore also provided significant evidence to reject the null hypothesis for Institution 2 for research question 4. The full frequency and descriptive data for Institution 2 is below:

Table 19

Violation Population- Institution 2

Variable	Count	Viol. Pop. %	Sus. Pop. %	Z-Score	Mean	S.D.	Min.	Max.
Total # Students	3,830	100%	100%					
Suspended	84	2.2%						
Number of Cases					1.54	1.034	1	12
Number of Infractions					3.25	2.763	1	38

Table 10 Continued

Table 19 Continued

Gender					Z=2.47*			
Total Male	2,377	62.1%						
Male susp.	63	2.6%	75%					
Total Female	1,453	38%						
Female susp.	21	1.4%	25%					
Race					Z=2.81*			
White	2,873	75%						
White suspended	52	1.8%	61.9%					
Student of Color	957	25%						
Student of Color suspended	32	3.3%	38.1%					
Athlete Affiliation					Z=1.10			
Athlete	74	1.9%						
Athlete suspended	3	4.1%	3.6%					
Non-Athlete	3,756	98.1%						
Non-Athlete suspended	81	2.2%	96.4%					
Greek Affiliation					Z=1.77			
Greek	135	3.5%						
Greek suspended	0	0%	0%					
Non-Greek	3,695	96.5%						
Non-Greek suspended	84	2.3%	100%					
Violation Score					Z=6.57*			
VS 2	1,215	31.7%						
VS 2 suspended	3	.25%	3.6%					
VS 3	1,990	52%						
VS 3 suspended	81	4.1%	96.4%					
Total Viol. Score					2.36	.746	1	3

* $p < .05$

While it is important to be aware of the variables in each individual institution population, it is also salient to compare and contrast each institution across the types of populations- overall violation population, overall institutional population, and the population of those students who are suspended. Crosstabs were utilized to analyze these descriptive and frequency statistics within each the violation and the suspension

population. The table below demonstrates the difference in representation among the suspension population, the violator population, and the overall institution population:

Table 20

Population Comparisons

		Inst. 1 Pop.	Inst. 1 Viol. Pop.	Inst. 1 Susp. Pop	Inst. 2 Pop.	Inst. 2 Viol. Pop.	Inst. 2 Susp. Pop
Gender							
	Male	53%	72.1%	92.9%	48.6%	62.1%	75%
	Female	47%	27.9%	7.1%	51.4%	37.9%	25%
Race							
	White	83%	87%	81.4%	73%	75%	61.9%
	Student of Color	17%	13%	18.6%	27%	25%	38.1%
Affiliations							
	Athlete	<1%	4.5%	2.9%	<1%	1.9%	3.6%
	Greek	<1%	7.1%	7.1%	1%	3.5%	0%

Males are suspended more often than females and are represented at higher rates in the violation population as compared to the institution as a whole. Students of color are underrepresented in the violation population but are overrepresented in the suspension population. Both institutions have similar trends with athletes as fewer are suspended than what would be proportionate to the violation population. Finally, while there are significantly more Greek students proportionally in the violation population than the institution population, they are suspended at lower rates than their non-affiliated peers. At Institution 2, 0% of Greek students in the violation population have been suspended during the 4-year cross-section of data, whereas at Institution 1, 7.1% of Greek students in the system have been suspended. Given that gender and race were found to be significant, it is important to note that at both institutions males were represented at

higher rates in the violation population as compared to the institution population and at even higher rates in the suspension population. Students of color were represented at lower rates in the violation population than the institution population but at much higher rates in the suspension population than both the institution and the violation population. At Institution 2, students of color were represented 13% higher in the suspension population than in the violation population. This finding implies a correlation that could be accounted for with bias, or other possible variables. Future research could aid in this discovery and will be discussed in more detail in chapter 6.

Chapter Summary

The results of this chapter are presented as a means to authentically portray the quantitative findings of the 5 possible predictors of disciplinary suspension at two public land-grant institutions in the West. Because stakeholders at each institution can find these results valuable, both collectively with the combined data set and independently as each institution, it was important to report both combined results and individual results when statistical significance was discovered. These results will be useful when framing future discussions about bias and equity at each individual institution, but also in discussions about higher education. It was clear in this research study that higher education has further work and perhaps individual and institutional development to do around implicit bias. Chapter 6 of this quantitative research study will connect findings discovered back to the original research questions and also offer practical recommendations for current

and future practice and each institution. The final chapter will also address suggested future research on this topic.

CHAPTER SIX

CONCLUSIONS

Introduction

The purpose of this quantitative research study was to investigate the possible relationships between university students who had been suspended and their specific characteristics (gender, race, affiliation with either the athletics or a fraternity or sorority, and their overall violation score made up of how many violations a student had and how severe each violation was) at two public land-grant institutions in the West. Also investigated were the differences in proportions of student characteristics in different populations- those who were suspended overall, the violation population, and the university population. The results of this study have shown that, controlling for other factors, men are more likely to be suspended, students of color are more likely to be suspended, and students with a higher violation severity score are more likely to be suspended. There was great value in learning more about university conduct and suspension processes, not only from the specific research questions, but also insight into how data is collected and maintained and the data cleaning process that was completed in preparation for data analysis. This chapter includes an overview of the study and methodology as well as a discussion of the results for each research question. It will also discuss limitations to the study and recommendations for practice and future research regarding the research questions and the overall process of this research.

Overview of the Study

From non-fiction movies like *Animal House* (Reitman, Simmons, & Landis, 1987) to the current state of affairs in the United States, there are issues in our society with implicit, and even explicit bias towards and against certain groups of individuals. According to the Kirwan Institute (2015), everyone has bias. The literature on crime and discipline also supports this notion when discussing K-12 juvenile system conduct processes (Thomas, Moak, & Walker, 2012; Ward, Kupchik, Parker, & Starks, 2011; Tajalli & Garba, 2014; Bowditch, 1993; Government Accountability Office, 2018; Green, 2018; Darby & Rury, 2017) as well as the legal system and crime (Ramirez, 2014; Madsen, 2011). However, very little research has investigated university conduct processes, especially suspension as an adjudication outcome. Recent literature has also found that students who are affiliated with a fraternity or sorority, or are considered a student athlete, may not be held accountable in the same ways because of their confidential traditions (Kennerly, 2014; Flanagan, 2014) and because of what they are seen to contribute to the university community and the institution itself (i.e. donor money, status, housing) (Hechinger & Glovin, 2013, Martin, 2016). In addition to this, other studies have shown that, in general, people of color are arrested and imprisoned at higher rates than white people (Puzzanchera & Adams, 2012) and are also suspended at higher rates in the K-12 school system (Losen & Skiba, 2010). This study fills this gap in the literature by examining the plausibility of bias in university student conduct processes that result in suspension by student demographic characteristics and campus affiliations.

The initial concept model outlined the potential cyclical labeling and bias within the conduct system at a university. Figure 2 showed a student, with all their own characteristics, identities, and affiliations, who allegedly violated the code of conduct. An adjudication process is followed in which a conduct officer determines the course of action—either a student is found not in violation, or is found in violation, and if appropriate, sanctions are assigned. Throughout the entire process, there are several points in which bias could be present (Figure 3). It was important to consider all of these possibilities to better understand the full picture, and to then make recommendations based on the analyses as well as each point in the discipline process.

Findings

In the final stage of this paper, results and recommendations for practice based on each individual research question are presented.

Research Question 1

When considered individually, is there a relationship between the predictor variables (gender, race, and affiliation with athletics and/or sorority/fraternity life, violation severity score) and likelihood of suspension?

Analyses showed that males are significantly more likely to be suspended than females, students of color are significantly more likely to be suspended than white students, and the higher a student's overall violation severity score, the higher likelihood of suspension for that student. Given previous research showing a relationship between gender and delinquency (Smith & Harper, 2015; Shoemaker, 2013; Kennerly, 2014), and

the vast difference in numbers of men in the violation population as opposed to women, it was not surprising that men were more likely to be suspended than women. However, it does encourage questioning if men are actually violating the codes of conduct more often than women or if they have been labeled as violators and therefore performing as such, and more often targeted and observed violating the codes. Examining this possibility further, and determining baseline data for student conduct behavior, are possible areas for future research.

Students of color who were suspended accounted for 3.2% of the total violation population and were more likely to be suspended than white students when the institutions were combined, and at Institution 2. This was consistent with other studies done with other populations such as the K-12 system and the legal system. For example, a recent study done by the National Women's Law Center (Onyeka-Crawford, Patrick, & Chaudhry, 2017) found that girls of color were twice as likely to be suspended as their white female peers in the K-12 system. This is especially significant as it may imply bias in the adjudication process and by conduct officers against students of color, which is consistent with previous studies in the K-12 system and the legal system (Gross, Jacoby, Matheson, Montgomery, & Patil, 2005; Puzzanchera & Adams, 2012). As decisions about whether a student should be suspended are made, it is important to be aware of these possible points of bias in conduct systems and by individual conduct officers.

Given the representations of students of color as well as male students in the violation population and the relationship with these predictor variables to the outcome variable of suspension, the findings suggest that implicit bias or labeling may be present

in the conduct processes at these two institutions. Therefore, it is important that program assessment become part of the annual process for conduct administrators and these conduct offices. It is also important that conduct officers be made aware of the findings of these program assessments and that they reflect on their own practice. It may also be important for conduct offices to review individual conduct officers' adjudication records for the purpose of professional development and as a means to ensure ethical and equitable processes. Practitioners of all kinds should assess their own practice on a regular basis and maintain not only an awareness of their own biases, but a process through which to grow and develop as a professional so as to lessen these biases in the system. If not, the implications of being an uninformed practitioner have the potential to affect students' experiences with the conduct process. Additional recommendations for practice and processes will be discussed later in this chapter.

Research Question 2

When considered together, is there a unique relationship between predictor variables (gender, race, affiliation with athletics or sorority/fraternity life, and violation severity score,) and the likelihood of suspension?

Logistic regression was utilized to understand the collective view and, controlling for other predictor variables, the unique relationship of each of the five predictor variables on suspension. Similar outcomes to the chi-square analyses were found regarding gender, race, and the violation severity score as all three of these were considered statistically significant in relation to suspension. Controlling for other variables, men and students of color were more likely to be suspended, and with each

increase in violation score, the higher the likelihood of suspension. These findings suggest that at the two institutions investigated, there is a correlation between these characteristics and suspension and it is possible that bias and/or labeling may be present within their conduct systems against men and students of color. However, accounting for violation score, the strongest predictor of suspension in this study, men and students of color were still more likely to be suspended. It is important for these institutions, as well as all institutions that are maintaining a code of conduct, to be not only institutionally aware of this, but also for the individuals who uphold the code to understand their institution's possible points of bias and how to work to be more bias-aware in their conduct work. This includes all individuals who do conduct work from those that initially document a violation to those who are administrators in conduct meetings and hearings. In addition to these findings, it is important to note two other findings.

While not statistically significant, the findings on affiliation with fraternity/sorority life and athletics may be worth further research. At Institution 1 and the combined data sets, the relationship between non-athletes and suspension was close to significant; controlling for other factors including violation score, the strongest predictor of suspension, students who are non-athletes are suspended at higher rates than those affiliated with athletics. The literature describes that often student athletes will be held to a different standard and not suspended due to their contributions to the university as an athlete or sorority/fraternity member for that matter, can affect donor gifts and alumni relations with a university (Simons, Bosworth, Fujita, & Jensen, 2007; Benedict & Klein, 1997; Flanagan, 2014).

At Institution 2, zero students affiliated with a fraternity or sorority had been suspended during the four years of data. Again, while not statistically significant, it is worth noting and appears to show a difference between students who are affiliated with a fraternity or sorority, and those who are not. This seems especially suspect after an additional contingency table found that 80 out of the 135 Greek students in the violation population at Institution 2, had a total violation score of severe, or “3”. Violation score was found to be the strongest predictor in the combined institution model. It is recommended that Institution 2 look at these individual cases for Greek students to determine if preferential treatment was given to these students opposed to their unaffiliated peers or to determine additional factors that may explain this. Due to there being zero suspensions of Greek students at Institution 2 during the four-year time frame, the Greek variable was omitted from the multivariate logistic regression for predicting odds of suspension. Future research with a larger data set with higher student suspension numbers across multiple universities may aid in a better understanding of this possible issue on a broader scale.

Given the media and movies such as *Animal House* as described previously, it is important for higher education to understand their own programs and possible issues with bias for or against individuals with certain identities or affiliations. Due to these findings, it is important to reiterate the importance of program and individual assessment processes for student conduct officers as well as professional development training. Manuals and guidelines for conduct process for higher education institutions are also important and

will be discussed further, as well as recommendations for future research, at the end of this chapter.

Research Question 3

What are the interaction effects between significant predictor variables (gender, race, affiliation with athletics or sorority/fraternity life, and violation score) and all variables on likelihood of suspension?

To answer this research question, new interaction variables (i.e. race*gender) were created in SPSS for all variables that were found to be significant in the previous research questions (race, gender, and violation score) and then interacted with all other predictor variables. These interactions were analyzed using logistic regression with interaction effects in order to fully understand their relationship to suspension.

While all interactions were found to be not significant, there was one worth mentioning for the purpose of recommending future research. Violation score combined with athlete status yielded results that were close to significant ($p = .063$) and athlete on its own in this model yielded similar findings with $p = .066$. Given that non-athletes were coded as 1, these results could indicate that non-athletes with higher violation scores are suspended at a rate higher than athletes with higher violation scores. This aligns with previous research that athletes may be given preferential treatment (Benedict, 1997) and are not held accountable for their actions to the same level as their non-athlete peers. While Benedict's research focused on professional athletes, it is important to note this potential alignment with the university conduct system. Interactions of race with other predictor variables as well as gender with other variables were found to be not

significant. It is recommended that this study be repeated with additional institutions so as to have a larger population of athletes and to better understand this on a broader scale.

Research Question 4

What is the rate of suspension based on student characteristics (gender, race, and affiliation with athletics and/or sorority/fraternity life) as compared to the proportions of these characteristics in the overall violation population and overall institutional population?

Preliminary analyses yielded interesting findings. As compared to the overall institutional populations, white students allegedly violate codes of conduct more often than students of color, as do men more often than women. Students who were affiliated with athletics or fraternity/sorority life were also disproportionately represented in the violation population as compared to the overall institutional population, where there were more athletes and Greek students in the violation population than in the overall institutional population. Table 20 displayed these differences in percentages of the different populations. These findings could potentially show that those individuals that are confronting and documenting alleged violations may have bias against men, white students, athletes, and those affiliated with fraternities and sororities. However, there was more to the story.

When looking at the suspension population specifically, the numbers tell a different story with a few of the predictor variables. There was a statistically significant difference between the suspension population and the violation population for gender; 93% of those students in the suspension population at Institution 1 were men as opposed

to 72% in the violation population, and 53% of the institution population. Institution 2 had similar trends, with 75% of the suspension population being men. Men represent 62.1% violation population, and only 48.6% of the institution population.

The difference between students of color and white students is significant and begs the question as to how bias could be playing a role during a student's adjudication process in the discipline system. At Institution 1, 17% of the institutional population was students of color but with students of color only representing 13% of the violator population. However, 18.6% of total suspensions were students of color. This is in contrast to 87% of the violation population being white whereas 81.4% white students account for the suspension population at Institution 1. At Institution 2 these results were a bit more jarring with 75% of the violation population being white and only 61.9% account for the suspension population. This is in contrast to students of color accounting for 25% of the violation population yet 38.1% of the suspension population. This also could be traced back to the question of bias and if these students are treated equitably in the discipline process.

Finally, affiliations were investigated. At Institution 1, athletes accounted for 2.9% of the suspension population, but 4% of the violation population. Athletes had higher representation in the suspension population (3.6%) as opposed to the violation population (1.9%). Students affiliated with a fraternity or sorority were equal in their representation of the violation population and suspension population (7.1%). Institution 2, however, may indicate bias towards Greek students who account for 3.5% of the violation population but 0% of the suspension population.

Based on these results, there are several phenomena that could be present. The differences in percentages between the institutional population and the violation population show there could be bias or labeling (if students had been documented before) present during the documentation process, at the actual time of alleged violation. The differences between the violation population and the suspension population could also suggest bias or labeling. In addition to potential for bias by those observing the actual alleged event of a conduct violation, bias could also be present in the adjudication process, either in an initial administrative meeting or a conduct hearing. Given that there are several points in the discipline process where bias and/or labeling could play a role (see Figure 3), it is important to be aware of each of these points. Given that this was a correlational study it is also important to identify other possible influences. For example, the overall composition of the student body could play a role, the support structures in place at each institution for students, the conduct officers' identities and perhaps previous affiliations could all influence student conduct outcomes. Conduct officer training as well as what type of conduct process is followed (i.e. restorative justice vs. the model code) could also influence a conduct officer's sanctioning decisions. It is important to decide what, as an office, or a division, or an institution, to do about it to proactively ensure that all students are treated with the same respect, equity, and bias-aware processes and procedures, whether in the conduct system or any area of the university.

Recommendations

Given that many issues with data analysis initially came from the cleaning process, the following recommendations are made to any and all institutions maintaining conduct data and who have interest in simplifying the process of understanding their data on a deeper level. Several of the following recommendations regarding the data cleaning process are also directed at the Maxient organization to urge them to examine and improve their systems thus making it easier for institutions of higher education to be consistent and to be able to understand and analyze their own data. When data was first collected within the Maxient data system, it was discovered that not only was there little consistency in the types of violations and sanctions across institutions, but also that the data itself were overwhelming and difficult to analyze. Institution 1 had over 30 types of sanctions and Institution 2 had over 150. Upon further discussion with each institution, it was discovered that there had been transition within both conduct systems and therefore some violations overlapped (i.e. “Alcohol Violation (housing)” and “Alcohol Violation (under 21)”); they meant the same thing, but some were for residence life whereas others were for the conduct office. Similar issues arose from the types of sanctions. In addition, it was difficult to determine the meaning of some violations and sanctions. Some had never been used in the system whereas others were not actually violations or sanctions but extra add-ons just as an FYI (i.e. police involvement) or recommendations but not actual sanctions (i.e. counseling services). All of these issues caused confusion and created difficulty during the data cleaning process. While there are benefits to having a large number of violation type and sanctions (i.e. having a true and detailed

understanding of student behavior and consequences as opposed to a broader high-level view), it is imperative to have a cleaner initial dataset to be able to fully interpret what conduct data can offer and how processes can be improved, shifted, or maintained as a result.

It is recommended that institutions, which would like to understand their own discipline data, minimize the numbers of violations and do similar to what was done in this study- collapse them into fewer categories or at the very least, create new and more clear descriptions for the existing labels. Regarding sanctions, it is highly recommended that, the number of possible sanctions be minimized or that those recommendations be moved to a different category or written about in the notes section of the student's file within the database. It is also recommended that Maxient consider broader categories for ease of data management, consistent record keeping, and simplifying program assessment and data analyses for institutions that use this system of conduct data management.

Inconsistent record keeping can make assessments difficult and can even create inaccurate reporting in end of year or other reports. For example, if an institution is reporting "Alcohol Violation (housing)" and "Alcohol Violation (under 21)" separately, this can confuse assessment reporting. Another issue that was found in the data cleaning process was not having consistent demographic information for each student. In one case a student's gender may have been reported but in another case, it may not have been, or it may have never been reported. In the latter circumstance, the student's record was removed from the final dataset for this research. Therefore, it is also recommended that student data be pulled from larger systems (i.e. the Banner system) or manually inputted

into Maxient, and that records are entered in a more consistent basis. This means ensuring all records have the student's full information (gender, race, year in school, and anything else the institution is interested in collecting in the system). This could be done within adjudication meetings to check in with the student if data is missing, or as a student is checking into the office for a conduct meeting.

Another interesting observation of the cleaning process was that of sanctioning and how sanctions were chosen. While Institution 1 had recently shared their updated sanctioning processes in the local paper, sharing that alcohol and drugs violations would shift to a "three strikes and you're suspended" model, there was inconsistency with how conduct officers sanctioned at both institutions. It is understood that not all situations are straightforward, especially if a student's behavior and/or attitude in a conduct meeting is combative or degrading. Therefore, the conduct officer should have some autonomy in determining sanctions outside of a manual or handbook that states how everything should be sanctioned, regardless of situation. However, if it is known that most violations are alcohol and drugs, noise or smoking, it could be helpful in eliminating possible bias, or questions of bias, to have more straightforward sanctioning guidelines for some of these kinds of issues. This of course should be done with the understanding that, if there are other contributing factors to the adjudication process or the violation, that the conduct officer has discretion within the conduct process and system to sanction as they see fit and should be able to justify their actions if outside of the provided guidelines.

Being transparent with and simplifying sanctioning systems and guidelines within conduct processes could eliminate perceived bias, remind students of the consequences of

their actions before they make decisions, and streamline conduct processes, while still maintaining time for intentional and reflective conversations within conduct meetings. Restorative justice practices may also be worth exploring further, where students engage in a more educational process, sometimes with restoring relationships with those individuals that were affected by their behavior. Given that recent studies have shown that a restorative justice approach to student conduct may provide higher levels of learning and reflection from the incident and the process and therefore decrease incidents of recidivism (Karp & Sacks, 2014; Stoner & Lowery, 2004; Forgays & DeMilio, 2005; Dahl, Meagher, & Vander Velde, 2014; Dominus, 2016), this could be an excellent option to provide students with an opportunity to further learn and reflect as opposed to a suspension or expulsion consequence.

For all institutions, creating a manual for student conduct adjudication processes is important. Guidelines and trainings to discuss possible bias issues and how to hold bias-aware conduct meetings could be helpful in practice. These trainings and guidelines should also include the ethical principles and standards of conduct from the Association for Student Conduct Administration (ASCA, 1993) as well as the CAS Standards (2015). These principles and standards outline what is expected from conduct professionals, and specifically intend to uphold and enhance the ethical climate around student conduct, including non-discrimination. It may also be beneficial to co-create a diversity and inclusion statement as a team for these conduct offices as a standard of the environment they want to create and a standard of how to interact with students in adjudication processes. It is also recommended that institutions consider a way to gather student

feedback about their conduct experience- either through conversations or a survey administered after a student has completed their adjudication process.

One important piece to understanding possible bias is to ensure the language that is used to describe students' identities is inclusive for all students. Neither institution used in this study had an option for a gender outside the gender binary of male-female. A recent study found that students who identify as transgender and gender-expansive are considered some of the most vulnerable youth (Kosciw, Greytak, & Diaz, 2009), and that these students are at greater risk for mental health issues and reduced academic success (Kosciw et al., 2009; McGuire, Anderson, Toomey, & Russell, 2010). If a student enters college and their gender identity is not recognized, this could potentially contribute to these risk factors for student at college who identify outside the gender binary.

In addition to the presence of inclusive language, conduct officials, as well as those that confront these alleged violations (i.e. Resident Advisors, university and city police officers) should be aware of their own implicit biases and how these biases may play a role in their interactions with students. According to the Kirwan Institute for the Study of Race and Ethnicity (2015), all humans have bias, so it must be intentional for universities to create opportunities for their staff to learn about these biases, to reflect on and gain understanding and education on how to use this information to become better and more ethical practitioners. One option for this training is to utilize Harvard's Implicit Bias Tests from Project Implicit (2011). These tests, on a variety of subjects and types of bias, ask participants to share their attitudes and beliefs about different topics as well as general information about the person taking the test. The results of these tests could be a

starting point for conversations and professional development for conduct administrators in higher education. Project Implicit also offers additional lectures and workshops for institutions wanting to take their professional development to another level for their staff. Project Implicit is not the only way to discover one's own biases, only an option and recommendation. It is, however, recommended that both institutions in this study, and all institutions of higher education understand implicit bias and how it may play a role in their conduct practices. In addition to this education and awareness, it is important for institutions of higher education to assess their conduct programs on a regular basis, and to make these questions of if students are being treated equitably, part of that process. Finally, including these kinds of assessments in annual Title IX and campus reports can show a commitment to diversity, inclusivity, and equity.

Areas for Further and Continued Study

An expanded multi-institutional study is recommended to give a broader idea of the extent to which bias and labeling in student conduct adjudication is a widespread issue in higher education. One possibility is to have the ASCA collaborate with the Maxient company to create a nation-wide study to get a broader perspective and include different types of institutions (private, non-land grant, etc.) to determine if there is a difference by institution type. Utilizing data from more institutions and different types of institutions could validate this research. Disaggregating the data at each institution, however, is also meaningful. In this study, it was important to give feedback to each individual institution to share where the opportunities of growth and development are for

each institution separately, but also together. It is also recommended that the study with these two institutions be repeated after recommended implementation of new training programs and an additional four years of data is collected to determine if new interventions and professional development is effective in reducing perceived bias in the discipline systems.

Institution 2's four-year cross-section had zero suspensions of students affiliated with the fraternity/sorority system, despite that 80 of these 135 students had violation severity scores of severe or "3". While this could indicate that these students do not often break the rules, descriptive statistics noted that these students make up 3.4% of the total violation population for Institution 2, and that 59% of these students in the violation population violate with high levels of severity. Future research and more in-depth analysis on what kinds and levels of violations these students have could help to better explain this phenomenon.

Given that males are also often found in the literature and in this study to be represented at higher rates, a follow-up study investigating if males are actually violating more often or if they are labeled as such and therefore caught more often, may also be of interest. Males are represented at higher rates than females as violators, but it is unknown if it is truly the men who are violating more or if they are the ones who are documented more often. A future study could poll students about how often they take part in illegal behavior or violate their code of conduct and compared to those who are actually documented in the violation population. It could be that men are being labeled as violators and therefore more often caught as alleged violators.

Finally, research question three indicated a close to significant interaction between athlete status and violation score. With further research and a higher N of students suspended across more institutions, these interactions could be investigated more closely to determine a better understanding of how the combined predictor variables into new interactions play a role in whether a student is suspended.

Summary

As the researcher of this study, I break out of third person for the second and final time in this paper. Once was to share my positionality, and this time to share the situation of possible implications for not only higher education, but society as a whole, if we do not take seriously the fact that there is much work to be done to ensure that all students, and all humans, are treated with respect and equity. We must work to create a society where not only are we aware of our own biases, but that we choose education, reflection, and understanding of these biases to move forward as a whole.

While my study was correlational, it cannot be ignored that, controlling for all other variables, particularly violation severity score, students of color and men are suspended at higher rates than their female and white peers. It is not acceptable that students of color may have a different experience in the conduct system than their white peers if bias is in fact present. It is not acceptable that men are suspended at much higher rates than women, even when controlling for race, affiliation, and violation score. It is not acceptable that students who are affiliated with athletics or fraternity/sorority life could be held to a different, lower, standard. It is not acceptable that students in general have to

live in fear of being treated differently and inequitably because of certain aspects of their identity. Of course, college is a place where students test their limits, sometimes in a superficial way, and sometimes in a way that can have grave and severe consequences. As discussed in Chapter 1, Healy and Liddell (1998) contended that “the decision to sever the relationship (with a student) is to abandon hope and the possibility of growth and development. It is imperative that all other possibilities for students to learn, reflect, and reform, have been exhausted” (p. 46). It is up to universities and individual programs to ensure this question is being answered when considering suspension as an outcome of student behavior when they violate their institution’s codes of conduct and therefore important to consider restorative justice for not only higher-level conduct cases but also lower levels of violation. It is also imperative that we are asking ourselves about bias and critically thinking about how we arrive at certain decisions. Whether a student is suspended or not, it is important for institutions of higher education to ensure that enough is done regarding awareness, training and development, and practice for those who work to uphold the code of conduct and hold students accountable. While university students do not have consistent experiences with their own conduct or misconduct in college, it is crucial that the processes and procedures in which a student is held accountable or not, are equitable for all students. College should also be a place that is safe and inclusive for all students, regardless of their identities or affiliations.

Program assessment should be an ongoing process for every entity in higher education and administrators should strive to always be better practitioners. In today’s society where outward discrimination, bias, and inequities are present every day, the way

administrators interact with students in any situation should be continually investigated. This is especially true if there is any question that students may not be treated the same based upon how they identify and with what organizations they are affiliated. This study reinforced that it is plausible that not all students have the same conduct experience and may not be held accountable in ethical and equitable ways. Attentiveness to how equity and bias can play a role within an educational culture is important. This study begins a conversation about what could be happening in higher education and why further study is important to ensure equity and respect for all students. Recommendations were also offered on how to begin to create a conduct process and develop conduct professionals to better the overall system. It is unrealistic to expect that all students will never violate their codes of conduct. It is also unrealistic to expect that humans are free from bias. It is up to universities to ensure that the students that do violate their codes of conduct are treated equitably. It is also the responsibility of the institution to ensure that the people that make these decisions have examined their own biases, determined possible other factors that may impact a conduct officer's decision, and done what is right to ensure their practices are as ethical as possible.

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APPENDICES

APPENDIX A

INSTITUTION 1 VIOLATION RECODES AND LEVELS

Charge: Old State	Charge: New State	NEW LABELS	Proposed Level
Acts of Dishonesty - Academic Misconduct	Academic Misconduct	Academic Misconduct	2
Alcohol - Distribution	Alcohol Violation		
Alcohol - Illegal Use	Alcohol Violation		
Alcohol - Possession	Alcohol Violation		
Residence Life Alcohol, Open Container	Alcohol Violation	Alcohol Violation	2
Residence Life Alcoholic Beverage Containers	Alcohol Violation		
Residence Life Medical Transport	Alcohol Violation		
Assault	Assault	Assault	3
Residence Life Passive Involvement	Compliance/Failure to Comply	Other Policy Violation	1
Misuse of Property	Damage	Damage	2
Misuse of Property - Defacing/Damaging Personal Property on Campus	Damage		
Misuse of Property - Defacing/Damaging University Property	Damage		
Residence Life Vandalism	Damage		
Acts of Dishonesty - Forgery	Dishonesty	Dishonesty	1
Acts of Dishonesty - Furnishing False Information	Dishonesty		
Acts of Dishonesty - Misuse of University Documents	Dishonesty		
Acts of Dishonesty - Other	Dishonesty		
Acts of Dishonesty - Unauthorized Access	Dishonesty		
Disruptive Conduct - Conduct Code	Disruptive Conduct	Disruptive Conduct	2
Disruptive Conduct - Failure to Comply	Disruptive Conduct		
Disruptive Conduct - Obstruction	Disruptive Conduct		
Disruptive Conduct - Other	Disruptive Conduct		
Disruptive Conduct - Rights of Others	Disruptive Conduct		
Disruptive Conduct - Trespass	Disruptive Conduct		
FGH Disruptive Behavior	Disruptive Conduct		
Residence Life Disruptive Behavior	Disruptive Conduct		
Unauthorized Presence on University Grounds	Disruptive Conduct		
Drugs - Distribution	Drug Violation	Drug Violation	2
Drugs - Illegal Use	Drug Violation		
Drugs - Possession	Drug Violation		
Residence Life Drug Policy Violation	Drug Violation		
Residence Life Possession of Paraphernalia	Drug Violation		
Abuse of Computer - Sending Harassing Messages	Harassment	Harassment	2
Harassment - Disruptions	Harassment		
Harassment - Other	Harassment		
Harassment- Other	Harassment		
Residence Life Harassment	Harassment		
Title IX - Sexual Harassment	Harassment		
FGH Noise	Housing Low Level	Housing Low Level	1
FGH Pets	Housing Low Level		
FGH Service/ Assistive Animal Contract	Housing Low Level		
Residence Life Bicycle Storage	Housing Low Level		
Residence Life Ceiling Tiles	Housing Low Level		
Residence Life Dart Boards	Housing Low Level		
Residence Life Decoration and Room Displays	Housing Low Level		
Residence Life Furniture and Furnishings	Housing Low Level		
Residence Life Noise	Housing Low Level		
Residence Life Other	Housing Low Level		
Illegal Conduct Other	Other Legal Violation	Other Legal Violation	2
Residence Life Police Involvement	Other Legal Violation		
Fire Safety	Safety Violation	Safety Violation	2
Reckless Use of Wheeled Devices	Safety Violation		
Residence Life Chemicals and Explosives	Safety Violation		
Residence Life Guests and Visitation	Safety Violation		
Residence Life Keys and Locks	Safety Violation		
Residence Life Safety and Security	Safety Violation		
Residence Life Screens	Safety Violation		
Residence Life Sports	Safety Violation		
Sexual Misconduct - Intercourse without Consent	Sexual Misconduct	Sexual Misconduct	3
Harassment - Unwelcomed Behavior of a Sexual Nature	Sexual Misconduct		
Acts of Dishonesty - Theft	Theft	Theft	2
Theft	Theft		
Theft - Motor vehicle theft	Theft		
Theft - Private Property on Campus	Theft		
Theft - University Property	Theft		
Theft of Food Services	Theft		
Theft of Parking Services	Theft		
Harassment - Threat to Do Bodily Harm	Threat	Threat	2
Disruptive Conduct - Threat	Threat		
Tobacco Policy Violation	Tobacco Violation	Tobacco Violation	1
Firearms, Explosives, Weapons	Weapons	Weapons	2

APPENDIX B

INSTITUTION 2 VIOLATION RECODES AND LEVELS

Charge: Old State	Charge: New State	NEW LABELS	Proposed Level
06 Abusive Conduct	Abuse	Abuse	3
06a Physical Abuse	Abuse		
06b Verbal Abuse	Abuse		
01d Academic Misconduct - Falsification Academic Misconduct	Academic Misconduct		2
16 Alcohol Violation	Alcohol Violation		2
16b Alcohol - Under 21	Alcohol Violation	Alcohol Violation	
Alcohol Policy (Housing)	Alcohol Violation		
16a Alcohol - Manufacture or Distribution	Alcohol Violation		
11b Damage	Damage	Damage	2
Damage (Housing)	Damage		
03 Forgery	Dishonesty	Dishonesty	1
02b False Reporting	Dishonesty		
02 False Information to University	Dishonesty		
02a False Information on University Applications	Dishonesty		
04 Disruptive Behavior Disruptive Conduct	Disruptive Conduct		2
10 Non-compliance with University Officials	Disruptive Conduct		
20 Aiding and Abetting	Disruptive Conduct		
10a Non-compliance with Police	Disruptive Conduct		
04a Classroom Disruption	Disruptive Conduct		
19b Non-compliance with Sanctions	Disruptive Conduct		
Compliance with Officials (Housing)	Disruptive Conduct		
Guest Policy (Housing)	Disruptive Conduct		
05 Obstruction of Free Speech	Disruptive Conduct		
19a Abuse of Conduct System	Disruptive Conduct		
17d Drugs - Possession or Use of Paraphernalia	Drug Violation	Drug Violation	2
Drug Policy (Housing)	Drug Violation		
17 Drugs - Marijuana	Drug Violation		
17a Drugs - Possession or Use of Illegal Drugs (other than marijuana)	Drug Violation		
17c Drugs - Prescription Drugs	Drug Violation		
17b Drugs - Manufacture or Distribution of Illegal Drugs	Drug Violation		
07a Harassment - Gender Harassment	Harassment		2
02 Hazing	Harassment		
07 Harassment	Harassment		
06e Stalking	Harassment		
Bias Incidents (Housing)	Harassment		
Harassment and Hate Incidents (Housing)	Harassment		
07b Harassment - Racial	Harassment		
07d Harassment - Age	Harassment		
07c Harassment - Sexual Orientation	Harassment		
Quiet Hours (Housing)	Housing Low Level	Housing Low Level	1
Keys and Prox Cards (Housing)	Housing Low Level		
Passive Involvement (Housing)	Housing Low Level		
Sports/ Activities in Hallway (Housing)	Housing Low Level		
Door Decorations (Housing)	Housing Low Level		
Pranks and Practical Jokes (Housing)	Housing Low Level		
Pet Policy (Housing)	Housing Low Level		
Walls, Doors, and Decorations (Housing)	Housing Low Level		
Room changes (Housing)	Housing Low Level		
Gambling (Housing)	Housing Low Level		
Other Devices (Housing)	Housing Low Level		
19 Failure to Appear for Hearing	Housing Low Level		
Videotaping Policy (Housing)	Housing Low Level		
14 Solicitation Violation	Other		1
15 Evidence of Violation of Law Other Legal Violation	Other Legal Violation		2
13 Violation of University Rules	Other Policy Violation	Other Policy Violation	1
18 Unacceptable Use of University Computer Resources	Other Policy Violation		
11c Unauthorized Entry	Safety Violation	Safety Violation	2
Building Safety (Housing)	Safety Violation		
Fire Escape and Safety - Enforcement (housing)	Safety Violation		
Fire Safety in Room (Housing)	Safety Violation		
11d Unauthorized Possession of Keys	Safety Violation		
Candles and Open Flames (Housing)	Safety Violation		
Explosives (Housing)	Safety Violation		
Tampering with Safety Equipment (Housing)	Safety Violation		
Safety Equipment (Housing)	Safety Violation		
08a Sexual Misconduct - Indecent Behavior	Sexual Misconduct	Sexual Misconduct	3
08f Sexual Misconduct - Non-consensual Sexual Contact	Sexual Misconduct		
08 Sexual Misconduct	Sexual Misconduct		
06f Coercion	Sexual Misconduct		
08d Sexual Misconduct - Distribution of Pornography	Sexual Misconduct		
08b Sexual Misconduct - Observation without Consent	Sexual Misconduct		
11a Theft	Theft	Theft	2
Theft Policy (Housing)	Theft		2
06d Intimidation	Threat	Threat	
06c Threats	Threat		
Threats Policy (Housing)	Threat		
Smoking Policy (Housing)	Tobacco Violation	Tobacco Violation	1
12a Weapons - Criminal Violation	Weapons	Weapons	2
12 Weapons - Possession or Use	Weapons		
Weapons Policy (Housing)	Weapons		

APPENDIX C

INSTITUTION 1 SANCTION RECODES

Sanctions Old State	Sanctions New State	New Label
Community Service	Community Service	Community Service
X OLD PRE 2015 Community Service	Community Service	
Apology	Educational Assignment	Educational Assignment
Educational Assignment	Educational Assignment	
FGH Behavioral Contract	Educational Assignment	
File Review and Behavioral Agreement	Educational Assignment	
Re admission...SQRC	Educational Assignment	
Substance Abuse Assessment	Educational Assignment	
ACT Proof of Completion	Educational Class	Educational Class
Insight	Educational Class	
MIP Class	Educational Class	
Expulsion	Expulsion	Expulsion
Fine	Financial Consequence	Financial Consequence
Restitution	Financial Consequence	
Loss of Privileges	Loss of Privileges	Loss of Privileges
No Contact	Loss of Privileges	
Parking Loss	Loss of Privileges	
Other	Other	Other
Campus Trespass	Persona non Grata	Persona non Grata
Persona non Grata	Persona non Grata	
Residence Life Probation	Probation	Probation
X OLD PRE 2015 Residence Hall Contract Probation	Probation	
Housing Relocation	Removal from Community	Removal from Community
Housing Removal	Removal from Community	
Removal from Family Graduate Housing	Removal from Community	
X OLD PRE 2015 Removal from Residence Hall System	Removal from Community	
X OLD PRE 2015 Residence Life Removal from Floor or Hall	Removal from Community	
Counseling and Psychological Services In Take	Required Resources Attendance	Required Resources Attendance
Meeting in Residence Life	Required Resources Attendance	
Re admission...Mental.Health	Required Resources Attendance	
Success Center Meeting	Required Resources Attendance	
Suspension	Suspension	Suspension
Letter of Warning	Warning	Warning
University Disciplinary Warning Reprimand	Warning	

APPENDIX D

INSTITUTION 2 SANCTION RECODES

Sanctions Old State	Sanctions New State	New Label
Neighborhood.Clean.Up...CONSULT.w..SRC	Community Service	Community Service
Individual.Neighborhood.Clean.Up.and.Reflection	Community Service	
Community.Service	Community Service	
Bulletin.Board	Community Service	
Bodily.Fluid.Clean.up.Restitution	Community Service	
Doing.Honest.Work.in.College	Educational Assignment	Educational Assignment
Alcohol.Assessment	Educational Assignment	
Alcohol.Class.Completion...Paper	Educational Assignment	
Life.Skills	Educational Assignment	
Live.Safe.101	Educational Assignment	
MITT.Academic.Integrity.module	Educational Assignment	
Alcohol.and.Drug.Assessment..Blue.Sky.	Educational Assignment	
Strengths.Program	Educational Assignment	
Fire.Safety.Evacuation.Paper	Educational Assignment	
Sexual.Misconduct.Evaluation	Educational Assignment	
CASA.Academic.Plan	Educational Assignment	
Ethical.Management.Book	Educational Assignment	
Apology.Letter	Educational Assignment	
Plagiarism.Self.test.TILT...short.	Educational Assignment	
VAIL.Tutorial	Educational Assignment	
Reflection.Paper	Educational Assignment	
RAISE.Academic.Integrity.Tutorial	Educational Assignment	
Global.Village.Community.Coordinator	Educational Assignment	
Harm.Reduction.Plan	Educational Assignment	
Domestic.Violence.Evaluation	Educational Assignment	
Restorative.Action	Educational Assignment	
Student.Involvement.Plan	Educational Assignment	
Floor.Program	Educational Assignment	
Interview.your.RA	Educational Assignment	
Poster	Educational Assignment	
Poster...Quiet.Hours	Educational Assignment	
Residence.Hall.Policy.Research.Paper	Educational Assignment	
Smashed.Book.and.Paper	Educational Assignment	
Locksmith.Research	Educational Assignment	
Values.Card.Sort	Educational Assignment	
A.Fragile.Trust	Educational Assignment	

Judicial.Educator.online.module	Educational Assignment	
Disciplinary.Expulsion...SRC.Only	Expulsion	Expulsion
Restitution..Residence.Life.	Financial Consequence	Financial Consequence
Revocation.of.Admission.or.Degree	Loss of Privileges	Loss of Privileges
Loss.of.Repeat.Delete	Loss of Privileges	
Loss.of.Good.Standing	Loss of Privileges	
Withholding.Degree...SRC.Only	Loss of Privileges	
Court.Documentation.Request	Other	Other
Academic.Misconduct.Transcript.Notation	Other	
Grading.Penalty	Other	
Computer.Scan	Other	
Other.Sanction	Other	
Parental.Notification	Other	
Responsible.Action.Exemption.Parental.Notification	Other	
Trespass.Order..Residence.Hall	Persona non Grata	Persona non Grata
Trespass.Order..CRSCS.Only	Persona non Grata	
General.Disciplinary.Probation	Probation	Probation
General.Disciplinary.Probation...STUDENT.ORGANIZATIONS	Probation	
Residential.Reassignment	Removal from Community	Removal
Cancellation.of.Residence.Hall.Contract	Removal from Community	
Interim.Residential.Relocation...SRC.Only	Removal from Community	
Residential.Expulsion	Removal from Community	
No.Contact...CRSCS.Only	Removal from Community	
Off.Campus.Life	Required Resources Attendance	Required Resources Attendance
Off.Campus.Life....Community.Dialogue	Required Resources Attendance	
Taking.Steps...option	Required Resources Attendance	
Infosoft.and.DAY.follow.up	Required Resources Attendance	
Taking.Steps.alternate	Required Resources Attendance	
Academic.Coaching	Required Resources Attendance	
Back.on.TRAC	Required Resources Attendance	
Anger.Management	Required Resources Attendance	
BASICS...CONSULT.w..SRC	Required Resources Attendance	
Brain.Scans	Required Resources Attendance	
Communication.Workshop	Required Resources Attendance	
DAY.Clinician...CONSULT.w..SRC	Required Resources Attendance	
Family.Dynamics	Required Resources Attendance	
Party.Partners.Workshop...CONSULT.w..SRC	Required Resources Attendance	

Study.Aboard	Required Resources Attendance	
Conflict.Coaching...CONSULT.w..SRC	Required Resources Attendance	
Mediation	Required Resources Attendance	
Center.for.Community.Partnerships	Required Resources Attendance	
Bicycle.Impact.Panel	Required Resources Attendance	
Academic.Misconduct.Panel...CONSULT.w..CRSCS	Required Resources Attendance	
Court.Ordered.Requirements.Completion	Required Resources Attendance	
Plagiarism.Self.test.Indiana.University..long.	Required Resources Attendance	
Bike.Impact.Panel...CONSULT.w..SRC	Required Resources Attendance	
Disciplinary.Suspension	Suspension	Suspension
Deferred.Suspension...SRC.Only	Suspension	
Disciplinary.Suspension...SRC.Only	Suspension	
Interim.University.Suspension...SRC.Only	Suspension	
Interim.Residential.Suspension...SRC.Only	Suspension	
Disciplinary.Suspension.BOT..SRC.Only	Suspension	
Warning	Warning	Warning
No.Action...SRC.Only	Warning	

APPENDIX E

INSTITUTION 1 VIOLATION FREQUENCIES

Type of Violation	Frequency
Abuse	0
Academic Misconduct	3
Alcohol Violation	2,202
Assault	37
Compliance/Failure to Comply	0
Damage	111
Dishonesty	92
Disruptive Conduct	1,036
Drug Violation	932
Other Legal Violation	284
Other Policy Violation	1,171
Safety Violation	269
Sexual Misconduct	3
Theft	74
Threat	33
Tobacco Violation	205
Weapons	31

APPENDIX F

INSTITUTION VIOLATION FREQUENCIES

Type of Violation	Frequency
Abuse	499
Academic Misconduct	1
Alcohol Violation	6,038
Assault	0
Compliance/Failure to Comply	0
Damage	202
Dishonesty	71
Disruptive Conduct	1,589
Drug Violation	3,210
Other Legal Violation	2,509
Other Policy Violation	1,425
Safety Violation	358
Sexual Misconduct	85
Theft	141
Threat	93
Tobacco Violation	289
Weapons	33

APPENDIX G

RACE NEW STATES

Institution	Old State	New State
Institution 1	American Indian/Alaskan Native	Student of Color
Institution 1	Black/African American	Student of Color
Institution 1	Gros Ventre- no reservation	Student of Color
Institution 1	Native HI and other Pacific Is	Student of Color
Institution 1	Other- Unknown	Student of Color
Institution 1	African-American	Student of Color
Institution 1	Asian	Student of Color
Institution 1	Crow-Crow reservation	Student of Color
Institution 1	Hispanic	Student of Color
Institution 1	No response	Deleted Record
Institution 1	White	White
Institution 2	American Indian; Asian; Hawaiian	Student of Color
Institution 2	American Indian; Black	Student of Color
Institution 2	American Indian; White	Student of Color
Institution 2	Asian; Black	Student of Color
Institution 2	Asian; Hawaiian	Student of Color
Institution 2	Asian; White	Student of Color
Institution 2	Black; White	Student of Color
Institution 2	Hawaiian; White	Student of Color
Institution 2	Hispanic; American Indian	Student of Color
Institution 2	Hispanic; American Indian; White	Student of Color
Institution 2	Hispanic; Asian; Black	Student of Color
Institution 2	Hispanic; Asian; White	Student of Color
Institution 2	American Indian	Student of Color
Institution 2	American Indian; Asian; White	Student of Color
Institution 2	American Indian; Black; White	Student of Color
Institution 2	Asian	Student of Color
Institution 2	Asian; Black; White	Student of Color
Institution 2	Asian; Hawaiian; White	Student of Color
Institution 2	Black; White	Student of Color
Institution 2	Black; Hawaiian	Student of Color
Institution 2	Hawaiian	Student of Color
Institution 2	Hispanic	Student of Color
Institution 2	Hispanic; American Indian; Asian	Student of Color
Institution 2	Hispanic; Asian	Student of Color
Institution 2	Hispanic; Asian; Black; White	Student of Color
Institution 2	Hispanic; Black	Student of Color
Institution 2	Hispanic; Black; White	Student of Color
Institution 2	Hispanic; Hawaiian; White	Student of Color
Institution 2	No Response	Delete Record

Institution 2	White	White
Institution 2	Hispanic; Hawaiian	Student of Color
Institution 2	Hispanic; White	Student of Color
Institution 2	Organization	Delete Record